

LEET TOWNSHIP CIVIL SERVICE COMMISSION (CSC)

Meeting Minutes

194 Ambridge Avenue, Fair Oaks, PA 15003

Regular Meeting – September 13, 2022

Present: Thomas P. Weber, William C. Bubb, Katherine Longwell, and Jack Mook. **Voting members:** Mr. Weber, Mr. Bubb and Ms. Katherine Longwell. **Absent:** Donald S. Birnie

Members of the Public: Chief Brian Jameson, Donna Adipietro, Peggy Adams, Holly Teegarden, Tracy and Danielle Guyer, Salena Everette, Jeff Besong

Mr. Weber called the meeting to order at 7:00 pm, and began the meeting with the Pledge of Allegiance. It was agreed by all members of the Civil Service Commission present that Alternate Commissioner Katherine Longwell would be a Voting Member of the commission for this meeting in the absence of regular Voting Member Donald Birnie.

Public Participation

Mr. Weber introduced the commissioners present to the public participants in attendance.

Approval of August 9, 2022 Minutes

Motion: Mr. Bubb moved to approve the minutes for the August 9, 2022 CSC Meeting, Seconded by Ms. Longwell. Messrs. Bubb and Weber, and Ms. Longwell voted in favor.

Second Request for Continuance of Hearing

On Friday, September 9, 2022, LTCSC Solicitor Bob McTiernan had a conference call with the Township Commissioners' Attorney David Mitchell and Molinaro's Attorney Massimo Terzigni concerning Molinaro's request for documents and other evidentiary matters. Attorneys Mitchell and Terzigni are trying to work out a resolution by agreement, but need more time. Both attorneys are mutually requesting that the two September hearing dates (Sept. 21 & 23) be canceled, and that the hearing be postponed and commenced on October 6 and 7, 2022. Bob McTiernan recommended that the LTCSC grant this request for continuance.

Motion: Mr. Bubb moved that Attorneys McTiernan, Mitchell and Terzigni's request for a continuance in the hearing for Mr. Molinaro be granted, that the September 21 & 23 hearings be canceled, and that the Molinaro hearing commence on October 6 & 7, 2022. Ms. Longwell

seconded. Messrs. Bubb and Weber and Ms Longwell voted in favor. Motion Carried. Mr. Weber will send Manager Betsy Rengers a revised newspaper advertisement and agenda for the Molinaro hearing.

Nick Vigliotti Employment Status Review

Several comments have been made over the last few weeks criticizing the Leet Twp. Civil Service Board for keeping Part Time Officer Nick Vigliotti on the police force even though he was not hired under the civil service process. Tom Weber requested that all members of the civil service board reply to such comments by saying that Mr. Vigliotti was hired long before our current civil service board was appointed, and we cannot undo what was done in the past. The Leet Township Commissioners have reviewed the matter, and any comments in that regard should be addressed to the Township Commissioners. Ms. Longwell suggested that we ask our solicitor Bob McTiernan for the proper public response to such critical comments. Tom Weber will review the matter with Bob McTiernan.

Entry Level Testing for Police Officers, with Public Participation

A lengthy discussion with public participation followed regarding the lack of applicants for both FT and PT applicants for entry level police officers a few months ago. With the hiring of interim Chief of Police Brian Jameson and the decision by FT Officer Jim Lema to remain on the Leet Twp. Police Force, we currently have enough officers to cover the shifts 24/7 until some unforeseen event occurs (injury, extended illness, etc.) Several topics were reviewed, such as:

Broader Advertising besides the Beaver County Times and Leet Twp. Website

- Job Boards (even if we have to pay a fee)
- Allegheny County Police Training Academy bulletin board/website
- Allegheny County Sheriff's Department
- Beaver County Sheriff's Department
- "Officer.com" website
- Indiana University police training school
- Beaver County Community College police training school
- Robert Morris University police training school

Longer Advertising Period

During our first effort at entry level testing, there was only about two weeks between the newspaper advertisement and the actual testing. Feedback indicates that most applicants hear about the testing by word of mouth from other officers. It was suggested that we extend the advertising period to 4 to 6 weeks in order to give more time to spread the word. The downside of longer advertisement periods at this time of year is getting into wet/cold weather that is not conducive to outdoor foot races where candidates can get hurt.

