

**UPPER MORELAND TOWNSHIP**  
**Committees Meeting Agenda**  
**January 24, 2022 at 7:00 p.m.**

***AGENDA ITEMS ARE SUBJECT TO CHANGE***

**INSTRUCTIONS TO JOIN:**

**Go to Zoom.us.** Click "Join a Meeting"      Webinar ID: 917 5771 7982      Password: 182130

**Join by Phone:** Dial 1-929-205-6099      Webinar ID: 917 5771 7982      Password: 182130

**SUBMIT COMMENTS/QUESTIONS:**

E-mail in advance or during the meeting to: [comments@uppermoreland.org](mailto:comments@uppermoreland.org)

Call in advance during normal business hours to 215-659-3100 x1058 or x1057

*\*\*Residents requiring special accommodations, please call the Township during normal business hours\*\**

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**Public Health & Safety Committee Members:** Commissioner and Committee Chair Charles M. Whiting, Commissioner Kip McFatridge and Commissioner Nicholas O. Scull; Township Staff Members/Representatives: Police Chief Andrew Block, Fire Chief Glassman, Assistant Chief Ken Davidson, Second Alarmers Association & Rescue Squad.

**I. Call to Order**

**II. Roll Call**

**III. Presentation**

**IV. Approval of Minutes** – November 22, 2021 (attachment)

**V. Acceptance and approval of the following monthly reports:**

- A. Police Department Memorandum and Monthly Report by Police Chief Block (attachment)
- B. Fire Department by Fire Chief Glassman (attachment)
- C. Second Alarmers Association & Rescue Squad by Assistant Chief Ken Davidson (attachment)

**VI. Old Business:**

- A. Police Department Accreditation: Separation from The Rodgers Group with a recommendation to engage Aspirant Consulting Group, LLC for accreditation services for the Upper Moreland Township Police Department.

**VII. New Business:**

- A. Liquified Natural Gas Transport Resolution (attachment)
- B. Recommendation to amend the Upper Moreland Township Civil Service Rules regarding the hiring from entry level lists for police officers and firefighters (attachment)

**VIII. Other Items:**

- A. COVID-19 Update

**XI. Visitor Comments**

**X. Commissioner Comments**

**XI. Adjournment**

## Public Health & Safety Committee Meeting

**Public Health & Safety Committee Members:** Commissioner and Committee Chair Charles M. Whiting, Commissioner R. Samuel Valenza, Commissioner Nicolas O. Scull, Andrew J. Block, Chief of Police, John Fugelo, Captain/Emergency Services/Fire Marshall, Kenneth E. Davidson, Assistant Chief of Operations & Administration at Second Alarmer's Rescue Squad, Chuck Jones, Jr., Fire Chief of the Willow Grove Fire Department.

- I. **Call to order:** Commissioner and Committee Chair Charles M. Whiting called the meeting to order following adjournment of the Parks and Recreation Committee Meeting.
- II. **Roll Call:** Commissioner and Committee Chair Whiting, Commissioners Valenza and Scull, Chief Block, Captain Fugelo, Assistant Chief Davidson, Fire Chief Chuck Jones, Jr. Also present were Randall Schaible, Assistant Township Manager/Director of Finance, Matthew H. Candal, Township Manager, and Alex Baumler, Township Solicitor.
- III. **Approval of Minutes** - October 18, 2021 - The meeting minutes were unanimously approved as submitted.
- IV. **Acceptance and approval of the following monthly reports - September:**
  - A. Police Department – Memorandum and Monthly Reports:
    - Chief Block discussed statistics from calls, crimes, offenses, arrests, investigations, citizen concerns and traffic. Community-oriented police activities were also reviewed.
    - Drug Take Back Day was held on October 23rd at the Giant Supermarket and at the Police Station with a significant collection turned into the District Attorney's Office and Drug Enforcement Administration.
    - The Food Drive was a very successful event and donations were taken to Children and Youth Services for the holiday season.
    - Officer Paige McDowell was commended for her professionalism in assisting a family with an investigation involving their son.
    - Officer Tom Sokolis was commended for his intervention with an autistic high school student.
    - Commissioner Prousi thanked the Police Department and Fire Department for their services.
    - Dr. Lynnette Saunders, EAC, requested that the speed limit on Huntingdon Road be changed to 25 miles per hour.
  - B. Department of Emergency Services:
    - Captain Fugelo reviewed statistics of emergency responses, inspections, permits, activities and trainings for the month.
  - C. Second Alarmer's Association and Rescue Squad
    - Chief Davidson reviewed statistics of emergency responses and comparisons of monthly staffing.
    - Three full-time EMT positions and four full-time paramedic positions remain vacant, and is a primary concern.
    - Thanked Mr. Candal for participation at the Municipal Managers Meeting with the Second Alarmers this month.
    - A request was submitted to the American Recovery Act.
    - Reiterated the idea of launching an EMS tax, which has been established in a number of

**Upper Moreland Township  
Committees Meetings  
November 22, 2021 - Meeting Minutes**

municipalities in Montgomery and Bucks counties.

- EMS is at a staffing crisis and residents will wait longer for emergency response times.
- Commissioner Spearing inquired about steps to initiate a long-term plan. Chief Davidson explained that an authority would have involvement from each municipality to determine appropriate amounts of support and allocate expenses.
- Commissioner Spearing requested to review a successful model of the plan. Chief Davidson will provide more information.
- The Committee will continue a discussion at a future Executive Session.

**D. Willow Grove Fire Company:**

- Chief Jones provided safety tips for holiday cooking.
- Dan Williams, Jake Ross and Charles Jones, III are now graduates of the volunteer firefighter training, having completed 196 hours of instruction through Bucks County.
- Volunteers are encouraged to join and more information is available on Facebook, Instagram and <http://wgvfc.org>.

**V. Old Business** - Nothing to report.

**VI. New Business:**

**A. Basketball Hoops on Township Streets**

- Brad Bierman, resident of 342 Forrest Avenue, discussed public safety concerns.
- The Committee and Chief Block discussed that permanent basketball hoops mounted in the right-of-way must be removed immediately and there are others in the Township that will be evaluated on a case-by-case basis.
- The Committee will continue a discussion at the December 6, 2021 Public Health & Safety Committee Meeting.

**VII. Other Items:**

**A. COVID-19 Update:**

- Mr. Candal stated that 60% are fully vaccinated and there has been 59 deaths (3 additional between October and November) since the beginning of the pandemic in the Township.

**B. Consider the cancellation of the December 20, 2021 Public Health and Safety Committee Meeting:**

- The Committee agreed to cancel the December 20, 2021 Public Health and Safety Committee Meeting.

**VIII. Visitor Comments** - Nothing to report.

**IX. Commissioner Comments** - Nothing to report.

**X. Adjournment:** There being no further business for this Committee, the meeting was adjourned at 11:00 p.m.

Respectfully submitted by Kathleen Kristire.

# **UPPER MORELAND TOWNSHIP**

## **POLICE DEPARTMENT**

### **Monthly Report**



**November 2021**

**Andrew J. Block**

**Chief of Police**

**Upper Moreland Police  
November 2021 Monthly Report**

The Upper Moreland Police Department responded to 1,181 calls for service for the month of November 2021. The total calls for service for year to date for 2021 is 13,091.

The calls for service between October and November of 2021 decreased by 153 incidents. The monthly police department call volume remains with a 4% increase in call volume when comparing November 2020 and November 2021.

Outlying year-to-date call volume: November 2020; 12,572, November 2019; 13,621, November 2018; 13,622. Overall difference between year to date November 2021 and November 2018 is approximately 4%.

The following Part-One Crimes were reported and investigated by Upper Moreland Police in November 2021;

- Two Sexual Assault Investigations
- Two Aggravated Assaults with two cleared by arrest
- Five Burglary Offenses with two cleared by arrest
- One Robbery Cleared by arrest
- Two Theft of Automobiles
- 38 Theft offenses with 21 offenses cleared by arrest

The following Part-Two Crimes were reported to Upper Moreland Police in November 2021;

- One Narcotics offense cleared by arrest
- One Public Intoxication offense cleared by arrest
- Three Disorderly Conduct offenses cleared by arrest
- 21 Other crimes committed cleared by arrest

The Patrol Division conducted the following proactive measures;

- 389 Vehicle Investigations
- 83 Hazardous Traffic Violations
- 83 Non-Hazardous Traffic Violations
- Three Parking Citations Issued/Three Warnings Issued
- Nine Homeless Contacts
- Six DUI Investigations
  - DUI Arrests
    - Two Between 7:00AM and 7:00PM
    - Four Between 7:00PM and 7:00AM

**Upper Moreland Police  
November 2021 Monthly Report**

The Traffic Unit conducted the follow investigations, activities, and studies;

- 32 Calls for Service
- Eight Traffic and Parking Problems
- 195 Traffic Stops/Motor Vehicle Investigations
- 127 Warnings Issued
- 52 Hazardous Moving Violations Issued
- 48 Non-Hazardous Moving Violations Issued
- 17 MCSAP Inspections:
  - Seven vehicles placed out of service for MCSAP Code Violations
  - Two drivers placed out of service for MCSAP/License Violations

**Detective Bureau/CID**

The Detective Bureau opened the following new cases in the month of November 2021. The following are active criminal investigations during the month:

- One Theft Investigation
- One Child Abuse Allegation
- One Robbery Investigation
- One Fire Investigation
- One Narcotics Investigation
- Two Arson Investigations
- Two Death Investigations
- Three Burglary Investigations
- Three Sexual Assault Investigations

The Detective Bureau executed one arrest warrant during the month of November 2021.

