

LEET TOWNSHIP CIVIL SERVICE COMMISSION (CSC)

194 Ambridge Avenue, Fair Oaks, PA 15003

Meeting Minutes – March 29, 2022

Present: William C. Bubb, Katherine Longwell, Thomas P. Weber (attended by phone) and Donald S. Birnie. **Voting members** were Mr. Birnie, Mr. Bubb and Mr. Weber

Guest: Martin C. McDaniel – President BOC

Mr. Weber called the meeting to order at 7:00 pm

Election of Chairperson – Leet Township CSC

MOTION: Mr. Bubb nominated Donald S. Birnie for Chairperson of the Leet Township CSC. Mr. Birnie declined.

MOTION: Mr. Birnie nominated Thomas P. Weber for Chairperson of the Leet Township CSC, seconded by Mr. Bubb. Roll call was taken with Messrs. Birnie, Bubb and Weber in favor of Thomas P Weber for Chairperson.

Election of Secretary – Leet Township CSC

MOTION: Mr. Bubb nominated Donald S. Birnie for Secretary of the Leet Township CSC. Seconded by Mr. Weber. Roll call was taken with Messrs. Birnie, Bubb and Weber in favor of Donald S. Birnie for Secretary.

Future CSC Meeting Dates

MOTION: Mr. Birnie moved that the CSC schedule regular meetings at 7:00 pm on the second Tuesday of the remaining months of 2022, beginning with May 10. All meetings would be held at 194 Ambridge Avenue, Fair Oaks, PA 15003. Roll call was taken with Messrs. Birnie, Bubb and Weber in favor.

Leet Township CSC Rules and Bylaws

The Commissioners discussed the path forward for developing proposed rules and bylaws for the Leet Township CSC. Mr. McDaniel suggested Mr. William Gamble be hired as a consultant to support the Commissioners in this task. He requested the following e-mail from Mr. Gamble be read into the minutes.

The civil service rules that you sent me are copied (almost verbatim) from the DCED Publication, "Civil Service Guide for Pennsylvania Municipalities," 5th Edition, 2017 FYI: - The 4th Edition, (2003) when I was with DCED I worked on updating that publication with Attorney Joe Rudolph. The two attorneys that updated the 5th Edition, I conducted many state-wide civil service training sessions with them for the department and then with the Boroughs Association.

That being said, this publication (5th Edition) is intended as a "primer" for civil service commissions, to assist in writing their civil service rules and regulations. It also provides "sample" civil service rules and regulations for boroughs and townships. While it is a helpful publication, it does not provide specifics to a particular municipality in writing civil service rules and regulations. As an example, it spends a lot of time offering "options", "explanatory notes," etc., and general civil service rules language. It is up to the civil service commission to sort out the specifics for their municipality and add language that is relevant to that municipality.

Note: I think there may be some time spent in developing these rules, although not complete, but much of the language is not up to date and to finalize, to include updates, I believe would take an extraordinary amount of time and require some understanding, to sort out the old from the new. However, I don't want to discredit those that have done the work so far.

One major concern is that the 5th edition of the publication (above) was published before the amendments to the First Class Township Code in 2020.

These rules do not reflect the changes. The new amendments change a lot of the wording and some substantial changes to the civil service section of the First Class Township Code. After a quick review of the document, here are just a minor sample of some of the sections that are not in line with the 2020 amendments:

- 1. Police Officers are now able to run for political officer, but not a political office within the township- Section 6.1 does not reflect these changes.*
- 2. Section 2.8 – Indicates that the civil service commission appoints the psychological and medical examiner. It is clear in the amended code now that responsibility lies with township commissioners.*
- 3. Section 5.7 – Provisional Appointments does not reflect the new change that allows a township 90 days to establish an eligibility list (rules still state 3 weeks)*
- 4. Section 2.3 - Organization of the Commission - Old Language – new language in amendments.*

Other: The rules provide for polygraph examinations – not required, but not sure if the township has conducted them in the past or would want to include them in the future.

Finally, the rules, as written, mix the promotional process with the entry level process that does not provide a clear cut of how you would address entry level and promotions in one area of the rules. As I mentioned, the rules I write would have a separate section of

entry level and a separate section for promotions and the language would be specific as to how to proceed with each. Also, as I mentioned, if the rules are written in a concise and easily read/structured, it should answer 90% of any questions that may be asked.

Ms. Longwell suggested we use Mr. Robert L. McTiernan, an attorney familiar with subject matter, could support us. After considerable discussion, the Commissioners came to a consensus that it would make sense to use Mr. Gamble to support this effort, and welcome two BOC members to work collaboratively with the CSC and Mr. Gamble in this effort. The benefits of this approach were:

- Mr. Gamble worked for the Pennsylvania Civil Service Commission in training communities on the development and implementation for Civil Service Commission Rules and Bylaws. He is currently used as a consultant by many local governments for the same purpose.
- The Commissioners felt a sense of urgency to complete this task, since Leet Township may need to hire new police officers at any time. The Board of Commissioner (BOC) has stated that hiring of any new officers would be handled in accordance with updated Rules and Bylaws.
- The new Rules and Bylaws will need to stand up to legal scrutiny in the event of Leet Twp's actions being reviewed by Allegheny County Courts.

MOTION: Mr. Birnie made a motion that Mr. Gamble be hired to support the CSC in developing proposed Rules and Bylaws, paying him \$1,100 for his consulting services. Mr. Bubb seconded. Roll call was taken with Messrs. Birnie, Bubb and Weber in favor.

Mr. Weber volunteered to contact Mr. Gamble and finalize an agreement with him. He will attempt to schedule our first meeting with him on one of the following dates; April 12, 13, 19, 20, 26 or 27.

Mr. Birnie moved the meeting be adjourned. Seconded by Mr. Bubb with all in favor.

/s/Donald S. Birnie
Donald S. Birnie, Secretary

/s/Thomas P. Weber
Thomas P. Weber, Chairperson