Physical Agility Testing

There was quite a bit of discussion about how Leet Twp should move forward with physical agility testing. The two positions discussed were:

1. Interim Chief Brian Jameson and Tom Weber argued in favor of lowering the physical agility standard to the lowest possible level on the Modified Coopers Test (one standard for all age and gender groups), allowing older retired officers to qualify. He also believes the 1.5-mile run should be eliminated, since no police officer has to run 1.5 miles in the line of duty. Mr. Jameson's plan is to hire more part-time officers in the 50 - 60-year age range. He believes these potential candidates couldn't pass the MPOETC standards. He and Tom felt that this was the right direction, given the relatively low pay and benefits offered by Leet.
2. Ms. Longwell argued that the MPOETC standard was widely used, and legally defensible in a court of law. It also would provide Leet Twp with the opportunity be sure its officers were able to complete their required job functions. She also pointed out that the purpose of the 1.5 mile-run was not to prove the candidate could run 1.5 miles, but to evaluate their cardiorespiratory conditioning, which is predictive of several important job functions. Mr. Birnie's recommendation, read by Tom Weber, argued essentially the same points. It was also pointed out that the MPOETC standard was not difficult to meet, in that 70% of the general population in each of the age/gender grouping would pass the test. Ms. Longwell also pointed out that in a recent lawsuit that the single standard (same requirements for all ages and genders) was considered discriminatory.

The discussion was opened for public comment:

1. One person present (not identified) stated that she wants our police officers to be physically fit. She wouldn't feel safe otherwise.
2. Mr. Jeff Besong (former Chief of Police of Leetsdale, Carlow University, current Chief of Point Park University Police) – His opinion is that Leet Twp needs to decide if they are going to invest in a police department that is professionally run (competitive compensation, well trained, well equipped). If not, they need to look for another solution. If Leet continues to be at the bottom of the list in terms of training and management, there will be law suits coming. The main responsibility of the Chief is to keep the township out of litigation. He also believes that part-time officers are a waste of time in terms of training costs vs short-term service expectation. He also

believes they are more of a liability risk for the township. Policing has changed significantly over the past decades and Leet Twp needs to keep pace.

3. Mr. Besong indicated that the FBI has dropped their 1.5 mile run requirement, but still maintains the 300-meter sprint. However, as a police department under civil service and MPOETC, Leet needs to comply with the MPOETC Standards. If MPOETC changes their standards, then Leet can change their standards. Leet should not change their standards to accommodate a certain person or group of people who cannot pass the MPOETC standard.
4. Mr. Besong recommends that Leet Twp. works to become a place that officers in their 20s and 30's want to come to build a career. In his opinion, its not just wages, its professionalism, transparency, and reputation of the police department that needs to be improved. Also, young officers raising a family will be attracted by Quaker Valley School District. In his opinion, there is no reason why Leet Twp. police department can't be competitive with neighboring departments.
5. Ms. Adipietro again asked about a hypothetical officer hired outside civil service and how they should be treated under civil service rules.

After Public Participation was closed, the commissioners decided to table the discussion until the next meeting.

Mr. Bubb reminded everyone that applicants for part-time and full-time positions must be tested in the same way according to the Class One Township Code. He also requested that we inform ourselves about the recent court ruling regarding the PA State Police agility testing.

Mr. Weber confirmed that Ms. Longwell would continue to vote on the Physical Agility Testing Standard until the issue is decided.

There being no further business, Mr. Bubb moved we adjourn at 8:35 pm. Ms. Longwell seconded. Messrs. Bubb and Weber and Ms Longwell voted in favor.

/s/Donald S. Birnie *

/s/Thomas P. Weber

*These minutes were prepared collaboratively by Mr. Weber and Mr. Birnie. Mr. Birnie's contribution was based solely on the official recording of the meeting.