The following arrest warrants were issued for:

- Attempted Robbery/Robbery (Three Warrants)



# Upper Moreland Township Police Department

Andrew J. Block  
Chief of Police  
November 2021



Major Service Areas	This Month –11/2021		Last Month –10/2021		Last Year – 11/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Calls for Service	1,181		1,334		1,111		13,091		12,572		13,621		13,622	
Average Response Time	4.373		4.272		4.061		4.227		3.757		4.063		4.165	
Reportable Vehicle Crashes	25		27		17		222		169		206		210	
Non-Reportable Vehicle Crashes	73		75		55		600		543		744		864	
Part One Crime	This Month –11/2021		Last Month –10/2021		Last Year – 11/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Category	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests
Murder	0	0	0	0	0	0	1	1	0	0	0	0	0	0
Rape	2	0	3	0	0	0	9	1	6	2	5	0	4	1
Robbery	1	1	1	1	0	0	8	2	8	6	5	5	7	6
Aggravated Assault	2	2	2	1	2	2	7	7	8	5	7	9	8	7
Burglary	5	2	2	3	0	0	20	10	10	0	17	2	27	8
Theft	38	21	35	26	17	5	390	238	256	86	325	107	342	146
Auto Theft	2	0	1	1	1	0	15	4	9	1	6	1	15	5
Order Maintenance	This Month –11/2021		Last Month –10/2021		Last Year – 11/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Category	Arrests		Arrests		Arrests		Arrests		Arrests		Arrests		Arrests	
Narcotics	1		7		3		40		71		69		93	
Public Intoxication	1		4		1		21		21		30		31	
Disorderly Conduct	3		0		0		8		15		13		9	
Other	21		14		25		201		214		283		236	
Proactive Measures	This Month –11/2021		Last Month –10/2021		Last Year – 11/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Vehicle Investigations	389		332		140		3,544		2,976		4,471		4,174	
Hazardous Traffic Violations	83		51		16		662		471		865		908	
DUI Violations	6		8		2		48		45		54		117	
Non-Hazardous Traffic Violations	83		59		60		597		699		1,781		1,580	
Parking Violations Citations/Warnings	3/3		9/2		8/2		55/12		56/33		146/105		97/48	
Homeless Contacts	9		11		N/A		90		N/A		N/A		N/A	
*Warnings as of July 2016														

**Upper Moreland Police  
November 2021 Monthly Report**

The following is an overview of Part-One crime statistics:

- 20 burglaries reported YTD. In 2020 YTD 10 burglaries reported, in 2019 YTD 17 burglaries reported and in 2018 YTD 27 burglaries reported. Burglary offenses remain lower than the outlying years.
- Thefts, including retail theft, have increased approximately 10% when compared YTD to 2020, 2019 and 2018.
- Robbery offenses YTD are eight with eight reported YTD in 2020, five reported YTD in 2019 and seven reported in 2018.
- All robberies remain under investigation by the Detective Bureau.

**Community Oriented Policing and Police Department Monthly Activities and Highlights**

November 2, 2021 – Chief Block received a letter of appreciation from John Kitzinger, Chief of Criminal Investigations for the Pennsylvania Officer of the Attorney General. Chief Kitzinger conveyed his appreciation to Officer Matt Snyder and Maximus for assisting with Attorney General Shapiro's recent visit. A copy of Chief Kitzinger's letter is attached to this monthly report.



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

JOSH SHAPIRO  
ATTORNEY GENERAL

November 2, 2021

Criminal Investigations  
Strawberry Square, 16<sup>th</sup> Floor  
Harrisburg, PA 17120  
717-603-2204 (cell)

Chief Andrew Block  
Upper Moreland Township Police Department  
117 Park Avenue  
Willow Grove, PA 19090

Dear Chief Block:

I'd like to take this opportunity to thank you, Officer Mathew Snyder and Maximus for assisting our protective detail personnel with Attorney General Shapiro's visit to Montgomery County. I commend Officer Snyder and Maximus for their remarkable professionalism and support extended to our agents and staff. Please accept our deepest thanks. Feel free to contact me should you ever need assistance from our office.

Sincerely,

John Kitzinger  
Chief, Criminal Investigations

**Upper Moreland Police  
November 2021 Monthly Report**

November 8, 2021 – The Upper Moreland Township Board of Commissioners approved the hiring of a new police officer at the November 8, 2021 monthly board meeting.

The new officer, James D. Baldwin, was born in Hartford CT. James, known as JD, and his family moved to Berwyn, Chester County, Pennsylvania where he attended the Tredyffrin/Easttown School District graduating from Conestoga High School.

JD went on to attend Delaware Valley University in Bucks County graduating in 2015 with a BA in landscape design management. JD started his own tree and landscaping company after his graduation from Delaware Valley University.

In June 2019 JD was hired by The Lancaster City PD in Lancaster, Pennsylvania and attended the Temple University Police Academy graduating in October of 2019. While employed by the Lancaster City Police Department JD was assigned to the patrol division working the night shift.

JD joined the Paoli Fire Company in Paoli, Pa. in 2009 as a volunteer firefighter where he obtained his firefighter and EMT certifications as a volunteer firefighter.

JD's mother Teresa, and father Jay, attended his Oath of Office Ceremony along with his brother Jeff, and girlfriend Hanna.

Magisterial District Judge Paul Leo administer the Oath of Office to Officer Baldwin while his father held the bible and his girlfriend, Hanna, pinned him with his new patrol officers' badge #74.

November 16, 2021 - Anne Marie Bradley thanked Officer Bald for his contact and interaction with her three-year-old daughter. Mrs. Bradley posted her thanks on the Upper Moreland Community News Facebook Page:

Upper Moreland Police  
November 2021 Monthly Report



New activity

Sort



Anne Marie Bradley

2 hrs ·

...

Huge thank you to Officer Bald (I apologize if he has a different rank I didnt ask) he tried his hardest this morning to get my 3 year old to not be shy, even showed her the newest police vehicle. She didnt say much to him, but he made an impression, when we got in the car she was so excited that she got to see the police vehicle and wouldn't stop talking about it! Thank you to all of UMPD for keeping UM safe!

110

7 Comments

Like

Comment

Send



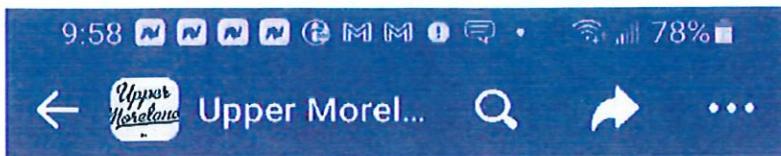
Write a comment...



**Upper Moreland Police  
November 2021 Monthly Report**

November 22, 2021 - Officer Amanda Rossetti was recognized on the Upper Moreland Community News Facebook Page for her recent rescue of a kitten that had found its way into a storm inlet. Officer Rossetti set a trap in the storm inlet in an attempt to catch and rescue the kitten. With a few hours of setting the trap Officer Rossetti located and rescued the kitten. Sarah Kennedy was very appreciative of Officer Rossetti's service in locating the kitten.

Upper Moreland Police  
November 2021 Monthly Report



Officer Amanda Rossetti from the UMPD went above and beyond today helping us rescue a tiny kitten that had fallen into the drain on the side of the road.

She came out and tried to capture the kitten. A neighbor offered a trap that the officer set up and said that if we think it works and she is able she will come back out.

A couple hours later m... See More



389

32 Comments

Like

Comment

Send



Upper Moreland Police  
November 2021 Monthly Report

November 19, 2021 – The Traffic Safety Unit conducted participated in the quarterly Aggressive Driver Grant Enforcement program. Traffic officers conducted enforcement patrols monitoring township and state roadways for motor vehicle violations. Traffic officers issued 51 traffic citations for speeding and red-light violations as well as Stop sign violations and aggressive lane changes. This enforcement is grant funded through the Pennsylvania Department of Transportation.

November 20, 2021 - Upper Moreland Police officers attended the Kiwanis Christmas Tree lighting ceremony at Veterans Memorial Park.

November 21, 2021 – Upper Moreland Police Sergeant Pam Cordura and Traffic Officer Tom Sokolis attended and participated in Hatboro's annual Christmas Parade.

November 22, 2021 - Officer Christopher Hens was recognized and received a Commendation of Heroism from the Hatboro Borough Council. Officer Hens received this award for assisting Hatboro officers with an armed, suicidal individual on Lincoln Avenue. The responding officers were successful in de-escalating the situation and taking this individual into custody without injury to anyone involved in this incident. This is excellent police work by all officers involved.

November 23, 2021 – Upper Moreland Police Officers attended a breakfast and prayer service for first responders at Our Lady of Mercy School. Our Lady of Mercy welcomes the area first responders for this annual prayer service.

Respectfully Submitted,

*Andy Block*

Chief Andy Block

# **UPPER MORELAND TOWNSHIP**

## **POLICE DEPARTMENT**

### **Monthly Report**



**December 2021**

**Andrew J. Block**

**Chief of Police**

**Upper Moreland Police  
December 2021 Monthly Report**

The Upper Moreland Police Department responded to 1,194 calls for service for the month of December 2021. The total calls for service for year to date for 2021 is 14,285.

The calls for service between November and December of 2021 increased by 13 incidents. The monthly police department call volume remains with a 2% increase in call volume when comparing December 2020 and December 2021.

Outlying year-to-date call volume: December 2020; 13,741, December 2019; 14,834, December 2018; 14,875. Overall difference between year to date December 2021 and December 2018 remains at approximately 4%.

The following Part-One Crimes were reported and investigated by Upper Moreland Police in December 2021;

- One Sexual Assault Investigations
- One Aggravated Assaults with two cleared by arrest
- One Robbery
- Four Burglary Offenses with two cleared by arrest
- 38 Theft offenses with 18 offenses cleared by arrest

The following Part-Two Crimes were reported to Upper Moreland Police in December 2021;

- Three Narcotics offense cleared by arrest
- Two Public Intoxication offense cleared by arrest
- Seven Other crimes committed cleared by arrest

The Patrol Division conducted the following proactive measures;

- 219 Vehicle Investigations
- 28 Hazardous Traffic Violations
- 41 Non-Hazardous Traffic Violations
- Four Parking Citations Issued/Six Warnings Issued
- Nine Homeless Contacts
- Three DUI Investigations
  - DUI Arrests
    - None Between 7:00AM and 7:00PM
    - Three Between 7:00PM and 7:00AM

**Upper Moreland Police  
December 2021 Monthly Report**

The Traffic Unit conducted the follow investigations, activities, and studies;

- 16 Calls for Service
- Five Traffic and Parking Problems
- One Citizens Traffic Concern
- 55 Traffic Stops/Motor Vehicle Investigations
- 46 Warnings Issued
- 7 Hazardous Moving Violations Issued
- 10 Non-Hazardous Moving Violations Issued
- 19 MCSAP Inspections:
  - One driver placed out of service for MCSAP/License Violations

**Detective Bureau/CID**

The Detective Bureau opened the following new cases in the month of December 2021. The following are active criminal investigations during the month:

- One Theft Investigation
- One Missing Persons Investigation
- One Child Welfare Investigation
- One Harassment Investigation
- One Fraud Investigation
- One Robbery Investigation
- One Narcotics Investigation
- Two Sexual Assault Investigations
- Two Death Investigations
- Four Burglary Investigations

The Detective Bureau executed three arrest warrants during the month of December 2021.

