

Leyden Select Board and Finance Committee Minutes
Leyden Town Offices
Regular Session Minutes
October 25, 2021
6:00pm

Select Board Members Present: Jeff Neipp, Bill Glabach, Erica Jensen, Donna MacNicol
Others Present: Michele Giarusso, John Higgins, Michele Higgins, Ginger Robinson, Sara Seinberg, Barbara Wallace, Liz Kidder, Anders Ferguson, Nancy Edwards, Ginny Rockwood, Robert Anson, Anne Garvey, Pam Brown, Aaron Dulles, Glenn Caffrey, Zack Delucca, Colleen Caffery, Dave Vreeland, Merry Lein, Beth Kuzdeba, Emily Yazwinski, Jack Golden, Sarah Bartholomew, Candace Hope, Dave Curtis, Lisa Lamont, Marcia Miller, Mary Glabach, Phil Juliani, Carol Johnson, Debbie Herron, Vicky Baker, Peggy Brown, Richard parks, Karin Parks, Trish Saline, Pete Siegel, Ann Zaveruha, Tom Raffensburger, Lauri Raffensburger, Wallis Reid, Cornelia Reid, Brian Pelletier, Oscar Pene Carnegie, Fred Feldman, Michael Morgan, Robbie Milner, Carol Kuzdeba, Linda Gross, Nathan Messer

Jeff called the meeting to order at 6:05 pm.

Announcements: Jeff stated the MLP meeting announced in Leyden Life for November 9 will be cancelled and moved to Nov 17 at 6pm. Thank you to John Higgins for setting up the town hall for tonight's meeting. There will be a Veteran's Day remembrance on the town common at 10:30am on Nov. 11.

Motion: Jeff moved to sign The Upper Valley Veterans's Services District Inter Municipal District agreement for another 3 years. Bill seconded. Unanimous.

Motion: Erica moved the October 14, 2021, meeting minutes as written. Bill seconded. Unanimous.

Select board Decisions from October 18, 2021, Executive Meeting. Jeff read Dan's apology letter. He said Dan and Gilda are in South Carolina on vacation.

Erica read the six points that select board agreed to:

1. Disciplinary action letter to go into Dan's personnel file stating that he forwarded emails that had content that was explicitly racist, misogynistic, xenophobic, and anti-Muslim. Any further action like this, no matter how small, will be grounds for immediate termination with cause.
2. Formal apology letter from Dan to the town stating what was done wrong and how he feels about his actions
3. Dan submits retirement letter by Dec 31, 2021, stating that he will retire from the Leyden Police Force and step down as Chief on or before June 11, 2022, with no chance for reappointment in the future.
4. Letter to Paul Mark rescinding the Select Board support of any further re-appointment as Chief past June 11, 2021. (Michele submitted last week and received an acknowledgement email)
5. Dan cannot be a member of the new ad hoc committee (steering committee for future of police department)
6. Training/retraining for all police officers including Dan and Gilda on racial bias.

Jeff stated the Select board can take comments from the audience now.

Aaron Dulles-Dan Galvis should show up and stand up to listen how the residents feel.

Jeff Neipp -We have talked about this with Dan.

Erica Jensen-I am very disappointed the Police Chief did not read this to the public.

Lisa Lamont – Restorative justice would be an appropriate course to take with all the people in this room.

Stef Laing-I am very disappointed Dan is not here. The letter is empty and shallow. As empty as his seat is here. What is the sense of a disciplinary letter to Dan if he is retiring? I want to know the consequences.

Trish Saline-He was asked to write this letter. He did not do on his own. Why wasn't he terminated immediately?

Bill Glabach- He had apologized to us and we decided it was not a lot of time until June 11, 2022 to find another police chief.

Tom Raffensburger-The loss of faith in the police department is enormous. It is a loss of faith in Dan, appoint another person to be chief. It is an accumulation of many things.

Erica Jensen- If Dan apologized to Bill and Jeff, he did not apologize to me. This apology is shallow. He told me he did nothing wrong. What is the plan with Dan and Gilda on vacation now? There is no accountability for coverage. A group of people are putting together a medical team with Tina and Cindy as personnel. I am rather upset that suspension, termination or forced resignation were not on the table. Jeff and Bill were never going to vote that way. I do not think there are any consequences for Dan and Gilda. These are meaningless.

