

**Leyden Select Board and Finance Committee Minutes**  
**Leyden Town Offices**  
**Regular Session Minutes**  
**September 7, 2021**  
**6:00pm**

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

**Others Present:** Michele Giarusso, John Higgins, Michele Higgins, Gilda Galvis, Dan Galvis, Beth Kuzdeba, Carole Kuzdeba, Barbara Wallace, Peter Wakelin, Stephanie Sousbies, Liz Kidder, Sara Steinberg, Ginger Robinson, David Curtis, Marcia Miller, Marie Lovely, Brian Pelletier, Marsha Odle, Zack Delucca, Ken Medvetz, Carey Barton, Nik Adamski, Tom Raffensburger, Lauren Raffensburger, Nannette Rolstad, Art Snow, Andrea Zimmerman, Ann Zavaruha, Warren Facey, Attorney Michael McHale, Tina Riddell, Donna MacNicol, Patricia Saline, Kayla Choiniere, Carlton Choiniere, Debbie Herron, Sid Herron, Patricia, Lawall, Margaret Lawall, Abbi Lawall, Angie Facey, Karin Parks, Sara Parke, Katelyn Stebbins, Jackie Aiston, Caleb Parker, Meagan Duff, Nate Hall, Cynthia McGoldrick, Missy Smith, Ed Tetreault, James Miller, Nathan Messer, Ryan Clary, Lisa Moore, Katelyn Fournier

Jeff called the meeting to order at 6:00 pm. Jeff signed the MassWorks STRAP grant contract and signatory pages.

**Motion:** Bill moved the August 30 meeting minutes as printed. Erica seconded. Unanimous.

**Peter Wakelin-** Peter previously submitted his plan in writing to have a 2-day event Sept. 24 and 25<sup>th</sup> at 850 Greenfield Road. He would like to add October 9&10 and October 30. He plans on selling beer and wine only and will be applying for a permanent beer and wine license if all goes well. Jeff stated he hoped the town would support him and reminded him there will be no parking on the “access” road in between the common and the old forge building and in front of the fire station or fire lane by the town hall. Erica would like to see his insurance rider once he decides on one. The board discussed the fee for an event permit. It was decided \$25 per event would be reasonable and a 2-day event would be counted as one event.

**Motion:** Bill moved to give Peter Wakelin dba Sugar Shack Galleries an event license for \$25 for the days he requested. Erica seconded. Unanimous.

**Highway Labor position-** Jeff presented a job description the highway crew gave him. Michele presented a draft of a labor position for the highway department from our consultant Don Jacobs. She suggested the two could be blended into one.

**Motion:** Erica moved to advertise for highway labor position for 3 weeks in the Greenfield recorder (Friday and Saturday each week) as well as on the town website. She also offered her Indeed account be used to advertise also. Bill seconded. Unanimous.

**Generators for town hall and town office building-** Jeff had an electrician look at both buildings for a Kohler generator. Jeff stated the town hall one would have to run 4 buildings. Erica asked if this would have to go out to bid under the procurement law since it sounds like it would be over \$10,000 and why wouldn't we look int other brands? Barbara Wallace asked if the town has looked into solar generators with batteries? Sara Steinberg followed up on Erica's question and asked if this would have to go out to bid. Jeff stated he understands there is a 3 month back log on Kohler generators and he was just doing some preliminary work.

**Follow up on public comments from last meeting-** Jeff stated he wanted to follow up from the last meeting on coverage for the Leyden Fire Department when there is not coverage from our own town. Several years ago, Colrain and Bernardston Fire departments made verbal agreements to cover Leyden. The town was split down the middle geographically between the two fire departments. This is not mutual aid. These are verbal agreements that have served us well and now is not the time to reopen the issue. We cannot find enough volunteers to serve due to the

training requirements, recertifications and most people work out of town. Barbara Wallace said when the police officer came to her house her dogs did not bark so she did not hear the police officer at her door. Barbara went on to say Bernardston has always responded to her side of town. She continued, I spoke to Sargeant Garrity out of Shelburne Control, and he told me I am supposed to be serviced by Bernardston. Barbara went on to say I do not want Colrain to service me. Brian Pelletier stated for 7 years this agreement has been this way, in his opinion Colrain and Bernardston have served us well. Barbara replied this town has many vulnerabilities and I think we need to form a committee to look at the risks to town residents. Erica asked Jeff why is this not a good time to relook at the agreement? What are the next steps? Should we relook at this agreement and where the dividing line is for service? Brian answered the dividing line is Greenfield Road. Beth Kuzdeba stated it is a fact that we are not going to get enough people to serve a fire department we need to have a plan to protect people's properties and lives. Tree cutting-Jeff stated tree cutting should continue for 6 more months. Crews have gone south to help clean up with remnants of the hurricane. Eversource is contacting Verizon to look at poles in town. Eventually we will have a conclusion. Power loss is inevitable when we have storms and people should be prepared. On the other hand, many people did not want trees cut that were marked this summer so there is another side to the issue.