The following arrest warrants were issued for:

- Juvenile Assault on Parent (Domestic Related)
- Felony Motor Vehicle Theft
- Felony Burglary (Three Counts); Juvenile Offender



# Upper Moreland Township Police Department

Andrew J. Block  
Chief of Police  
December 2021



Major Service Areas	This Month -12/2021		Last Month -11/2021		Last Year - 12/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Calls for Service	1,194		1,181		1,169		14,285		13,741		14,834		14,875	
Average Response Time	4.383		4.373		4.277		4.240		3.800		4.070		4.185	
Reportable Vehicle Crashes	18		25		24		240		193		236		239	
Non-Reportable Vehicle Crashes	61		73		60		661		603		823		939	
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Part One Crime	This Month -12/2021		Last Month -11/2021		Last Year - 12/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Category	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests	Reported	Arrests
Murder	0	0	0	0	0	0	1	1	0	0	0	0	0	0
Rape	1	0	2	0	0	0	10	1	6	2	5	0	5	1
Robbery	1	0	1	1	1	0	9	2	9	6	6	5	9	6
Aggravated Assault	1	1	2	2	0	0	8	8	8	5	7	9	8	8
Burglary	4	2	5	2	5	1	24	12	15	1	18	3	30	8
Theft	38	18	38	21	12	1	428	256	268	87	351	111	372	153
Auto Theft	0	2	2	0	2	0	15	6	11	1	7	1	18	5
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Order Maintenance	This Month -12/2021		Last Month -11/2021		Last Year - 12/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Category	Arrests		Arrests		Arrests		Arrests		Arrests		Arrests		Arrests	
Narcotics	3		1		2		43		73		83		99	
Public Intoxication	2		1		0		23		21		36		33	
Disorderly Conduct	0		3		0		8		15		15		11	
Other	7		21		10		208		224		297		247	
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Proactive Measures	This Month -12/2021		Last Month -11/2021		Last Year - 12/2020		Year to Date 2021		Year to Date 2020		Year to Date 2019		Year to Date 2018	
Vehicle Investigations	219		389		95		3,763		3,071		4,747		4,373	
Hazardous Traffic Violations	28		83		14		690		485		940		920	
DUI Violations	3		6		5		51		50		58		123	
Non-Hazardous Traffic Violations	41		83		25		638		724		1,844		1,661	
Parking Violations Citations/Warnings	4/6		3/3		0/9		59/18		56/42		154/107		99/54	
Homeless Contacts	9		9		N/A		99		N/A		N/A		N/A	
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\*Warnings as of July 2016

Upper Moreland Police  
December 2021 Monthly Report

The following is an overview of Part-One crime statistics:

- 24 burglaries reported YTD. In 2020 YTD 15 burglaries reported, in 2019 YTD 18 burglaries reported and in 2018 YTD 30 burglaries reported. Burglary offenses remain lower than the outlying years.
- Thefts, including retail theft, have increased approximately 30% when compared YTD to 2020, 2019 and 2018.
- Robbery offenses YTD are nine with nine reported YTD in 2020, six reported YTD in 2019 and nine reported in 2018.
- All robberies remain under investigation by the Detective Bureau.

### Community Oriented Policing and Police Department Monthly Activities and Highlights

December 1, 2021 – The following commendatory email was received from Mrs. Hoffman regarding a recent response to her residence by Officer William Nagy:

*Hello, I am writing because I would like to somehow thank Officer William Nagy as well as make sure he is recognized in some way. I called the district and asked how I could do this and I was given this email address and the officer who answered told me to email and it would be sent out to the commissioner. This past October the police were called to my house because I was having some behavioral issues with my son. Officer Nagy was one of the officers who responded to the calls and came out, my son would not come out of his room and Officer Nagy asked if he could go up to talk to my son and I said yes. They talked for a while I stayed downstairs with the other officers. Finally, Officer Nagy and my son came down the stairs and he explained that he and my son spoke about a handful of things which I did not ask any details at the time. Officer Nagy did tell me that he spoke to my son about how he also grew up in Philadelphia as well as my son and I. We just moved to Willow Grove about two and a half years ago (my son is 17 years old now). He said that he spoke to my son about how he also grew up with a single mother and he understands what it's like and it sucks, but also pointed out that my son has a mom who loves him very much and so on. Officer Nagy*

Upper Moreland Police  
December 2021 Monthly Report

*then gave both my son and myself the phone number to the district and said that we could call and leave a voicemail for him anytime if we needed to. He told my son if ever wants to go for ice cream he could call him or if he wanted to go to the ball park he could call him. Since then both my son and I have run into Officer Nagy in the neighborhood and he again was so nice and genuine. Most of all he went above and beyond for my son and he did not need to! It was so cool among many other positive things and my son thinks so as well and that is what matters the most. To say thank you is nowhere near enough to express how grateful I am that he did that for my son!*

December 4/5, 2021 – Sergeant Pam Cordura conducted toy collections throughout the township with township resident Calvin Grasso. This initiative was started by Calvin as a campaign to collect toys for underprivileged children in the Willow Grove area during the holiday season.

December 11, 2021 – The Upper Moreland Police Department participated in the Willow Grove Fire Company's annual Santa Claus township run throughout the township.

December 14, 2021 – Upper Moreland Police Officers delivered toys with Calvin Grasso to the Willow Grove Baptist Church for distribution throughout the greater Willow Grove area.

December 15, 2021 – Upper Moreland Police participated in the annual "Toys for Tots" with this date as the final donation from UMPD.

December 16, 2021 – Upper Moreland Police Department assisted Calvin Grasso with toy deliveries to Central Bucks South High School. These toys were distributed to underprivileged kindergarten and first grade students.

December 17, 2021 - Members of the Upper Moreland Police Department delivered and distributed toys to the students at Our Lady of Confidence Catholic School on Easton Road.

Respectfully Submitted,

*Andy Block*

Chief Andy Block

## Department of Emergency Services

### December 2021 Report to the Upper Moreland Township Board of Commissioners

Emergency Activity Summary		
Response Summary		
	December	Year to Date
Fire Related:	72	830
In-Township:	52	539
Assist Other Depts:	17	247
Assist PA Turnpike:	3	59
EMS Related:	51	409
Total Responses:	123	1239
* Ignition Summary		
	December	Year to Date
Structure:	0	35
Non-Structure:	8	56
Causes		
Accidental:	8	89
Intentional:	0	2
Natural:	0	0
Under Investigation:	0	3
* In Service Summary		
	December	Year to Date
Fire:	8	91
Rescue:	1	13
Haz Mat:	0	0
Structural Response Summary		
	6 a.m. - 6 p.m. Career	6 p.m. - 6 a.m. Vol.
	Dec	YTD
Average Response Time:	5:00	4:34
Total Responses	35	396
	Dec	YTD
	10:41	9:11

Permit, Inspection, Fee & Public Education Summary		
Permit Summary		
	December	Year to Date
Fire Code:	17	266
Tank Removal:	1	20
Tank Installation:	0	11
Other:	0	5
Inspection Summary		
	December	Year to Date
Inspection Reports:	15	429
Fire Marshal Investigations:	2	40
Fee Summary		
	December	Year to Date
Fees Collected:	\$1,550.00	\$19,365.00
Public Education Summary		
	December	Year to Date
Activities Conducted:	2	38
Persons Attending:	Multiple	Multiple
Safety Analysis		
	December	Year to Date
Firefighter Injuries:	0	0
Firefighter Deaths:	0	0
Civilian Injuries:	0	0
Civilian Deaths:	0	0
Accidents Involving Vehicles:	0	0

\* Includes Assist to Other Townships

## Department of Emergency Services

### November 2021 Report to the Upper Moreland Township Board of Commissioners

Emergency Activity Summary		
Response Summary		
	November	Year to Date
Fire Related:	77	758
In-Township:	39	487
Assist Other Depts:	30	230
Assist PA Turnpike:	8	56
EMS Related:	44	358
Total Responses:	121	1116
* Ignition Summary		
	November	Year to Date
Structure:	6	35
Non-Structure:	4	48
Causes		
Accidental:	10	81
Intentional:	0	2
Natural:	0	0
Under Investigation:	0	3
* In Service Summary		
	November	Year to Date
Fire:	10	83
Rescue:	2	12
Haz Mat:	0	0
Structural Response Summary		
	6 a.m. - 6 p.m. Career	6 p.m. - 6 a.m. Vol.
	Nov	YTD
Average Response Time:	4:25	4:31
Total Responses	39	361
	10:32	9:02
	38	398

Permit, Inspection, Fee & Public Education Summary		
Permit Summary		
	November	Year to Date
Fire Code:	13	249
Tank Removal:	1	19
Tank Installation:	1	11
Other:	0	5
Inspection Summary		
	November	Year to Date
Inspection Reports:	32	414
Fire Marshal Investigations:	2	38
Fee Summary		
	November	Year to Date
Fees Collected:	\$660.00	\$17,815.00
Public Education Summary		
	November	Year to Date
Activities Conducted:	5	36
Persons Attending:	Multiple	Multiple
Safety Analysis		
	November	Year to Date
Firefighter Injuries:	0	0
Firefighter Deaths:	0	0
Civilian Injuries:	0	0
Civilian Deaths:	0	0
Accidents Involving Vehicles:	0	0

\* Includes Assist to Other Townships

# Second Alarmers Snapshot

## Upper Moreland Township

November and December 2021



Calls for service in November 2021:

STATION	Count	Count
380 Officers	17	5.3%
381 Willow Grove	140	43.9%
382 Elkins Park	6	1.9%
383 North Hills	5	1.6%
384 Hatboro	150	47.0%
386 Float Truck	1	0.3%
<b>Grand Total</b>	<b>319</b>	<b>100.0%</b>

NATURE OF CALL	Count	Count
Medical	288	90.3%
Motor Vehicle Collision	26	8.2%
Fire	5	1.6%
<b>Grand Total</b>	<b>319</b>	<b>100.0%</b>

RESPONSE OUTCOME	Count	Count
Transported	175	54.9%
Handled By Mutual Aid Service	47	14.7%
Patient Refused Care	18	5.6%
Officer Response	17	5.3%
Cancelled Prior to Arrival	17	5.3%
Assist, Unit	12	3.8%
Assist, Public	12	3.8%
Standby	11	3.4%
Cancelled on Scene	4	1.3%
Treatment / No Transport	4	1.3%
Dead At Scene	2	0.6%
<b>Grand Total</b>	<b>319</b>	<b>100.0%</b>

REC AGENCY	Count	Count
Jefferson Health / Abington Hospital	160	91.4%
Holy Redeemer Hospital & Medical Center	9	5.1%
Doylestown Hospital	4	2.3%
Jefferson Health / Abington - Lansdale Hospital	2	1.1%
<b>Grand Total</b>	<b>175</b>	<b>100.0%</b>

### November Scratch Rates (covered by mutual aid company)

2021	2020
14.7%	8.1%

### November Naloxone Administration Report – Upper Moreland Township

Week Ending	11/7/21	11/14/21	11/21/21	11/28/21	12/5/21
Overdose - Heroin	-	1	-	-	-
Overdose - Other opioids	-	-	1	1	1
Total	-	1	1	1	1

## December Naloxone Administration Report – Upper Moreland Township

Week Ending	12/5/21	12/12/21	12/19/21	12/26/21	1/2/22
Acute Respiratory Distress (Dyspnea)	-	1	-	-	-
Altered Mental Status	-	1	-	-	-
Overdose - Heroin	1	-	-	-	-
Total	1	2	-	-	-

### November Staffing Report:

2021

ALS Full Staffing = 3240 hours

ALS Actual Staffing = 2817 Hours

Downgrade to BLS staffing = 207 hours

Downgrade to no status = 216 hours

2020

ALS Full Staffing = 3240

ALS Actual Staffing = 3240

Downgrade to BLS staffing= 0

Downgrade to no status = 0

### December Staffing Report:

2021

ALS Full Staffing = 3348 hours

ALS Actual Staffing = 3076 Hours

Downgrade to BLS staffing = 188 hours

Downgrade to no status = 84 hours

2020

ALS Full Staffing = 3348

ALS Actual Staffing = 3342

Downgrade to BLS staffing= 6

Downgrade to no status = 0

### Notable Information:

SARS currently has 5 full time positions that remain vacant, 2 EMT and 3 Paramedic.

