

**Leyden Select Board and Finance Committee Minutes**  
**Leyden Town Offices**  
**Regular Session Minutes**  
**September 27, 2021**  
**6:00pm**

**Select Board Members Present:** Jeff Neipp, Bill Glabach, Erica Jensen

**Others Present:** Michele Giarusso, John Higgins, Michele Higgins, Michael Stempel, Carol Kuzdeba, Ken Medvetz, Ginger Robinson, Sara Steinberg, Ann Zavaruha, Trish Saline, Vicky Baker, Nik Adamski, Douglas Beck, Nate Messer, Barbara Wallace, Liz Kidder, Robin Neipp, Anders Ferguson, Nancy Edwards, Ginny Rockwood, Robert Anson, Anne Garvey, Pam Brown, Aaron Dulles, Glenn Caffrey, Robbie Milner, Zack Delucca, Julie McCarthy, Mary Glabach, Colleen Caffery, Dave Vreeland, Merry Lein, Art Snow, Nan Rolstad, Brian Pelletier, Trish Crapo, Donald Jacobs

Jeff called the meeting to order at 6:00 pm. Select board signed FY 22 warrants. Jeff signed Coates Road culvert contract and FY 21 Whip City ISP bills that were never delivered to us by mail.

**Motion:** Erica moved the Sept.20, 2021, meeting minutes as written. Bill seconded. Unanimous.

**Approval of Traffic Control Officer Policy.**

**Motion:** Erica moved to approve the new Traffic Control Officer policy with changes. Bill seconded. Unanimous.

**Notification to Police Chief for possible hearing regarding emails that were submitted to the select board at a previous meeting.**

**Motion:** Bill moved to notify Chief Galvis of a hearing on October 18. Erica seconded. Michele to send email to Dan to see if Dan is available on that date. Trish Saline asked if the public would be able to attend this meeting. Jeff's reply was it all depends on if Dan would like the meeting in executive session or open session.

**Letter to Representative Paul Mark rescinding Select board meeting vote supporting the filing of legislation on Chief Galvis's behalf to work until he is age 72-** Jeff had Michele type a letter to Rep. Paul Mark stating considering new information the Select board would like to withdraw their support of Chief Galvis's tenure beyond the age of 70. Gilda Galvis asked what conversation the board had with Dan since this was news to her. Jeff replied this is a courtesy letter to Rep. Mark to not file legislation to the General Court. Art Snow asked whether the select board had the authority to do this. Bill stated he is uncomfortable signing the letter because the select board has not had an executive session meeting with Dan yet. Bill stated he feels we are putting the cart before the horse. Erica asked if the executive session has a potential for termination for just cause? Jeff replied, yes anything can come out of the meeting. Erica commented on the process of the legislation. Before legislation goes through the Public Service Committee will hold a public hearing, there are several steps in this process, and anyone can testify for or against the legislation. Erica plans on attending the hearing. She continued; this letter may not stop the procedure going forward due to we cannot overturn the town meeting vote. Bill replied he will not sign the letter until the meeting with Dan. Erica and Jeff signed. Jeff stated the letter will not be sent at this time.

**Don Jacobs of DJ Consulting –** Don stated he will be recommending a pay equity and comparable worth plan. He wanted the board to hear again there is a pay equity law in Massachusetts which states women must be paid the same as men according to the worth of the position. He has collected market data from various towns around Leyden according to the guidelines the select board gave to him previously. He has completed a draft for Leyden for the hourly rates of pay only with comparable worth charts that justifies the rates. He recommends the town stay with the stipend rate for those positions already identified as stipends as they are all

within a fair rate of pay and require different decision making. For Erica's benefit he went over the process he went through to get to his current findings. He first sent out a questionnaire to all employees. The Library Trustees and Assessors gave great feedback on the characteristic chart for grade levels. He is asking the board to look at the grade levels again, they do not have to vote on anything tonight but consider the proposed salary ranges and proposed classification and compensation salary ranges. He is also recommending the board adopt a plus or minus 15% as a guide to identify the pay grade. If a person has been in a position for 3 years you need to pay them competitively and at least above the minimum. He asked the board to consider approving the classification and compensation plan to retain employees also. He suggested every year the job description be updated making sure each are accurate and look at how the position should be adjusted according to the plan. He recommends against across-the-board percentage increases. The better way to pay employees is to look at the compensation plan. He stated consider adopting these recommendations and move forward. He will prepare a final report for the board and would be happy to discuss his recommendations further.

**Sara Steinberg-** Sara read a letter she prepared addressed to the select board regarding the racist emails sent by the Leyden Police Chief as reported in the Greenfield Recorder on September 18, 2021 (attached). She also presented a petition signed by eighty people requesting the select board take immediate action and request the resignation of Police Chief Daniel Galvis. If he declines, they demand his termination in light of his unacceptable actions (attached).

Jeff then gave residents the opportunity to speak.

**Bob Anson-**stated he was not comfortable with weapons being left unprotected by our police chief. In addition, our police chief admitted to making racist comments and he sent a cartoon mimicking the wife of the President of the USA. I am embarrassed by these for the residents of this town, the select board needs to act, I am embarrassed to pay my taxes, this is 2021 and when was the civil rights law first passed?

**Nan Rolstad-**I worked for human services for over 25 years. Dan knew or he should have known these emails were not okay.

**Trish Crapo-**only since Derek Chauvin did these comments come to light, but this has never been okay.

**Ginger Robinson-**Civil Rights the 14<sup>th</sup> Amendment has been around for a very long time. Everyone in this town is protected, everyone according to the law. Law enforcement must be trusted by the people to protect everyone according to the law.