Jeff Neipp- When Dan and Gilda go out of town, he calls Shelburne Control. He also puts officers on call if no one is scheduled to patrol. We are going to be down to 5 officers shortly and the State Police are always the back up. I am concerned that there will be only one police officer from the town and if the other 4 are called in they can only get here in 45 minutes to 1 hour. I suggest we work with another town to get an intergovernmental agreement for coverage. But that will take time.

Carol Johnson-Can't we hire just one full time police officer?

Sara Seinberg- When we voted to approve Dan to work for 5 more years, I thought there was going to be a plan for his retirement, now we find out nothing has been done. This seems a little self-inflicted. When this all started on September 7th this was against one police officer. You set a precedent on that date that all police officers were held to a higher standard. Now you have a person who is supposed to uphold what this country was founded on. It is so obvious how corrupt this whole thing is. Why are you working so hard to keep this man? I feel sad and baffled.

Bob Anson-My expectations for this meeting was already on the floor. When you wrestle with a pig who has manure on it you have manure all over you. I am ready to shovel it. You two gentlemen I have known for years. I cannot believe you have chosen to embrace this police chief. I think you two gentlemen go out to breakfast and discuss what to do in town. You have embraced those racist emails. A town that embraces a racist police chief.

Bill Glabach-Dan tried to give us logic why he did this, he thought it was a joke. He acknowledged that he made a mistake. What he has done for the town for over 30 years, we have done well by him. He has been in charge of EMS, Animal Control, Emergency Management.

Sara Seinberg- You are not listening to us!

Nate Messer-Who was that really good Patriots player who was a great player then he went on to murder someone? Hernandez .

Erica Jensen-My point was never a referendum on Dan's good, he has done some good things, but this is bad very bad. I will fight to bring back Cindy and Tina as EMTs for the town. I will mock Bill about the good things Dan has done because some of the things are corrupt. There is no one from Franklin County that respects Chief Galvis. That is why we have officers from Belchertown and other towns outside of this county. There is a problem with our current Chief.

Tom Raffensburger-Can you tell me when the next election is for select board?

Nancy Edwards-Who wants to work under this chief?

Jeff Neipp- I'm committed to safety. We are going to have to figure this out. There is a web of what he has done and knows about this town.

Barbara Wallace-Ann Zaveruha and Trish Crapo asked you at town Meeting how much was spent on EMS each year. I have yet to hear a form answer.

Ann Zavaeruha-I want to reiterate what I said at town meeting. We do not need 9 police officers we need medical responders. Since then, I have pulled together people to sign up for medical courses and to volunteer. We now have community action happening. When I asked about the police officers you said we need 9 to cover the schedule. We have officers who live over an hour away and cannot respond quickly. Dan has left the town in irreparable damage. There is no oversight of Dan, you have done nothing. There continues to be no Animal Control Officer and no EMS service. I do not think the select board cares about the safety of this community. Dan has not measured up to anything you appointed him to do. I don't want a dragnet for gray haired old ladies. A first responder system has never happened, it was truly neglected. No one will work with Dan Galvis. If EMS is under Fire you will see a lot of response from the community. We will continue to have nothing if Dan continues to be in charge.

Marcia Miller- I am hearing you say we need Dan to get us through a transition. What is your plan?

Donna MacNicol-If you adopt Chapter 41 Section 97A a strong chief which Leyden has, the police department is under the Select board. They can appoint an officer in charge. Clearly someone from Belchertown could not be the officer in charge.

Bill Glabach-I think Ann brought up some good points. I would love EMS and Emergency Management under some other department.

Erica Jensen- Emergency Management is an appointed position. EMS has to be under a department.

Brian Pelletier-There is oversight by OEMS. Everyone on the Fire Department are First Responders. Dan knows this but never calls us.

Dave Curtis-Remember why we are here now. On September 7th at the meeting, they chose not to do the right thing. The Select board did not listen to the people who wanted to keep the person on September 7th. An overwhelming amount spoke to keeping the person. The Select board are here right now because you did not listen to the people.

Beth Kuzdeba-Beth read a letter to Bill and Jeff asking for their resignation (attached).

Aaron Dulles-A sheet of paper going into a town file. It is a piece of paper. It is nothing. The plan is to let Police Chief Galvis work until his retirement. When is he required by law set to retire? That piece of paper is nothing. You have not done the right thing. It takes a thick skin to sit in front of all of us yelling at you. I have not heard that you discussed the alternative plan to get rid of Dan Galvis. I heard Dan Galvis at town meeting threatening the Mass. State Police will not show up when needed. I think it is a shame that we do not have a Charter for this town. I have a question for both of you, will one of you resign?