**Board of Health interview of candidates**-Carole Kuzdeba presented a packet to selectboard members. She stated she called the Ethics Board and spoke to the attorney of the day. The attorney told her she has done everything correctly. Carole stated she has submitted 3 emails to the selectboard inquiring of her desire to be appointed to the vacant BOH position. She has a medical background as a pharmacist, she has been a contact tracer for the past year, she served all last year on the BOH with no issues and she stated she would like to serve again. Carey Barton stated he has lived in town his whole life; he has served on the fire department and was Fire Chief. He wants to give back to the town again by serving on the BOH. Bill asked both candidates if they would be willing to run for election next year. Both stated they were not sure as they did not know what could happen in the future. Jeff asked Donna MacNicol our town counsel what her opinion is of two family members serving on a three-member board. Donna stated we are small towns, and she gets that finding people to serve is difficult, but she has reservations of the appearance of a conflict. Donna agreed there is probably no conflict at this time. Marcia Miller asked Donna about other departments in town where family members were in the same department together. Donna replied she is concerned with those departments.as well. Marcia continued, she did serve with both Carole and Beth last year on the BOH. They were both professional people with healthcare backgrounds and she appreciated their opinions. Andrea Zimmerman spoke up and stated there needs to be a male on the BOH. Ken Medvetz disclosed his wife is Beth Kuzdeba and sister-in-law is Carole, he stated he is in healthcare and feels the qualifications for serving on this board are what the board should consider. Ann Zavaruha asked if Carey could be an alternate to learn the duties.

**Motion:** Erica moved Carole Kuzdeba be appointed to the BOH. Bill seconded. Jeff called for a vote. Erica -yes, Bill -yes, Jeff no. Motion carries.

**Continuation of Executive Session of July 20, 2021-** Jeff stated he will now convene the Executive session that adjourned at 4:45pm on July 20. Attorney McHale stated his client would like this to be an open session and not Executive session. Attorney MacNicol asked Tina Riddell if she had received notice of this meeting 48 hours in advance. Tina stated yes. Attorney McHale stated he will be recording the meeting.

Attorney McHale asked the selectboard why the resolution agreed upon at the last session for mediation between both parties did not go forward? As the attorney for Sargeant Riddell he is curious as to why Chief Galvis did not attempt mediation? He continued this is a sign of bad faith. The six statements against Sgt. Riddell after 13 years on the job was never written up or had anything to do with her performance until she got a part time job in Winchester, NH. Chief Galvis

informed her that anything Sgt. Riddell did in Winchester, NH is a detriment against her. He went on to say, there is no to very little training of officers by Chief Galvis. At our last session there was one particular incident the selectboard was concerned after hearing Chief Galvis point it out, yet it never went before the selectboard as an incident. The Leyden police department is run by a family, it is their police department and Chief Galvis runs like it is his department. There are inconsistencies in the handling of the police department. There was a police officer who did not have the credentials to carry a firearm, yet he was appointed by the select board as a police officer for many years. I think the Town of Leyden has serious concerns in their police department from the top down. I am going to submit to the select board emails from Chief Galvis to Sgt. Riddell. The content of these emails would give anyone great pause that he should not be Chief of Police, let alone a police officer for the Town of Leyden. (He handed the emails out). Jeff objected to the emails -he stated Dan Galvis is not on trial. Attorney McHale sated he should be. This person (he pointed to Sgt Riddell) is an educator, coaches, has 13 years' experience as a police officer and feels a part of this community. Not reappointing her is egregious. Galvis is running the police department as the Galvis Police Department. Attorney McHale handed Jeff letters of support of people that could not be here tonight. McHale continued; she has many supporters in the Town of Leyden. She likes this community and wants to continue serving this community. We had a workable resolution from the July 20<sup>th</sup> meeting and now come to find out it was not sincere in its offering. This is shameful. I would ask you to not allow the chief to make a recommendation to not reappoint Sgt Riddell. Jeff asked if there were anyone in the room that would like to make a comment. Donna MacNicol asked people to be respectful as they make comments.

**Gilda Galvis** – I thought this was going to be an executive session. She asked why the police department did not know it was not going to be.

**Tom Raffensburger**- I support Sgt Riddell. I see this as an employment issue, and she should receive further training and be given an opportunity to improve. I hope the selectboard uses their judgement to reconsider to not reappoint.

**Ginger Robinson** -I am in favor of Sgt. Riddell. Tina is someone I trust. She is what community policing is all about in the community. Tina is the only officer who knows my name and our families. The other officers do not. She helps kids all over this community. She is an educator, mentor and someone we want on our police force. How many people support Tina, raise your hands? 85-90% of the people in this room support Tina.

**David Curtis** – I haven't seen Tina in a while. I did not know where she was. The six infractions that were against her but never written up is not a reason to get rid of her. As a taxpayer I do not want to see this.

**Marcia Miller** -I am supporting Sgt. Riddell, she knows my family. She is a community police officer. We need diversity.

**Ryan Clary**- After Sandy Hook we had trainings at the FRCOG. I came home late one night driving my wife's car which I was not used to, I hit a tree. I called 911 and Dan showed up within 10 minutes. Dan helped me. Tina pulls my wife over for going too fast and with no registration in the car. She helped my wife by giving her a chance. I get that both are here to serve. Tina volunteers for everything and she is a good cop. She is liked by many.