**Barbara Wallace-**Gilda and Dan have always been there for me. I am still having a real hard time with this. I keep coming back to this asking about Dan and Gilda. I am not sure I can just people on fire.

**Sara Steinberg-**I appreciate what Barbara is saying is valid, but we need a new police chief. It is sad and hard for you, and I appreciate you bringing compassion to the room, but some people are afraid of speaking up for fear of retaliation.

**Ginger Robinson-**we need to recognize the bias, what Dan did is disqualifying him from being a civil rights coordinator, why isn't Dan apologizing to the people of this town? He has not apologized in over 2 weeks.

**Robin Neipp-**I don't think he would want to be here. I agree an apology be good. I never saw the emails; these past 4 years have been horrible. I have sent some pretty nasty emails myself about past administrations in our government. I wonder what people will think in 8 years.

**Gilda Galvis-**Dan's counsel told him not to come.

**John Higgins-**Dan and Gilda have done a lot for this town and there should be an Executive session to hear Dan's side.

**Doug Beck-**I've known Tina and Dan for over 20 years. Dan has done a lot for in this town. He is a unique person. People don't know what Dan has done for this town. But we don't agree with a

lot of things each other say or do. We should not base Dan's career on a series of emails. It needs to go through the proper process and have an executive session.

**Jack Golden**-I signed the petition because I want the select board to take this issue seriously. I don't feel the select board is taking this seriously. I feel the select board did not want to do anything. I think Dan has done good for the town. It is troubling to me that no one said anything about these emails in the town when it happened, that people were afraid to speak up about these emails. I would like to see a way for us as a town to make a statement. The police are appointed, and we should have training for the entire town.

**Nate Messer**-88 names on the petition, people from the left and right and the names on the petition are from all over the town. Now we have Kibilio Community a completely changed demographic living in town. This is serious-something you just don't let slide by. You as select board did not read the emails that showed something. If I was a black person and got pulled over would I feel safe in this town?

**Anders Ferguson**-I called our HR department where I formerly worked. There is a Civil Rights Law, your top person violated the law, it is simple, it does not mean he is good or bad. I suggest you make a good and fair decision. Don't let it go on. This is not a personality decision; it leaves us open for lawsuits.

**Erica**-I am very proud of everyone in this room. Racism is a lot more complicated. The person can still be good. The problem is how we react to this. We need to say we are anti racist. We need to have open bias training. If Dan agrees we need to hear him say he is anti-racist. We need zero tolerance for racism.

**Sara S.** -I have specific asks. How does oversight of the police department work? We need a mechanism that applies equally to everyone. How does a different Civil Rights Officer be appointed to this position? How did these emails not get read by you? They were furnished to you on September 7 and still you have not read them? I think the police should go through training. The core responsibility of the law is the unbiased application of the law. We are talking about a particular person of power who is still in a job that is disqualifying this person from continuing in this position. I am proud of everyone tonight listening to each other. I appreciate the select board listening.

**Robin Neipp**- I can try and get a training video I took for diversity and implicit bias training.

**Ann Zavaruha**-I have lived in town for over 40 years. I have been the recipient of very good things Dan and Gilda have done for this town, but I also recognize Dan's comments. In the police article he said this is what we do at trainings tell jokes. There must be something said about the racist comments. They should not be tolerated. We as a town should not accept the racist comments. Dan's behavior needs to be addressed and monitored. You have to hold all officers to the same standards and same oversight. I do not think you can be silent on this anymore, you have to have more oversight of Dan. The select board needs to say something and show accountability.

**Art Snow**- it is a shame. I was born and raised here in Leyden. I moved away and came back. This is sad. When someone is mean to people it says something.

**Jack Golden**-we have all been sharing with you (looking at select board). Can you share your thoughts with us?

**Bill Glabach**- we are just as upset as all of you. I just want to go through the right process. The emails were a separate issue. If we could have done the mediation it may have gone better. It was irreconcilable differences in my mind with Tina and Dan. I don't approve of the emails. I don't do social media. I believe Dan lives to help people in town. He has ambition and time to help. I don't believe you will find another committed person such as Dan.

**Jeff Neipp**- it really has been a frustrating 5-6 months. I am just a volunteer. I have not enjoyed the last 6 months. I don't have a Facebook page. I will say we know we have a serious issue with the emails. We will give him a fair opportunity. When you work with the police there are a lot of issues that they have to deal with. I know what Dan has done for this community. I have seen him after dealing with bad accidents. Leyden has seen it's fair share of bad accidents. The community

has been kept safe. How do we keep our community safe in road ahead? It takes time to build on agreements if we want an intergovernmental agreement with another town. It takes a lot of time; government mandates are taking over small town; any changes will cost a lot more money in the future. We can set up a steering committee. With a good committee we can examine how we want to go forward. Dan has been with us for 30 years and I want to give him a fair opportunity to explain.

**Erica Jensen**-I have been here in town for 5 years, on the select board for 4 months. Racist, misogyny and homophobia are not tolerable to me. I want to talk to her from Dan and talk to him. The executive meeting is important to me. As a queer woman I have gone through a lot of shit in my life and I moved here because it is not ok, I cannot sit quietly. I need to hold Dan accountable and we as the select board need to hold people accountable. I think it is important that Dan comes with counsel, and we have counsel. There must be a point where we say no more. The emails were horrifying. I need to be unbiased in a meeting to hear everything.

**Jeff**-don't be frustrated with timing it could take a while.

**Jack Golden**- I want to thank Sara for bringing this up.

**Nan**-We are working very hard at the Historical Commission. We are having an open house on October 3, 9 and 10.

**Motion:** Erica moved to adjourn the meeting at 8:33pm. Bill seconded. Unanimous.

Respectfully Submitted,  
Michele Giarusso