

LEET TOWNSHIP CIVIL SERVICE COMMISSION (CSC)

Meeting Minutes

194 Ambridge Avenue, Fair Oaks, PA 15003

Regular Meeting – February 1, 2023

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

Invited Guests: Chief Brian Jameson, Mr. Martin McDaniel - BOC President, and Mr. Rody Nash – BOC Member and Chair of the Public Safety Committee

Members of the Public: None Present

Mr. Weber called the meeting to order at 7:04 pm, and began the meeting with the Pledge of Allegiance.

Public Participation

No members of the public present.

Approval of January 18, 2022 Special Meeting Minutes

Motion: Mr. Bubb moved to approve the minutes for the January 18, 2022 Special Meeting as presented. Seconded by Mr. Birnie. Messrs. Birnie, Bubb and Weber voted in favor.

Entry Level Testing for New Police Officers

Introduction

Given our limited success last year in attracting and testing applicants for entry level police officers, the LT-CSC agreed at the January 18 meeting to invite Chief Jameson, Mr. McDaniel, and Mr. Nash to attend this meeting. The objective being to communicate our problems in building an Eligibility List, and attracting candidates to apply for our jobs. And, to learn more about the Board of Commissioners' and Chief Jameson's objectives in developing and staffing the Leet Township Police Department.

Mr. McDaniel stressed that the BOC Members will not tell the LT-CSC how to set standards and define processes. The purpose of the Civil Service Commission is to keep politics

out of hiring, promoting and disciplining officers. Mr. Birnie confirmed that the LT-CSC won't ask the BOC to tell us how to set our standards and policies.

Eligibility List

The LT-CSC is unified in agreement that an Eligibility List doesn't work in the current market. Because of the current shortage of qualified police officers, Eligibility Lists don't last very long. Therefore, we're recommending that we don't advertise for, or test candidates for entry level positions unless we have an opening to fill. Once the BOC announces an opening, it will take roughly 6 weeks to advertise for and complete all necessary tests and examinations.

Provisional Appointment

In the event of an urgent need to fill a job vacancy, the Provisional Appointment Clause (Sec 4.22) of our Rules and Regulations gives the BOC some flexibility in expediting the hiring of a new officer in an emergency. However, Mr. Weber pointed out that a candidate nominated in this manner must pass the physical agility test, background check, medical and psychological examinations before being appointed provisionally. However, Mr. Bubb agreed with Mr. McDaniel that a provisional appointee only needs to pass the Oral Exam before appointment. Mr. McDaniel believes this option could still reduce the time needed to fill the vacant position. He also mentioned that a provisional appointment would most likely be for a full-time position.

Causes of Our Low Number of Applications in 2022

There were several reasons cited for why we only received 4 applications in response to our 2 rounds of advertising:

1. National decline in interest in a career as a police officer, resulting in a general shortage of qualified police officers.
2. Leet in lower range of compensation (wages and health insurance) compared to other police departments in the area. (Chief Jameson, Mr. McDaniel)
3. Negative image due to dismissal of Mr. Molinaro
4. Lack of interest in part-time positions, except by retired officers. (Chief Jameson)
5. Lack of interest in testing to be on an eligibility list. (Chief Jameson)
6. Retired officers interested in part-time jobs do not want to take the MPOETC Physical Agility Test, particularly the 1.5-mile run. (Chief Jameson)

Comparing Police Officer Compensation for Leet Twp to other Local Municipalities

Mr. McDaniel said we need to think about what communities we could be competitive with. Comparing local municipalities, population, property assessments, and earned income tax revenues vary widely. For example, Leet will never be competitive with Edgeworth or Sewickley. Chief Jameson said we are competitive on wages with Baden, Harmony Twp. He also thought our biggest disadvantage was in health insurance and the reputation our department has gotten. We are at the bottom of the compensation range municipalities in the area.

Action Item: Mr. McDaniel said he would obtain information on competitive pay and benefits for municipal police departments in Allegheny County from the League of Municipalities Survey.

Preferred Use of Full-time vs Part-time Officers

Chief Jameson's long-term strategy is to staff the department with six full-time officers when the new high school opens, and reduce or eliminate part-time when the new QV High school opens. But that's two years away. However, a sixth full-time officer today would be a big help in stabilizing the work schedule, and potentially reducing overtime costs. It would also make it easier to fill the position, since we will get applicants if we're hiring a full-time officer.

Mr. Nash asked if hiring a full-time officer would meet our needs today better than looking at part-time. Chief Jameson said, "Absolutely". And we would get one or two qualified applicants (for example, Chippewa recently advertised for 2 full-time positions and got 16 applications). Mr. Nash asked what the cost comparison would be of going to a sixth full-timer compared to what we're doing now. Chief Jameson said the sixth full-time officer would be more expensive.

Mr. McDaniel estimated that there is not enough money in the 2023 budget to hire a full-time officer, or to boost compensation. We also should be mindful that we have to be fair to non-police employees. We have a small organization and everyone needs to work together. We can't give increases to the police, and leave out the rest of Leet employees. He agreed to ask Mr. Stephansky to review the feasibility of hiring a sixth full-time officer in 2023 without increasing compensation.