**Katelyn Fournier** – Tina is the only EMT on the police force, we need more of them.

**Vicki Baker** – I am here to support Tina she is a community police officer.

**Ann Zavaruha** – I think it is not ok to not reappoint the only EMT on this police force. Tina does not play favorites. My family knows Tina and so do my grandchildren, we need someone to show good will on this.

**Mary Annear** – I came to town and did not know Tina. My children knew Tina before me. She has told my children how to trust police officers. She has taken the time to teach my children what she can offer as a police officer.

**Art Snow** - Tina knows me well, she does a good job. If you keep her the man in this room will push her to end her job. I would not want your job right now.

**Erica Jensen** – There is a lot of animosity between you (Tina) and Dan.

**Tina Riddell** – I have no problem working with Dan. I do not know how it came to this. Ever since I worked in Winchester all this changed.

**Lisa Facey-Moore** – I have known Tina for a very long time as a professional and personally. She is an active community servant.

**Ann Zavaruha** – Will you hold other police officers to the same standards as Tina? The 6 incidents that were said were not egregious.

**Sara Steinberg** – I am in support of Tina. I have a question. Are there other police officers who work for other towns?

**Marie Lovely** - I am having a hard time with this. Why has this all started since Tina started working for another town then?

**Donna MacNicol** – Attorney McHale is saying these six incidents have started since she has gone to Winchester.

**Sara Steinberg** – Did the select board have any conversations with Tina?

**Cindy McGoldrick** – I am the other EMT in town. I work at UMass during the day and cannot respond. Knowing Tina is here makes me feel good. I know Tina will show up when I am not available. I have been a Leyden resident for 23 years and she has been my backup. Did all these happen within a very short period?

**Trish Saline** – we have the opportunity to do the right thing. Look into your own hearts and do the right thing.

**Ann Zavaruha** – I know Donna you said Dan does not have the authority to discipline. By not giving her details it is disciplinary action.

**Donna MacNicol** – It is the law.

**Vicki Baker** – Are the incidents supposed to go to the select board all at one time or all together?

**Donna**- A big incident should go to the select board but each time they have to have an executive session. Some police chiefs take several to their select boards at once.

**David Curtis** – did all these incidents happen in 1 month?

**Attorney McHale** – in the course of 5 weeks.

**David Curtis** – do other officers work in other towns?

**Tina Riddell** – He suspended me for several months. He was shaming me. I talked to Jeff Neipp. He said it was okay to work elsewhere. Dan made me sign off on policies and procedures, but no other police officers do. I thought the chief and I had a good working relationship. I have no hard feelings towards Dan. I thought we were going to mediation to resolve this. But this did not happen. Petty allegations against me is just not fair.

**Ann Zavaruha** - how can he suspend her?

**Donna MacNicol** – Dan cannot suspend her he can only take her off the schedule. I see where it looks like suspension and you may think there is no difference, but it is the law. In October when she was working in Winchester she would have had to quarantine after her shift for 14 days.

**Board of Health members** – No! NH was never a high-risk state.

**Debbie Herron** – Tina was always helpful. When we lost our dog she took the time to look for it. I saw the patches Tina got for our police department.

**Ryan Clary** – Tina helps everyone out. I think it is smart to bring her back onboard, she helps everyone out.

**Ann Zavaruha** – I think Tina should be reinstated and there needs to be oversight so there is no retaliation. She has gone over backwards for this community.

**Ginger Robinson** – please keep Tina on the police force and I ask Dan to go to mediation please.

Jeff asked if everyone who wanted to speak has spoken. He stated Chief Galvis can have a moment to speak.

**Dan Galvis** – I have lost all confidence in Tina Riddell and I recommend she not be reappointed. Jeff said the board can now deliberate in open session.

Erica stated one of the pain points for her is other officers work in other police departments. Tina is the only other EMT in town. All the incidents were within one month. That leaves 12 years and 11 months with no incidents. Bill stated he is worried about the relationship between the 2 people involved. He continued; I think these emails are a character assassination by Tina keeping the emails. Erica replied if anyone receives emails, they have the right to keep them. I do not know why Dan did not go to mediation. Bill stated we wanted Dan to go to mediation. I am not seeing that the two of them can work together. Erica said I appreciate your thoughts, but since the chief did not want to go, I asked Gilda and she refused to go to mediation. Jeff stated I am not sure this relationship can be fixed. I don't think this can be resolved. This is for the town and the town had a chance to speak up.

Donna stated it is up to the board now. They have the ultimate decision.

**Motion:** Erica stated Tina is an EMT, she was hired 13 years ago and has had no issues until recently. I move to reappoint Tina as a police officer to the Leyden police department. Bill seconded. Jeff called for a vote. Erica-yes. Bill-no, Jeff-no.

**Motion:** Bill moved to adjourn the meeting. Erica seconded. Unanimous.

Respectfully Submitted,  
Michele Giarusso