SARS has received a limited supply of COVID-19 rapid antigen tests to be used to test first responders when needed to help preserve workforce. SARS will make these tests available to UMPD and the fire department as needed.

## MODELING TRANSPORTATION RESOLUTION – PA

WHEREAS, a fundamental purpose of government is to protect the health, safety, and welfare of citizens; and

WHEREAS, Article I, Section 27 of the Pennsylvania Constitution affirms that, “The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment”; and

WHEREAS, New Fortress Energy is planning the overland transport of Liquefied Natural Gas (“LNG”, also known as liquid methane) by truck on public highways and by rail car on existing railways from a to-be-constructed liquefaction plant in Wyalusing, Pennsylvania, to a proposed LNG export terminal in Gibbstown, New Jersey on the Delaware River (the “Gibbstown Logistics Center”) at a location also known as the Repauno Port and Rail Terminal; and

WHEREAS, New Fortress Energy subsidiary Energy Transport Solutions received a Special Permit from the Pipeline and Hazardous Materials Safety Administration (“PHMSA”)<sup>1</sup> for the transport of LNG in rail cars designed 50 years ago and never used for LNG transport while subsequent federal rulemaking requires what PHMSA considers to be a safer rail car design for all other carriers<sup>2</sup>; and,

WHEREAS, the transport of LNG has unique safety hazards, exposing those along these particular truck and rail routes to unprecedeted and unjustifiable risk. An LNG release boils furiously into a flammable vapor cloud 620 times larger than the storage container. An unignited ground-hugging vapor cloud can move far distances,<sup>3</sup> and exposure to the vapor can cause extreme freeze burns. If ignited, the fire is inextinguishable. The explosive force of LNG is similar to a thermobaric explosion – a catastrophically powerful bomb. The 2016 US Emergency Response Guidebook advises fire chiefs initially to immediately evacuate the surrounding 1-mile area.<sup>4</sup> No federal field research has shown how far the vapor cloud can move; and

WHEREAS, spillage of LNG into water presents a hazardous situation where the water quickly transfers heat to the liquid methane, causing it to expand with explosive speed that can result in damage to nearby structures.<sup>5</sup> Explosion can occur and have a cascading effect as the vapor cloud moves downwind or along topographical features such as a tributary, ditch, tunnel, or human built structures, threatening public safety, human life and the environment; and

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<sup>1</sup> Special Permit DOT-SP 20534. <https://www.phmsa.dot.gov/safe-transportation-energy-products/dot-20534-pdf>

<sup>2</sup> PHMSA, 49 CFR § 172, 173, 174, 179, 180 (2020). <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2020-06/2137-AF40%20Final%20Rule%206.19.20%20web%20final.pdf>

<sup>3</sup> “Immediate ignition with liquid still on the ground could cause the spill to develop into a pool fire and present a radiant heat hazard. If there is no ignition source, the LNG will vaporize rapidly forming a cold gas cloud that is initially heavier than air, mixes with ambient air, spreads and is carried downwind.” P. 10 “Methane in vapor state can be an asphyxiant when it displaces oxygen in a confined space.” P. 11. SP 20534 Special Permit to transport LNG by rail in DOT-113C120W rail tank cars. Final Environmental Assessment. Docket No. PHMSA-2019-0100. December 5, 2019. P. 10.

<sup>4</sup> US DOT Emergency Response Guidebook. <https://www.phmsa.dot.gov/hazmat/erg/emergency-response-guidebook-erg>

<sup>5</sup> Rapid Phase Transitions of LNG illustrated at <https://www.youtube.com/watch?v=h-EY82cVKuA>

WHEREAS, the likely routes for the trains carrying LNG to Gibbstown cut through Pennsylvania communities, traveling from Wyalusing Township, Bradford County southeast to cross the Delaware River at Philadelphia on the Delair Bridge into New Jersey, then traveling south to Greenwich Township, Gloucester County, NJ on the Delaware River.<sup>6</sup> The rail route travels adjacent to homes, day care centers, schools, hospitals, businesses, and important and valuable community assets and infrastructure, exposing those who live and work in proximity to the increased rail traffic and the risk of an accident that endangers the safety, health, wellbeing, quality of life, and the community and personal properties of those along the train route. Approximately 1.2 million people live within two miles of the rail tracks<sup>7</sup> and millions more live within a potential zone of impact; and

WHEREAS, neither the Commonwealth of Pennsylvania nor the Delaware River Basin Commission has assessed the potential public safety, public health or environmental impacts of the proposed overland transport of LNG by truck or by rail car on the communities along the possible transportation routes between Wyalusing, Pennsylvania, and Gibbstown, New Jersey; and

WHEREAS, no federal, state, or local agency has conducted a risk assessment of the specific transportation route(s) along which the LNG would travel; and

WHEREAS, no full scale Quantitative Risk Assessment, which quantifies the frequencies of events such as transportation accidents and their consequences, has been done of the trucks or railcars that would contain the LNG that would travel from Wyalusing, Pennsylvania, to Gibbstown, New Jersey<sup>8</sup>; and

WHEREAS, Special Permit DOT-SP 20534<sup>9</sup> issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA) to New Fortress Energy subsidiary Energy Transport Solutions (ETS) for the transportation of LNG in rail tank cars on December 5, 2019 for travel between Wyalusing Township, PA and Gibbstown, NJ does not provide adequate safety protection for the communities through which the rail cars will travel, including the lack of the requirement for an outer rail car tank that is thicker and made of steel with a greater puncture resistance to provide an added measure of safety and crashworthiness, along with other required operational controls, which is included in the federal rulemaking approved by PHMSA for the transport of LNG by rail throughout the nation<sup>10</sup>; and

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<sup>6</sup> <https://www.delawareriverkeeper.org/ongoing-issues/lng-gibbstown-interactive-map>

<sup>7</sup> *Ibid.*

<sup>8</sup> “The QRA will help to evaluate the derailment and release probability of LNG rail cars over certain segments of the network, and account for a variety of track and train characteristics...” “Risk Assessment of Surface Transport of Liquid Natural Gas”, *prepared for U.S. DOT Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety prepared by Cambridge Systematics, Inc. with MaineWay Services, LLC, Rutgers University, Transport Analytics, LLC. ScienceSmith LLC, March 20, 2019. P. ES-9.*

<sup>9</sup> <https://www.phmsa.dot.gov/safe-transportation-energy-products/liquefied-natural-gas-transportation-rail>

<sup>10</sup> <https://www.federalregister.gov/documents/2020/07/24/2020-13604/hazardous-materials-liquefied-natural-gas-by-rail>

WHEREAS, Special Permit DOT-SP 20534 expired on November 30, 2021. ETS applied for a renewal of the permit, which PHMSA is currently evaluating according to 49 CFR 107.113(a); and

WHEREAS, the growth in gas production through hydraulic fracturing and horizontal drilling, which the development of LNG transport and export infrastructure incentivizes, poses a direct and imminent threat to human health and the climate.<sup>11</sup> Over the past decade, oil and gas infrastructure has been the primary source of the rising global atmospheric levels of methane, a gas which has a warming effect 86 times greater than CO<sub>2</sub> over a twenty-year period and 36 times greater over a hundred-year period;<sup>12</sup> and

WHEREAS, methane, a potent greenhouse gas and ground-level ozone precursor, is intentionally vented or known to leak from every part of the natural gas supply chain,<sup>13</sup> and

WHEREAS, LNG's hazardous nature, flammability and potential for powerful explosion combined with the difficulty of predicting the movement of LNG when released from a container such as a truck or rail car, exposes emergency and first responders to danger that cannot be reliably prevented, risking the health and safety of these workers; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The [Township/County/District] calls upon the Pipeline and Hazardous Materials Safety Administration to cancel and not renew Special Permit DOT-SP 20534 for the transportation of LNG in rail tank cars for travel between Wyalusing Township, PA and Gibbstown, NJ.
2. The [Township/County/District] calls upon the Army Corps of Engineers to perform an environmental impact statement under the National Environmental Policy Act.
3. An official copy of this resolution be filed with the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590
4. An official copy of this resolution be filed with the Administration of President Joseph Biden at the Council on Environmental Quality, The White House, 1600 Pennsylvania Ave NW, Washington, DC 20500.

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<sup>11</sup> Coalition for Responsible Regulation, et al. v. EPA, 684 F.3d 102 (D.C. Cir. 2012), citing Endangerment Finding at 66,518.

<sup>12</sup> Oil Change International, "Burning the Gas 'Bridge Fuel' Myth, Why Gas is Not Clean, Cheap, or Necessary", 2019, pp. 4-5. [http://priceofoil.org/content/uploads/2019/05/gasBridgeMyth\\_web-FINAL.pdf](http://priceofoil.org/content/uploads/2019/05/gasBridgeMyth_web-FINAL.pdf)

<sup>13</sup> *Ibid*, p. 6

## **UPPER MORELAND TOWNSHIP**

### **CIVIL SERVICE RULES**

Approved by Civil Service Commission 7/20/2010  
and by Board of Commissioners on 8/2/10

Revision to Section 3.6A approved by Civil Service Commission 2/14/11  
and by Board of Commissioners on 3/7/11

Approved by the Civil Service Commission 1/31/2012  
and by the Board of Commissioners on 3/5/12

Revision to Section 3.6A approved by Civil Service Commission on 6/7/13  
and by Board of Commissioners on 7/1/13

Revision to Section 3.6A, 4.3A, 4.1, 4.2, 4.4, 4.6, 4.9 and 5.1 approved by Civil Service Commission on 10/31/13 and by Board of Commissioners on 12/1/13.