Chief Jameson stated that Leet Township Police Department is unique compared to many other departments in the region. A small department like Leet can't adjust to short term changes in manpower requirements (e.g., absences, resignations, new officer training). Larger departments can adjust more easily. For this reason, without the sixth full-time employee, Leet Township would greatly benefit from better accessibility to part-time officers. Furthermore, there is an important pool of potential part-time officers in retired officers. They are

experienced, don't require training, and don't want to work full-time. But they will not apply if they have to pass the MPOETC Standard. These retired officers are our need at the moment, rather than candidates right out of the academy (Leet currently employs 5 full-time and 3 part-time policemen). We have lost opportunities for part-time officers because of the MPOETC Standard. Another advantage of hiring retired officers as part-time is that they will mentor the younger officers, further relieving the time the Chief has to spend training the recruits right out of the academy. This problem with hiring part-time officers doesn't apply to full-time. If we advertise an opening for full-time, we will get applicants. We won't need to reduce our physical agility standard to get them.

MPOETC Standard vs using the Cooper's Fitness 30th percentile level for 60-year-old women for our physical agility testing.

Mr. Birnie stated that MPOETC has adopted the Coopers test segmented by age and gender (30th percentile level), as the physical agility standard for admission to their academy. Additionally, this same standard has been adopted by many police departments in Pennsylvania. In talking to many Police Chiefs in Allegheny and Beaver Counties, we learned that almost all were either using or about to move toward the MPOETC Standard. Ms. Longwell conducted a detailed survey of First-Class Township police departments in Allegheny County and found that over 90% currently used the MPOETC Standard. The reason for this trend is to avoid litigation for age and gender discrimination. Recently, the Pennsylvania State Police lost a law suit, because they used a physical agility standard that didn't accommodate for gender and age. To avoid this kind of litigation and maintain a meaningful fitness level in our department, we chose to use the MPOETC Standard, and we should continue to use it.

Chief Jameson explained that the MPOETC Standard would deem a 60-year-old female capable of being hired as a part-time officer, if she can do 4 sit-ups and does the 1.5 mile run in 20 minutes, but the 50-year-old male who can do 20 sit-ups and does the 1.5 mile run in 16 minutes is not qualified. He recommends that we lower our standard to the level of the 60-year-old female for all applicants to avoid gender discrimination law suits, when hiring part-time officers.

Mr. Nash asked if we could reduce the physical agility standard for part-time officers. Mr. Bubb indicated the First-Class Code required that the standard for the full- and part-time officers be the same. Mr. Weber said we could reduce the standard across the board. Mr. Weber also said that PA State law for boroughs allows hiring part-time officers without a physical agility test, because they are not hired through Civil Service. However, in First Class Townships part-time officers must be hired through the Civil Service process.

Chief Jameson suggested that we talk to Don Sedlacek, Hopewell Twp Police Chief. He is also the former head of the CCBC Police Academy, a certified MPOETC Instructor. He states that there is no MPOETC requirement that police departments use the MPOETC Standard for

physical agility testing. Local police departments can use whatever physical agility test they want. Granted the concern about litigation is another issue.

Next Steps

1. Mr. Weber will invite Chief Sedlacek to join our next meeting on Feb. 15 at 7:00 to discuss ways to reduce the physical agility standard for part-time applicants while being in compliance with the PA First-Class Township Code.
2. Mr. Stephansky will evaluate the financial feasibility of hiring a sixth full-time officer this year.
3. Mr. McDaniel will obtain information on competitive pay and benefits for municipal police departments in Allegheny County from the League of Municipalities Survey.

Status of the Mike Molinaro Hearing

Mr. Weber confirmed that there is still no news on the timing for rescheduling this hearing. Mr. Nash asked if the Civil Service Commissioners had seen the investigative report? Mr. Birnie responded, "No, we will make our decision solely on the evidence presented during the hearing". Mr. Weber added that we will not allow ourselves to be prejudiced by information received outside the hearing. Mr. Nash then asked how the hearing got to the LT-CSC. Mr. Bubb responded that Mr. Molinaro requested the hearing before the LT-CSC. Mr. Nash asked why we hadn't held the hearing yet? Mr. Weber stated that both Mr. Molinaro's attorney and the Leet Township attorney had requested continuances, which are still in effect.

Posting LT-CSC Minutes on the Leet Township Website

Motion: Mr. Birnie moved we approved posting LT-CSC on the Leet Township website retroactively to our first meeting on March 29, 2022. Mr. Bubb seconded. Messrs. Birnie, Bubb and Weber all voted in favor.

Mr. Birnie will email all the minutes to Mrs. Rengers and ask her to set-up the routine posting.

Public Participation

There being no members of the public present, there were no other comments.

Adjournment

Motion: There being no further business, Mr. Bubb moved we adjourn at 8:45 pm. Mr. Birnie seconded. Messrs. Bubb, Weber and Birnie voted in favor.

/s/Donald S. Birnie

/s/Thomas P. Weber