

# The Carmel Pine Cone

Volume 98 No. 11

On the Internet: [www.carmelpinecone.com](http://www.carmelpinecone.com)

March 16-22, 2012

YOUR SOURCE FOR LOCAL NEWS, ARTS AND OPINION SINCE 1915

## Woman sues neighbor over dog attack

By KELLY NIX

THE DIRECTOR of the Big Sur International Marathon Just Run youth program filed a lawsuit this week over a 2011 dog attack near her Carmel house that killed her puppy and forced her to undergo emergency skin grafts.

On March 15, 2011, Susan Love was walking her Maltese-Yorkshire terrier mix puppy on Canyon Place when three dogs owned by James Joshua Kelsey escaped their yard and attacked them, killing the small dog and mauling Love's arm.

"While Ms. Love's physical injuries are healing, she continues to experience emotional trauma due to the attack," according to Monterey attorney Thomas Dunnion, who filed the suit for Love on March 13. "She enjoys running, but ever since the attack, she fears for her safety if she goes running

See **ATTACK** page 23A

## Livernois named Pine Cone columnist

FORMER MONTEREY County Herald Executive Editor Joe Livernois has joined The Carmel Pine Cone as a weekly columnist. "I have admired Joe's work for a long time," said publisher Paul Miller. "You never know what he's going to do, and that's a good thing."

Raised in the Imperial Valley, Livernois came to Monterey County in 1980 and was the editor of a weekly in Prunedale for a couple of years. He worked at The Pine Cone during Jerry Brown's first administration, and was then with The Herald for 28 years. He has two grown sons and lives with his wife, Loma, in Prunedale. His first column is on page 26A.

## Hospital execs not 'guaranteed' big payouts

### ■ But CHOMP bosses are very well paid

By KELLY NIX

STATE AUDITORS spent months unravelling the controversial finances of Salinas Valley Memorial Hospital after former CEO Sam Downing received a lump sum of about \$4 million when he retired, on top of an annual pension of \$115,000 for life.

While Community Hospital of the Monterey Peninsula hasn't come under the same kind of scrutiny — and says it hasn't provided golden parachutes to any of its retired executives — public documents about the hospital's

## CANDIDATES MAKE THEIR CASE AT FINAL FORUM

By MARY SCHLEY

WITH ABSENTEE ballots already in the mail and election day just four weeks away, mayoral candidates Jason Burnett and Rich Pepe and four contenders for city council took advantage of the third and final forum Tuesday night to articulate their views — as similar as they are — and highlight their knowledge of issues such as the water shortage, downtown parking, municipal pension liabilities and the sale of Flanders Mansion.

The sharpest difference among the candidates at the forum, which was moderated by Pine Cone publisher Paul Miller and drew a standing-room-only crowd to Sunset Center's Carpenter Hall, was their experience at city hall or lack thereof, and whether having it was an asset or a liability.

"We cannot play politics as usual," insisted political newcomer Pepe, who owns a pair of restaurants and a bakery downtown. The city needs additional revenue, he said, and he suggested increasing the sales tax, allowing short-term rentals, implementing paid parking and putting other plans into action in order to raise money.

Burnett, meanwhile, cited his educational background and experience in Washington — helping lead a government agency with a several-billion-dollar budget — and his two years on the city council as justification for choosing him.

"I know how government works," he said. "I know how to get things done."



PHOTO/KERRY BELSER

Pine Cone publisher Paul Miller (left) prompts candidates (from left to right), Ken Talmage, Bob Profeta, Victoria Beach, Rich Pepe, Jason Burnett and Tom Leverone, during a forum for voters at Sunset Center's Carpenter Hall on Tuesday.

Like Pepe, city council candidate Bob Profeta focused on his decades of business ownership and said lack of experience at city hall makes him "totally independent."

"I can and will take independent stands," he said, adding that he has a lot of ideas for solving the city's problems. He advocated increasing the hotel tax, adopting paid parking, embarking on another capital campaign to pay off Sunset Center debt and asking voters to approve a supplemental property tax.

"I know these may not be popular with all, but let's at least have the debate," he said.

Council candidate Ken Talmage, the only incumbent in the race, has served for five years on the council and almost three years on the planning commission before that. He said during the next four years he would focus on facing the city's "financial reality" and maintaining a vibrant community. He also recounted his accomplishments while in office.

"I've established a reputation as an attentive listener and independent thinker; I encourage participation," he said, adding that he's a "bridge builder" who can balance differing interests to find solutions.

City council candidate and planning commissioner Victoria Beach, who has a master's in architecture from Harvard, said her experience, knowledge of design and appreciation of the town in which she lives would make her a good councilwoman. And she's been delighted at the con-

See **FORUM** page 27A

## Lawsuit alleges terrible bullying at Serra School

By KELLY NIX

THE MOTHER of a 15-year-old boy is suing Junipero Serra School and the Catholic Diocese of Monterey, alleging her child was the victim of ongoing racist and lewd bullying by another student who engaged in a "campaign of terror" for more than a year.

In a lawsuit filed March 9, Victoria Napolitano, who describes herself as African-American, alleges her son, Tyler Napolitano, was victimized by a "known bully" at the private Carmel Mission school and forced to transfer to a different school after the mistreatment started affecting his grades.

The suit also lists as defendants the boy's mother and father, and Peggy Burger, Junipero Serra's principal. Because he is a minor, The Pine Cone is not publishing the alleged bully's name.

According to the lawsuit, the boy began bullying Napolitano in February 2009, when he was

in seventh grade. The boy allegedly made racist comments and prevented Napolitano from taking part in football and other games during lunch.

He "made constant derogatory statements to Tyler, which were both threatening and had racist/discriminatory overtones," the lawsuit says.

Burger, who was contacted by a Pine Cone reporter Wednesday, directed questions about the lawsuit to an attorney for the Diocese of Monterey who did not return a phone message. Diocese spokesman Warren Hoy said he couldn't comment because he hadn't yet seen the lawsuit.

According to the suit, even though the bullying happened as frequently as three days per week and school officials were aware of it, the diocese and the school "concealed" the boy's bad behavior and didn't tell Napolitano's moth-

See **BULLY** page 23A

## La Playa tented for termites



PHOTO/MARY SCHLEY

No, the circus wasn't in town last weekend. But La Playa Hotel was fumigated for termites in preparation for its upcoming renovation. See the story on page 10A.