Revision to Section 3.6A and 4.5A approved by Civil Service Commission on 7/9/14 and by Board of Commissioners on 10/6/14

Revision to Section 3.6B and 3.7B approved by Civil Service Commission 5/13/15 and by Board of Commissioners on 7/6/15.

Revisions to Section 3.6.A(8) approved by Civil Service Commission on 4/13/16 and by Board of Commissioners on 5/2/16.

Revisions to Section 3.6.A(5),(6),and (8); Section 3.7 1, 4 (a), 5 (a) and 5 (b); Section 4.1; Section 4.3 (A); Section 4.5 (A); and Section 4.6 (A) approved by Civil Service Commission on 1/13/21 and by Board of Commissioners on 2/1/21

**Revisions to Section 5.5. C (2) approved by Civil Service Commission on [DATE] and by Board of Commissioners on [DATE]**

# **UPPER MORELAND TOWNSHIP CIVIL SERVICE RULES**

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Section 6.2      Furloughs

Section 6.3      Notice of Suspensions, Removals or Reductions in Rank

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**CHAPTER 7.      RESOLUTION FOR ADOPTION OF RULE**

## CHAPTER 1. DEFINITION OF TERMS

### Section 1.1      Definitions

Unless otherwise expressly stated, the following words and phrases, wherever used in these Rules, shall be construed to have the meaning indicated herein:

***Applicant:*** Any individual who applies in writing to the Commission in response to a legally advertised notice of vacancy and/or examination for any position in the Police Department or Department of Emergency Services for any full-time or part-time position in the Police Department or Department of Emergency Services.

***Alternate Commissioner:*** An individual appointed by the Appointing Authority in a First Class Township to serve as an “Alternate Civil Service Commissioner.” Properly appointed Alternate Commissioners shall have all the same powers and duties as a properly appointed Commissioner set forth in the First Class Township Code.

***Appointing Authority:*** The Board of Commissioners of Upper Moreland Township, Montgomery County, Pennsylvania.

***Certification:*** The submission to the Appointing Authority pursuant to its request for three names taken from the eligible list developed by the Commission.

***Chairperson:*** The Chairperson of the Commission.

***Commission:*** The Civil Service Commission of Upper Moreland Township, Montgomery County, Pennsylvania.

***Commissioner:*** An individual appointed by the Appointing Authority to serve as a member of the Civil Service Commission of the Township.

***Department of Emergency Services.*** The department in Upper Moreland Township which provides emergency services to the Township consisting of the Fire Department with paid firefighter/EMTs and fire companies with volunteer firefighters. For purposes of these Rules, all references to applicants for positions in the Department of Emergency Services shall refer only to paid operators of fire apparatus as referenced in the First Class Township Code and defined as Firefighter/EMT in these Rules.

***Eligible:*** A person whose name is recorded on a current eligible list or furlough list.

***Eligible List:*** The list of names of persons who have passed all examinations for a particular position in the Police Department or Department of Emergency Services.

***Examination:*** The series of tests given to applicants to determine their qualifications for a position in the Police Department or Department of Emergency Services.

***Firefighter/EMT:*** For the purpose of these Rules, an entry level sworn full-time paid position in the Department of Emergency Services.

***Furlough List:*** The list containing the names of persons temporarily laid off from positions in the Police Department or Department of Emergency Services because of a reduction in the number of police officers or firefighter/EMTs.

***Patrol Officer:*** For purposes of these Rules, an entry level sworn full-time or part-time position in the Police Department. The Appointing Authority shall retain full discretion in determining which part-time patrol officer receives an offer of full-time employment. Regardless of a patrol officer's hours worked, the civil service rank of full-time and part-time patrol officers shall be the same.

***Police Department.*** The department in Upper Moreland Township which provides police and law enforcement services.

**Probationer:** An officer in the Police Department or firefighter/EMT in the Department of Emergency Services who has been appointed from an eligible list, but who has not yet completed the work-test period.

***Reduction in Rank:*** A change to a different position or rank where the employee fulfilled all of the requirements of these Rules for both the prior and current position or rank. However, a decrease in salary without a change to a different position or rank shall not necessarily constitute a reduction in rank.

**Removal:** The permanent separation of a police officer from the Police Department or firefighter/EMT from the Department of Emergency Services.

*Secretary:* The Secretary of the Commission.

***Suspension:*** The temporary separation without pay of a police officer from the Police Department or a firefighter/EMT from the Department of Emergency Services.

**Township:** Upper Moreland Township, Montgomery County, Pennsylvania.

## Section 1.2      Gender

The words "he," "his," "him" and "men" when used in these Rules represent both the masculine and feminine genders.

## CHAPTER 2. THE COMMISSION

### Section 2.1 Civil Service Commission

A. **Number or Members; Appointment.** The Commission shall consist of three Commissioners who shall be qualified electors of the Township and shall be appointed by the Appointing Authority initially to serve for the terms of two, four and six years, and as terms thereafter expire shall be appointed for terms of six years.

B. **Vacancy.** Any vacancy occurring in the Commission for any reason whatsoever shall be filled by the Appointing Authority for the unexpired term within the period of thirty (30) days after such vacancy occurs.

C. **Oath; No Compensation.** Each Commissioner and Alternate Commissioner, before entering upon the discharge of the duties of his office, shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity. No Commissioner or Alternate Commissioner shall receive compensation.

D. **Alternate Commissioners.** The Appointing Authority may appoint no more than three qualified electors of the Township to serve as Alternate Commissioners. The term of office shall be six years. An Alternate Commissioner shall be entitled to participate in all proceedings and discussions of the Commission to the same and full extent as provided by law for Commission members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in the First Class Township Code and as otherwise provided by law. Alternate Commissioners shall hold no other office in the Township. Any Alternate Commissioner may participate in any proceeding or discussion of the Commission, but shall not be entitled to vote as a Commissioner unless designated as a voting alternate member pursuant to Section 628 of the First Class Township Code.

### Section 2.2 Offices Incompatible with Commissioner

No Commissioner nor Alternate Commissioner shall at the same time hold an elective or appointed office under the United States government, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth, except that one Commissioner may be a member of the Board of Commissioners of the Township.

### Section 2.3 Organization of Commission; Quorum

A. The Commission first appointed shall organize within ten days of its appointment and shall elect one of its members as its chairperson and one as its secretary. The Commission shall thereafter meet and organize on the first Monday of January of each even-numbered year. Three members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two Commissioners.

B. If, by reason of absence or disqualification of a Commissioner, a quorum is not reached, the Chairperson shall designate as many Alternate Commissioners to sit on the Commission as may be needed to provide a quorum. Any Alternate Commissioner shall continue to serve on the Commission in all proceedings involving the matter or case for which the Alternate Commissioner was initially designated until the Commission has made a final determination of the matter or case. Designation of an Alternate Commissioner shall be made on a case-by-case basis in rotation according to declining seniority among all Alternate Commissioners. No action of the Commission shall be valid unless it shall have the concurrence of at least two Commissioners including any serving Alternate Commissioners.

C. For purposes of hiring and promoting police officers or firefighters/EMTs under these Rules, each step of the hiring or promotional process requiring official action by the Commission shall be considered a separate "matter or case" under Subsection (B) above, and each step of the hiring or promotional process need not be voted upon or approved by the same composition of Commissioners or Alternate Commissioners, as the case may be, provided that the quorum requirement has been satisfied.

#### **Section 2.4 Duties of Chairperson**

The chairperson, or in his absence, the vice-chairperson, shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform any duties required by law or these Rules.

#### **Section 2.5 Duties of Secretary**

The secretary shall transmit, at the direction of the Commission, all official correspondence of the Commission and all notices required by law and these Rules, keep a record of each examination or other official action of the Commission, and perform all other duties required by law or these Rules.

#### **Section 2.6 Meetings**

Except for the biennial organization meeting, all meetings shall be held either at the call of the chairperson or at the call of two members of the Commission. The Commission shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by law or these Rules. The secretary of the Commission shall give each Commissioner twenty-four (24) hours notice in writing of each and every meeting of the Commission.

#### **Section 2.7 Clerks and Supplies**

The Appointing Authority shall furnish the Commission with such supplies and clerical assistance as may be necessary for the Commission to fulfill its duties. In addition, the Commission may retain counsel, and any other consultants or experts, including physicians and psychiatrists, as are necessary. The elected and appointed officials of the Township shall assist the Commission with all reasonable and appropriate efforts including compensation for any counsel or experts retained by the Commission.

## **Section 2.8    Amendment of Rules**

The Commission may amend, revise, void or replace these Rules for any reason by action of a majority of the Commission at any properly convened meeting of the Commission. Before any changes to these Rules become effective, those changes must be approved by the Appointing Authority. These Rules and any amendments thereto shall be made available to the public for distribution or inspection.

## **Section 2.9    Minutes and Records**

The Commission shall keep minutes of its proceedings and records of examinations and other official action. All records of the Commission shall be preserved and disposed of according to the *Retention and Disposition Schedule for Records of Pennsylvania Municipalities* issued by the Local Government Records Committee under the authority of the Municipal Records Act, 53 Pa. C.S.A. § 1381 *et seq.*

Any and all records related to any disciplinary action filed with the Commission shall be open to public inspection subject to reasonable regulation. The secretary shall keep minutes of the Commission's proceedings showing the vote of each Commissioner upon each question. If a Commissioner is absent or fails to vote, the secretary shall indicate that fact in the minutes.

## **Section 2.10    Investigations**

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of these Rules. The chairperson of the Commission is authorized to administer oaths and affirmations for witnesses testifying in connection with such investigations.

## **Section 2.11    Subpoenas**

The Commission shall have the power to issue subpoenas over the signature of the chairperson, or his designee, to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry, including any background investigation conducted pursuant to Section 4.9 of these Rules. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expense of the Commission.

All officers in public service and employees of the Township shall attend and testify when required to do so by the Commission.

If any person shall refuse or neglect to obey any subpoena issued by the Commission, upon conviction of such refusal or neglect in a summary proceeding, that person shall be sentenced to pay a fine not to exceed one hundred dollars (\$100), and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty (30) days.

