



## MINUTES

**Animal Commission Meeting  
Second Floor Conference Room  
Monday, May 18, 2015  
6:00 p.m.**

**Members Present:** Peg Morrisroe & Bill Urquhart

**Members Absent:**

**Staff Present:** CSO Poirier and Recording Secretary K. Hodge

**Others Present:** None

The meeting was called to order at 6:01 p.m.

- I. Roll Call** - Roll Call was taken. All members were present.
- II. Approve Minutes** – Commissioner Urquhart made a motion to approve the minutes from the May 4, 2015 meeting. Commissioner Morrisroe seconded. The motion passed.
- III. Action Items**

1. **Review Case #15-08250**

Commissioner Morrisroe summarized the police report. Victim owner Mr. Larry Kaczmarik and the reporting party/witness Ms. Ewa Krzyzewski were present. Ms. Krzyzewski stated that she walks Mr. Kaczmarik's dog, Bailey, at approximately the same times every day. The suspect dog, Bowser, ran up from behind without a leash on and bit Bailey's ear. Ms. Krzyzewski had to open Bowser's mouth to release his grip on Bailey and pull the dogs apart. She then held Bowser by the collar and at that time the suspect owner, Mr. Zuley drove by and stopped to get Bowser.

Mr. Kaczmarik stated that Ms. Krzyzewski was lucky nothing happened to her. He also stated that Bailey is a tall Labradoodle and weighs 75 pounds.

Commissioner Morrisroe asked if Bailey tried to fight back. Ms. Krzyzewski said no, he cried like a baby.

Mr. Kaczmarik stated that he and Bailey are regular members at the dog park, and Bailey is always around dogs and loves to play.

Commissioner Morrisroe asked Ms. Krzyzewski if when she separated the dogs if Bowser was growling. Ms. Krzyzewski said no. She has 15 years of experience with dogs and she recognized Bowser to be dog-aggressive, not people-aggressive.

Commissioner Morrisroe asked what Mr. Zuley did when he arrived on scene. Ms. Krzyzewski stated that Mr. Zuley said "You are acting very well." She explained that she knows dogs and his was dog-aggressive. He then asked if Bailey was a boy or a girl, and when Ms. Krzyzewski said girl, Mr. Zuley said, "Well that's why." Commissioner Urquhart commented that Bowser could not have noticed that so fast and that is not why Bowser bit the dog.

Ms. Krzyzewski stated that Mr. Zuley started to leave with his dog and she wrote down his license plate and then asked for his information. She stated at that time Mr. Zuley's wife and son appeared on scene with a leash and collar, and they told her they have only had the dog a few months.

Commissioner Morrisroe asked if Mr. Zuley mentioned if the dog was current on vaccinations. Ms. Krzyzewski said that was the first thing she asked, and Mr. Zuley responded that he had everything done and had a rabies tag. Discussion ensued about the rabies tag expiration (April 30, 2014) and the difference between 1-year and 3-year rabies shots.

Commissioner Urquhart asked how Bailey was doing. Mr. Kaczmarik said Bailey is good.

Commissioner Morrisroe stated that the Commission could not yet make a ruling without Mr. Zuley present, but they now had Mr. Kaczmarik and Ms. Krzyzewski's statements recorded. The Commission would schedule another meeting and notify all parties, but Mr. Kazmarik does not have to come back, as they have his statement, but he is welcome to attend. All parties will be notified of the ruling.

Mr. Kaczmarik stated that he spoke with Mr. Zuley the night of the incident, and Mr. Zuley was not apologetic at all. Mr. Kaczmarik told him that he expected Mr. Zuley to be financially responsible, and Mr. Zuley said "of course." Mr. Zuley has not called to ask how the dog is and he is not returning Mr. Kaczmarik's calls. When Mr. Kaczmarik went to Mr. Zuley's residence on two occasions, a woman answered the door with a small dog and said Mr. Zuley was not home, had an accident and was not doing well. She added that she thought Mr. Zuley would still pay the bills.

Commissioner Morrisroe then asked what the outcome was at adjudication. Recording Secretary Hodge stated that Mr. Zuley was found "not liable" in both cases. Mr. Kaczmarik stated that he was never told he could attend adjudication. Discussion then ensued about adjudication, notification of adjudication and the difference between the Animal Commission Hearing and adjudication.

Mr. Kaczmarik stated that he does not want a confrontation but he will go to Mr. Zuley's house every weekend until he receives money for the veterinarian bills. Commissioner Morrisroe stated that if there is no response from Mr. Zuley, Mr. Kaczmarik may have to go to small claims court to be reimbursed.

Case to be continued until the rescheduled Commission meeting. All parties will be notified of the date and time.

**2. Review Case #15-08975**

Commissioner Morrisroe stated that this case would also be continued until the next meeting as the victim owner and suspect owner were not present.

Ms. Laura Liveris, 122 Gillick, witness to the listed case, entered and stated her daughter, the victim owner of this case attempted to find and attend the meeting, but there was confusion on the location and she (the victim owner) returned to work. She stated that the suspect owner has not been returning any calls. Commissioner Morrisroe stated that the case would be continued, another commission meeting would be scheduled and all parties would be notified.

**IV. Old Business**

None.

**V. New Business**

None.

**VI. Adjournment**

There being no further business, the meeting was adjourned at 6:39 p.m.