Bill Glabach-I cannot answer that right now.

Jeff-I will resign now if someone wants to step up now. This is not a part time position it is a 365-day position.

Deb Herron- Dan intimidates people. Gilda tried stopping Dan once, but Dan stopped her. Dan intimidates people and that is why no one speaks up.

Stef Laing-When I called you Jeff over an issue you stated I was complaining. Bill, you stated I was over asserting myself. Bill and Jeff everyone has said Dan is the problem, this meeting is about Dan, please do what is right.

Ginger Robinson-I have been coming to select board meetings since Annual Town Meeting. I see you making this harder for yourselves. You are not solving problems; you are just making things harder. You get mad at the residents for bringing things up. Dan is at the source of your problems over the last few months. He will continue to cause problems for you until you put Dan on an immediate suspension today. It is disgusting and blinding how you treated Tina versus Dan. I try not to keep bringing up Tina, but Gilda wrote up a complain against Tina that is a lie. Is that true? I want to know why the captain of the police department can railroad a police officer when she is married to the police chief. As chair of the Finance Committee why was I not notified that DJ's Auto Body gets paid to repair town owned vehicles? This is a violation of the ethics law.

Why wasn't I told? Dan is double dipping. Dan should have been terminated for that! I want Dan suspended tonight. I want the Fire Department in charge of EMS tonight.

Jack Golden- I have a question on the decision the select board made. Would you revisit that decision you made with Dan? I really appreciate Bill and Jeff's years of experience and I have to say we look to you for leadership but in this case your leadership is wrong.

Donna MacNicol- The decision the board made in executive session were on the emails that Dan sent, that was all discussed. Dan was given notice of what the discussion would be and you cannot revisit that. You can bring up new complaints though.

Anders Ferguson- I started coming to these meetings because I wanted immediate dismissal. After listening to you, you will never get this transition done if you keep this guy. Galvis has got to go.

Ann Zaveruha- I am trying to be forward thinking here. We would not be here if Dan had oversight by the select board. No one has faith in our police department. Make a decision that the Leyden Police Department no longer exists. We need to disband the Police department due to no confidence. There has to be solutions tonight. Dan does not care about you or the town. By his not resigning on his own, not being here tonight, he does not care about anyone except himself.

Jeff Neipp- Ann and Brian you need to be at the next select board meeting to present your plan about EMS. Actions cannot be taken against the police until another Executive session is scheduled and he has to be notified 48 hours in advance.

Beth Kuzdeba- How do I get a RAVE alert about the flu clinic? Where is the back up plan for when Dan is out of town? What is the policy and procedure for this?

Motion: Erica moved Michele be authorized to call Shelburne Control to receive instructions on how to tone out Leyden Fire Department as first call for EMS. Bill seconded. Unanimous.

Ann Zaveruha- I just got off the phone with Shelburne Control the gentleman said as usual the Leyden Fire Department are not toned out first for EMS calls. This is ridiculous!

Motion: Erica Moved Brian instead of Michele to call Shelburne Control and switch the order to have Leyden Fire toned out first right now or after this meeting. Jeff seconded. Unanimous.

Emily Yazwinski- So are we to send you the select board our letters of complaint for any new incidents we want addressed?

Donna MacNicol- Complaints, charges, criminal activity are all reasons for suspension but not for professional competencies. Professional competencies have to be addressed in an open meeting. Essentially how you are performing your job. Complaints you have to give 48 hours' notice the person has the right to have their counsel in attendance. Any letters of complaint are not to be addressed in an open meeting.

Ann Zaveruha- Can I give my notice to the select board right now? It is a disgrace that Shelburne Control was instructed by Dan Galvis not to tone out Leyden Fire. Are there first responders on the police department? Because of his narcissism and depravity how can this man have a gross miscarriage of justice? He does not care about anything only his power grab.

Ginger Robinson- I want to know about officers writing a false report. Is that reason for suspension?

Donna MacNicol- Put it in writing and the select board needs to review the complaint.

Erica Jensen- Ann and her team need to present their business plan to the select board and we need to start looking at the future of the police department.

Donna MacNicol- Don't reinvent the wheel. The Collins Institute and Department of Local services (DLS) have grants to look at small towns. You do not have to go far to far to read some of the outcomes there are all kinds of towns and information to look at.

Motion: Erica moved to adjourn the meeting at 9:10pm. Bill seconded. Unanimous.

Respectfully Submitted,
Michele Giarusso