If any person shall refuse or neglect to obey any subpoena issued by the Commission, the Commission may apply by petition to the Court of Common Pleas of Montgomery County for its subpoena for an order

requiring the attendance of such persons before the Commission or the court to testify and to produce any records and papers necessary, and in default thereof shall be held in contempt of court.

### **Section 2.12 Annual Report**

The Commission shall make an annual report to the Appointing Authority containing a brief summary of its work during the year and a full accounting for any expenditures of public monies. The annual report shall be available for public inspection.

## **CHAPTER 3. APPLICATIONS AND QUALIFICATIONS**

### **Section 3.1 Eligibility for Examination – All Applicants**

In order to be eligible for participation in any examination for any position with the Police Department or Department of Emergency Services, every applicant must submit a completed application form to the Commission, or its designated agent, before the deadline stated by the Commission for that specific examination. The applicant must make an oath or affirmation that the application is completed truthfully, and the applicant is subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

### **Section 3.2 Discrimination**

The Township is an equal opportunity employer. It is the Township's and the Commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran status, marital status or non-job-related physical or mental handicap or disability. The Township and the Commission will provide equal opportunities in employment and promotion.

### **Section 3.3 Availability of Applications**

**A. Police Department.** Application forms shall be available to all interested persons in the office of the Chief of Police and from such other offices and officers that the Commission, from time to time, may choose to designate. Application forms may be mailed upon written or telephone request. However, the Commission assumes no responsibility for missed filing deadlines due to a delay in the mail.

**B. Department of Emergency Services.** Application forms shall be available to all interested persons at the Township Building and from such other offices and officers that the Commission, from time to time, may choose to designate. Application forms may be mailed upon written or telephone request. However, the Commission assumes no responsibility for missed filing deadlines due to a delay in the mail.

### **Section 3.4 Recording and Filing Applications – All Applicants**

Applications for positions in the Police Department or Department of Emergency Services will be received at the location(s) specified by the Commission or the persons or entities authorized by it to accept applications and conduct examinations on its behalf. Such applications will be received only after a hiring or promotional test has been properly advertised and before the deadline for receiving applications which must be set forth in the public advertisement. Applications will be received by the person or entity designated in the public advertisement. That person or entity shall record the receipt of all applications and provide each applicant with notice of the time and place for the first portion of the testing procedure, the written examination. Any application containing material errors or omissions may, at the discretion of the Commission, be returned to the applicant for correction prior to the deadline for filing applications, after which no new applications or amended applications will be accepted.

### **Section 3.5 Age Requirements – All Applicants**

All applicants for patrolman or firefighter/EMT positions must have reached their twenty-first (21st) birthday before the deadline for submitting completed applications.

### **Section 3.6 General Qualifications – Applicants for Patrol Officer Or Firefighter/EMT**

**A. Police Department.** Every applicant for any position in the Police Department: (1) must possess a diploma from an accredited high school or a graduate equivalency diploma (GED); (2) must be a United States citizen; (3) must be physically and mentally fit to perform the full duties of a police officer; (4) must possess a valid motor vehicle operator's license at the time of application; (5) must have successfully completed PA Act 120, as amended, Municipal Police Officers Education and Training Commission ("MPOETC") certification training within the thirty-six (36) months immediately prior to filing an application for patrol officer with the Township or presently be enrolled in a course of study at a police academy certified by MPOETC and within two hundred ten (210) days after the patrol officer application filing deadline, successfully complete said training or qualify for a waiver of training as required by PA Act 120.

**B. Department of Emergency Services.** Every applicant for a firefighter/EMT position in the Department of Emergency Services must possess a diploma from an accredited high school or a graduate equivalency diploma (GED). In addition, every applicant must be a United States citizen, be physically and mentally fit to perform the full duties of a firefighter/EMT and, prior to appointment, possess a valid motor vehicle license issued by the Commonwealth of Pennsylvania. In addition to the above criteria, every applicant must meet all of the following additional qualifications:

1. have earned at least sixty (60) credits from an accredited college or university, or have served at least five (5) years as a full-time or volunteer firefighter in the Commonwealth of Pennsylvania; and
2. have the following certifications:

Fire Fighter I	(NFPA 1001)
Fire Fighter II	(NFPA 1001)
Driver/Operator Pumper	(NFPA 1002)
Fire Inspector I	(NFPA 1031)
Haz Mat Operations	(NFPA 472)
PA DOH Medical certification for EMT	
PA DOH Vehicle Rescue Technician	

## **Section 3.7 General Qualifications – Applicants for Promotion**

### **A. Police Department**

Applicants for promotion must meet all of the following criteria in order to be eligible to take the examination:

1. Must possess evidence of graduation from high school or a GED equivalent certificate.
2. Shall not have been suspended, without pay, for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting applications. Any suspension to which the applicant has timely appealed, pursuant to a contractual grievance procedure or these Rules, shall be disregarded unless the appeal is resolved prior to the creation of the eligibility list.
3. Shall have achieved a “meets criteria” evaluation rating or higher pursuant to the Police Department’s performance evaluation system on the last two (2) evaluations of that applicant.
4. In addition to the foregoing, all applicants for the position of sergeant shall possess the following qualifications:
  - (a) have served at least five (5) years of service in the Police Department;
  - (b) understand the laws, ordinances and rules of the Police Department;
  - (c) possess knowledge of basic principles of police administration including all applicable laws, definition of crimes, criminal procedures, observations and patrol, traffic laws and procedures, firearms, self-defense, first aid, public relations and a working knowledge of the police sciences;
  - (d) possess the ability to give orders to subordinates and receive them from superiors in accordance with departmental policies; and
  - (e) possess the ability to handle crisis situations effectively.
5. For the position of lieutenant, all applicants shall possess all of the foregoing qualifications in this section and also:

- (a) have served at least ten (10) years in the Police Department; and
- (b) currently hold the rank of sergeant for at least five (5) years in the Police Department.

**B. Department of Emergency Services – General Qualifications – Rank of Fire Captain**

Vacancies for the rank of Fire Captain will be posted in the Department of Emergency Services. If applicants within the Department meet the general qualifications for promotion, the examination will not be open to outside applicants. In the event that applicants within the Department do not meet the general qualifications for the Fire Captain vacancy, it will be open to applicants from outside the Department.

1. General Qualifications for Applicants from the Department of Emergency Services. Applicants for promotion to the rank of Fire Captain must meet all of the following criteria in order to be eligible to take the examination:

- a. Have at least five (5) years of service as a full-time, paid firefighter/EMT in the Department of Emergency Services of the Township;
- b. Have earned a minimum of sixty (60) college credits from an accredited college/university;
- c. Have the following certifications:

Driver/Operator Aerial/Tiller	(NFPA 1002)
Fire Inspector II	(NFPA 1031)
Hazardous Materials Technician	(NFPA 472)
Fire Service Instructor II	(NFPA 1041)
Fire Officer II	(NFPA 1021)
Incident Safety Officer	(NFPA 1521)
Plans Examiner I & II	(NFPA 1031)
Fire Investigator	(NFPA 1033)

- d. Shall not have been suspended without pay for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting the application; and
- e. Have achieved a “meets expectations” performance evaluation or higher on the most recent annual evaluation conducted pursuant to the Department of Emergency Services’ evaluation system.

2. General Qualifications for Applicants from Outside the Department of Emergency Services. Applicants for promotion to the rank of Fire Captain must meet all of the following criteria in order to be eligible to take the examination:

- a. Have at least five (5) years of service as a full-time, paid firefighter/EMT in another municipal fire department;

b. Have earned a minimum of sixty (60) college credits from an accredited college/university;

c. Have the following certifications:

Driver/Operator Aerial/Tiller	(NFPA 1002)
Fire Inspector II	(NFPA 1031)
Hazardous Materials Technician	(NFPA 472)
Fire Service Instructor II	(NFPA 1041)
Fire Officer II	(NFPA 1021)
Incident Safety Officer	(NFPA 1521)
Plans Examiner I & II	(NFPA 1031)
Fire Investigator	(NFPA 1033)

d. Shall not have been suspended without pay for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting the application; and

e. Have achieved a “meets expectations” or comparable rating on the last evaluation performed on the applicant from the last fire department for which he/she was employed full-time. If there was no evaluation system in place, this criteria will be waived.

### **Section 3.8 Rejection of Applicant – All Applicants**

The Commission may refuse to examine, or, if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for examination prescribed in these Rules for the particular position for which the applicant has applied which shall include providing any false or misleading information or material omissions at any time during the examination or investigation process. In addition, the Commission may refuse to examine, or if examined, may refuse to certify any applicant who is physically or mentally unfit to perform the full duties of the position applied for, or who is illegally using a controlled substance, as defined in Section 102 of the Controlled Substances Act (Public Law 91-513, 21 U.S.C. §802), who has been guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct, or who has been dismissed from public service for delinquency or misconduct in office, or who is affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitutions and laws of the United States and the Commonwealth of Pennsylvania.

### **Section 3.9 Hearing for Disqualified Applicants – All Applicants**

Any applicant who is aggrieved by the refusal of the Commission to examine or to certify the applicant as eligible after examination, may request a hearing before the Commission. Within ten (10) days after such request, the Commission shall designate a time and place for a public hearing, with or without counsel, which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. § 101 *et seq.* The applicant must make his request for a hearing in writing within ten (10) calendar days of the date when the applicant knew or should have known of the Commission's action which is being challenged. The request for a hearing shall be addressed to the Chairperson of the Commission and delivered to the Township Building, 117

Park Avenue, Willow Grove, PA 19090. At the hearing the Commission shall consider evidence and review its refusal to provide examination or certification. The decision of the Commission shall be final.

### **Section 3.10 Public Notice**

The Commission shall conspicuously post in the Township building an announcement of the hiring or promotional testing and set forth the time and place of every examination, together with the information as to the type of position to be filled, the requirements for that position, where applications may be obtained, and the deadline for filing those applications. In addition, at least two weeks prior to the close of the application period, publication of the notice shall occur in at least one newspaper of general circulation or a newspaper circulating generally in the Township.

## **CHAPTER 4. EXAMINATION AND GRADING PROCEDURE**

### **Section 4.1 General Examination Requirements for the Position of Patrol Officer**

In order to be eligible to take the examination, an applicant must have met all general qualifications for the position as set forth in Chapter 3 of these Rules. The examination for patrol officer will consist of a written and an oral examination which will each be graded on a one hundred (100) point scale. The weight of the written examination shall be forty percent (40%) of the final score and the weight of the oral examination shall be sixty percent (60%) of the final score. In addition, each applicant will undergo a physical fitness assessment, a polygraph test and a background investigation. The physical fitness assessment and polygraph tests and background investigation will be graded on a pass/fail basis for every applicant. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing a medical and psychological examination.

### **Section 4.2 General Examination Requirements for the Position of Firefighter/EMT**

In order to be eligible to take the examination, an applicant must have met all general qualifications for the position as set forth in Chapter 3 of these Rules. The examination for firefighter/EMT will consist of a written and an oral examination which will each be graded on a one hundred (100) point scale. The weight of the written examination shall be fifty percent (50%) of the final score and the weight of the oral test shall be fifty percent (50%) of the final score. In addition, each applicant will undergo a physical fitness assessment and a background investigation. The physical fitness assessment and background investigation will be graded on a pass/fail basis for every applicant. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing a medical and psychological examination.

### **Section 4.3 General Examination Requirements for Promotion**

**A. Police Department.** The examination for the position of sergeant and the position of lieutenant shall include a written examination and oral examination which shall be graded on a one hundred (100) point scale, with the written examination representing forty percent (40%) of the final score and the oral examination representing sixty percent (60%) of the final score.

**B. Department of Emergency Services.** The examination for the rank of Fire Captain shall include a written and oral examination each of which shall be graded on a one hundred (100) point scale, with the written examination representing fifty percent (50%) of the final score and the oral examination representing fifty percent (50%) of the final score. After an applicant has been extended an offer of to the rank of Fire Captain, the final appointment to that position shall be contingent upon the applicant passing medical and psychological examinations.

### **Section 4.4 Appointment of Examiners**

The Commission shall appoint a written examination administrator, an oral examination administrator, a polygraph examiner for police candidate examinations only, a physical fitness examiner, a medical examiner and a psychological examiner to conduct the appropriate examination required by these Rules.

### **Section 4.5 Written Examination for Patrol Officer or Firefighter/EMT**

**A. Police Department.** The written examination shall be graded on a one hundred (100) point scale, and an applicant must score seventy percent (70%) or higher and receive one of the top thirty (30) of the highest scores, whichever results in the greater number of passing applicants, in order to continue in the application process. Tie scores shall be counted separately to determine the total number of applicants who have made the cut-off point. Applicants scoring less than seventy percent (70%) or not receiving one of the top thirty (30) of the highest scores shall be rejected. Within thirty (30) days after the administration of the written examination, all applicants who pass and qualify to move forward with the application process shall be given written notice of their test results, and shall be informed of the next step in the examination process. All applicants may view their scores at the Township police department or on its website. All posted scores shall be shown by applicant identification number only.

**B. Department of Emergency Services.** The written examination shall be graded on a one hundred (100) point scale, and an applicant must score seventy percent (70%) or higher and receive one of the top thirty (30) or ten percent (10%) of the highest scores, whichever results in the fewest passing applicants, in order to continue in the application process. Tie scores shall be counted separately to determine the thirty (30) highest scores. Applicants scoring less than seventy percent (70%) or not receiving one of the top thirty (30) or ten percent (10%) of the highest scores shall be rejected. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their test results, and each passing applicant shall be informed of the next step in the examination process.

### **Section 4.6 Oral Examination for Patrol Officer or Firefighter/EMT**

**A. Police Department.** Every applicant who qualified to move beyond the written examination as set forth in Section 4.5 above and who has passed the physical fitness assessment, if the Commission determined that the physical fitness assessment should be administered prior to the oral examination, shall be given an oral examination that will be graded on a one hundred (100) point scale with a score of seventy percent (70%) or higher necessary for passing. The oral examination shall involve questions addressing the applicant's judgement, fairness and honesty. Within thirty (30) days after the applicants' oral examination, they shall be informed of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process. Any applicant who does not pass the oral examination shall be rejected.

**B. Department of Emergency Services.** Every applicant who qualified to move beyond the written examination as set forth in Section 4.5 above and who has passed the physical agility testing, if the Commission determined that the physical agility testing should be administered prior to the oral examination, shall be given an oral examination that will be graded on a one hundred (100) point scale with a score of seventy percent (70%) or higher necessary for passing. The oral examination shall involve questioning applicants on how they would handle situations relevant to fire operations and fire prevention/fire safety education. Within thirty (30) days after the applicants' oral examination, they shall be informed of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process. Any applicant who does not pass the oral examination shall be rejected.

#### **Section 4.7 Overall Passing Score – All Applicants**

An applicant for patrolman or firefighter/EMT must score seventy percent (70%) or greater on the written and oral examinations combined, based on a one hundred (100) point scale, in order to qualify. Any applicant not receiving a passing score shall be promptly notified in writing.

#### **Section 4.8 Veterans' Preference Points – All Applicants**

Pursuant to the Veterans' Preference Act, any applicant for the position of patrol officer or firefighter/EMT who qualifies as a "soldier" under the Act shall receive an additional ten (10) points on top of his total score if that applicant had received passing scores under this Chapter. Any applicant claiming veterans' preference is responsible for providing any and all relevant documents to the Commission.

#### **Section 4.9 Physical Fitness Assessment**

**A. Police Department.** An applicant for the position of patrol officer must undergo a physical fitness assessment pursuant to standards established by the Commission which are job-related and consistent with business necessity. The physical fitness assessment may be held at any time in the application process after the written examination as determined by the Commission. The physical fitness specifications will be provided to all potential applicants in the application package. Any applicant who does not pass the physical fitness assessment shall be rejected.

**B. Department of Emergency Services** An applicant for the position of firefighter/EMT must meet the requirements of the physical agility examination. The specific elements of the physical agility examination,

which will be job-related and consistent with business necessity, will be adopted at an advertised meeting of the Commission prior to the announcement of the examination/testing cycle. The physical agility specifications will be provided to all potential applicants in the application package. Any applicant who does not pass the physical agility examination shall be rejected and shall be promptly notified in writing.

## **CHAPTER 5. CREATION OF THE ELIGIBILITY LIST, BACKGROUND INVESTIGATION, RECOMMENDATION AND APPOINTMENT**

### **Section 5.1 Creation of Eligibility List – Entry Level and Promotion**

At the completion of the examination requirements set forth in these Rules for written examination, oral examination and, physical fitness assessment, the Commission shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list. Applicants who qualify for veterans' preference points shall have those points added to their passing score prior to being ranked on the eligibility list.

In the case of tied scores, the tie will be broken by ranking the names of the candidates with tied scores in alphabetical order by surname.

The eligibility list will be valid for one year from the date the Commission ranks all passing applicants, assigns veterans' preference points and formally adopts the eligibility list. The Commission may, at its sole discretion, before the original expiration date, by a vote of the majority of the Commission at a duly authorized Commission meeting, extend the list for up to an additional twelve (12) months. The Commission may, at its sole discretion, void an eligibility list at any time for any reason.

### **Section 5.2 Background Investigation – Applicants for Patrol Officer or Firefighter/EMT**

The Commission shall request the chief of police, the director of emergency services or their designees to conduct a background investigation on as many applicants as it deems necessary for the purpose of certifying a list to the Appointing Authority in order to fill a position within a department. The background investigation shall also include interviews with anyone who can provide information regarding the applicant's fitness for the position, including, but not limited to, the applicant's family, acquaintances, current and former employers, current and former neighbors, references and current and former teachers and school officials. At a minimum, personal interviews shall be conducted with at least three (3) people that have personal knowledge of the applicant but who are not related to the applicant and with the applicant's employer(s) for the past five (5) years. The background investigation shall also include a criminal history check, including the submission of fingerprints to the Central Repository for the Commonwealth of Pennsylvania and the Federal Bureau of Investigation. The applicant's credit history and record of criminal convictions shall also be investigated, as well as the applicant's driving record. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation.

If necessary to complete a thorough background investigation on any applicant, the Commission may, upon the request of the chief of police, the director of emergency services or their designees, subpoena the personnel records maintained by any other police department(s) by which the applicant was previously employed.

### **Section 5.3 Polygraph Examination for Patrol Officer Candidates Only**

A. As part of the background investigation, every applicant for the position of patrol officer shall fill out a Personal Data Questionnaire and undergo a polygraph examination at the direction of the Commission. The Commission shall furnish each polygraph examiner with forms upon which the examiner shall state whether any of the applicant's responses to questions from the applicant's Personal Data Questionnaire are deceptive. The report on each examination shall be submitted to the Commission within ten (10) business days after the date of the examination.

B. The examiner shall ask questions based on the information contained in the Personal Data Questionnaire. Before administering the test, the examiner shall ask each applicant whether there is any more information related to the Personal Data Questionnaire which the applicant would like to provide. There shall also be a post-test review, during which the examiner shall again ask the participant, if deception is indicated, whether there is any information which the applicant is withholding.

C. If the examiner shall deem any of the applicant's responses to be deceptive, the examiner must tell the applicant immediately and give the applicant an opportunity to explain, deny or admit the deception. If the applicant denies being deceptive or if the explanation is found unsatisfactory by the examiner, the applicant will be given the opportunity to retake the polygraph examination with a second examiner. Notice of the opportunity to retake the polygraph examination shall be given in writing to the applicant. Within ten (10) days of the date of the notice of the opportunity to retake the polygraph examination the applicant must indicate in writing addressed and delivered to the Commission, or its designated agent, at the Township Building, that he or she is electing to undergo the second polygraph examination. The second examiner will not have access to the results of the first examination prior to re-administering the polygraph examination. If the second examiner finds no deception, the applicant will be considered as having passed the polygraph examination. If the second examiner also finds the applicant deceptive, the applicant will be considered as having failed the polygraph examination.

D. An applicant who has failed both tests may appeal to the civil service commission for a third examination, and the decision to give the applicant an opportunity to take a third polygraph examination rests solely within the discretion of the Commission. If the applicant is awarded an opportunity to take a third polygraph examination and passes, the applicant will be considered as having passed the polygraph examination. If the applicant is found deceptive on a third examination, the applicant will be rejected.

### **Section 5.4 – Recommendation to Commission**

After the background investigation is completed, the chief of police, the director of emergency services or their designees, shall make a written recommendation to the Commission on whether the applicant is appropriate for certification to the Appointing Authority for appointment as a police officer or firefighter/EMT.

Appropriateness of the applicant shall be based on the criteria and the results of any background investigation set forth in these Rules. This recommendation shall be in writing and, if the recommendation is to disqualify, then a written explanation of the reasons for disqualification must be included. The Commission shall make the final determination on whether the information collected during the background investigation warrants rejection of the applicant. Within thirty (30) days after the Commission considers the recommendation of the chief of police, the director of emergency services or their designees, each applicant will be informed of whether they have passed the background investigation.

### **Section 5.5    Certification of Candidate List and Appointment – Any Vacancy Including Promotion**

A. The Appointing Authority of the Township may fill any vacancy in an existing position in the Police Department or Department of Emergency Services that occurs as a result of expansion of either department, retirement, resignation, disability, termination or death by the reappointment or reinstatement of a former employee of either department who had been furloughed.

B. In the case of a vacancy for patrol officer or firefighter/EMT, but not for promotion, no other testing shall be required for a furloughed employee or a rehired or reappointed employee, except for medical and psychological examinations after conditional offer of appointment and also subject, to any recertification requirements prescribed by the Municipal Police Officers' Education and Training Commission.

C. If no furlough list exists or if positions remain to be filled after all of the individuals on the furlough list were offered reemployment, every position, except that of chief of police and director of emergency services, shall be filled only in the following manner:

1. The Appointing Authority of the Township shall notify the Commission of any vacancy which is to be filled and shall request the certification of three (3) names of persons from the list of eligible candidates who have the highest examination scores;

2. In response to the Appointing Authority's request, and after receiving a recommendation following any required background investigation pursuant to Section 5.4, the Commission shall certify the top three (3) candidates from the list of eligible candidates. If a list of eligible candidates for **initial appointment or** promotion does not contain three (3) names, the Commission shall certify the names remaining on the eligibility list.

3. Subject to its right to object to a candidate, the Appointing Authority of the Township shall make a conditional appointment of one candidate from the three (3) names certified based solely on the merits and fitness of the candidates. However, for initial appointment to patrol officer or firefighter/EMT, when one (1) of the three (3) candidates on the certified list is a veteran, that candidate shall be selected.

D. The Appointing Authority may object to one or more of the candidates certified for the reasons set forth in Section 3.8 of these Rules. If the candidate to whom the Appointing Authority objects fails to timely exercise the rights of appeal under Section 3.9, or if the Commission declines to uphold the appeal, the Commission shall strike the name of that candidate from the eligibility list and take the steps necessary to certify the next highest name for inclusion on the list of three candidates for each name stricken off.

#### **Section 5.6 Appointment of Chief of Police or Director of Emergency Services**

In the case of a vacancy in the office of chief of police or director of emergency services, the Appointing Authority has full discretion in selecting the individual to fill the position. If the Appointing Authority requests the Commission to subject that person to a noncompetitive examination, and if that person successfully passes the noncompetitive examination, then the Commission shall notify the Appointing Authority of the results of the examination. If, after receiving notice from the Commission that the candidate is qualified, the Appointing Authority votes to bestow civil service status on that person, he may only be removed from the position of chief of police or director of emergency services for the reasons set forth in Section 6.1.

#### **Section 5.7 Physical and Psychological Medical Examinations**

A. An applicant selected from the eligibility list shall receive a conditional offer of employment. The offer of employment shall be conditioned upon the conditional employee undergoing a physical and psychological medical examination and a determination that the conditional employee is capable of performing all the essential functions of the position. Physical medical examinations shall be under the direction of a physician or other qualified medical professional. Psychological medical examinations shall be under the direction of a psychiatrist or psychologist.

B. The physician or other qualified medical professional and the psychiatrist or psychologist shall be appointed by the township commissioners and shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the person's ability to perform all of the essential functions of the position for which the person was conditionally appointed.

C. If the opinion rendered by the physician, or other qualified medical professional, psychiatrist or psychologist calls into question the conditional appointee's ability to perform all essential functions of a position, a person designated by the township commissioners shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether the conditional appointee can, with or without reasonable accommodation, perform all the essential functions of the position.

D. If, at the conclusion of the interactive discussion under subsection C, the township commissioners determine that the conditional appointee is not qualified, the township commissioners shall give written notice to the conditional appointee and the Civil Service Commission.

E. Nothing in these Regulations shall be construed to authorize physical or psychological medical examinations prior to the conditional appointment.

F. As used in this section, the following definitions shall apply:

“Medical examination” shall mean any examination, procedure, inquiry or test designed to obtain information about medical history or a physical or mental condition which might disqualify an applicant if it would prevent the applicant from performing, with or without a reasonable accommodation, all of the essential functions of the position.

“Physician” shall have the meaning given to it in 1 Pa.C.S. §1991 (relating to definitions).

“Qualified medical professional” shall mean an individual, in collaboration with or under the supervision or direction of a physician, as may be required by law, who is licensed:

(1) as a physician assistant pursuant to the act of December 20, 1985 (P.L. 457, No. 112), known as the “Medical Practice Act of 1985” or the act of October 5, 1978 (P.L. 1109, No. 261), known as the “Osteopathic Medical Practice Act”; or

(2) as a certified registered nurse practitioner pursuant to the act of May 22, 1951 (P.L. 317, No. 69), known as “the Professional Nursing Law.”

## **Section 5.8 Probationary Period**

Every candidate appointed to the position of patrol officer or firefighter/EMT or to a promotional position with the Police Department or Department of Emergency Services shall serve a twelve (12) month probationary period. For newly hired patrol officers, the one (1) year probationary period shall not commence until after the patrol officer has completed training under Act 120 and receives a certification number. If the candidate already has Act 120 certification when he is appointed, his probationary period shall commence immediately upon appointment. During the probationary period, a newly hired patrol officer or firefighter/EMT may only be dismissed for the reasons set forth in Section 3.8. Any individual who is promoted during probation may be returned to a prior rank only for the reasons set forth in Section 3.8 of these Regulations or because of incapacity for duty due to the use of alcohol or drugs. However, at the end of the twelve (12) month probationary period, if the conduct of the probationer has not been satisfactory to the Appointing Authority the probationer shall be notified in writing that the appointment will not be permanent. At that time, probationer's employment shall end, and a promoted probationer shall return to a previous rank. Any probationer, who is not informed in writing that his performance has been unsatisfactory, shall receive a permanent appointment to the new position. Any probationer who is notified in writing that his appointment will not be made permanent has no right of appeal under these Rules.

## **Section 5.9 Provisional Appointments**

Whenever there are urgent reasons for the filling of a vacancy in any position in the Police Department or Department of Emergency Services and there are no names on the eligibility list for such appointment, the Appointing Authority may nominate a person to the Commission for noncompetitive examination. Such nominee may be certified by the Commission as qualified after such noncompetitive examination and may be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the Commission within three (3) weeks to hold a competitive examination and certify a list of eligible candidates and a regular appointment shall then be made from the name or names submitted by the Commission provided, however, that nothing

within this section shall prevent the appointment, without examination, of persons temporarily as police officers or firefighter/EMTs in cases of riot or other emergency.

## **CHAPTER 6. SUSPENSIONS, REMOVALS AND REDUCTIONS IN RANK**

### **Section 6.1    Grounds for Disciplinary Action**

A.    No person appointed to a position in the Police Department or Department of Emergency Services pursuant to these Rules may be suspended without pay or removed and no person promoted in rank pursuant to these Rules may be reduced in rank except for the following reasons:

1.    Physical or mental disability affecting the ability of the employee to continue in service, in which case the employee shall receive an honorable discharge from service;

2.    Neglect or violation of any official duty;

3.    Violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony or violation of any law in any other state or commonwealth which would constitute a misdemeanor or felony if committed in this Commonwealth;

4.    Inefficiency, neglect, intemperance, disobedience of orders or conduct unbecoming a police officer or firefighter/EMT, as the case may be;

5.    Intoxication while on duty; or

6.    Engaging or participating in or conducting of any political or election campaign other than the exercise of the right of suffrage of the employee.

B.    No employee shall be removed for religious, racial or political reasons.

C.    A statement of any charges made against any employee so employed shall be furnished to the employee within five (5) days after the Appointing Authority has adopted those charges.

### **Section 6.2    Furloughs**

A.    If for reasons of economy or other reasons, it shall be deemed necessary by the Township to reduce the number of full-time police officers or firefighters/EMTs in their respective departments, then the Township shall furlough in accordance with law.

### **Section 6.3    Notice of Suspensions, Removals or Reductions in Rank**

A.    Whenever a police officer or firefighter/EMT is suspended without pay, removed or reduced in rank, the specific charges warranting such actions shall be stated in writing by the Board of Commissioners.

The charges shall be stated clearly and in sufficient detail to enable the police officer or firefighter/EMT to understand the charges and to allow the police officer or firefighter/EMT an opportunity to respond to those charges. The charges shall specify the subsection of Section 6.1 which provides the basis for the disciplinary action as well as an explanation of the factual circumstances upon which the appointing authority relied in finding a violation of Section 6.1.

B. Within five (5) days after the Board of Commissioners has voted to impose the disciplinary action, a written statement of the charges shall be delivered to the police officer or firefighter/EMT either by personal service or by certified and registered mail. In addition, the charges shall notify the police officer or firefighter/EMT of the right to appeal under Section 6.4 of these Rules. A copy of the statement of charges shall also be served upon the members of the Commission.

#### **Section 6.4 Hearings on Suspensions, Removals and Reductions in Rank**

A. The police officer or firefighter/EMT who has been suspended, removed or reduced in rank may appeal the decision of the Board of Commissioners by written notice to the secretary of the Commission at 117 Park Avenue, Willow Grove, Pennsylvania 19090 requesting a hearing. It is the obligation of the police officer or firefighter/EMT to cause the request for a hearing to be delivered to the Commission within ten (10) days after the police officer or firefighter/EMT received notice of the discipline. The police officer or firefighter/EMT may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the police officer or firefighter/EMT to provide written answers to any of the charges shall not be deemed an admission by such person.

B. The Commission shall schedule a hearing within ten (10) days from the Commission's receipt of the written request of the police officer or firefighter/EMT for a hearing, unless continued by the Commission for cause at the request of the Commission, the Board of Commissioners or the police officer or firefighter/EMT. At any such hearing, the police officer or firefighter/EMT against whom the charges have been made may be present and represented by counsel, may call witnesses and present testimony and documentation in his or her defense. The Township may also be represented by counsel, call witnesses and present evidence as is necessary to support the charges. A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection.

C. In conducting the hearing, the Commission's standard of review shall be to determine whether sufficient evidence has been presented to support the statutory reason for the disciplinary action. If the Commission finds that sufficient evidence has been introduced to support the charge, the Commission shall not modify the penalty imposed by the Board of Commissioners unless it finds that the penalty imposed was arbitrary, discriminatory or an abuse of the Board's discretion. In considering the appropriateness of the discipline, the Commission shall not substitute its judgment for that of the Board of Commissioners. The Commission may request post-hearing Proposed Findings of Fact and Conclusions of Law from the parties and shall issue a written decision containing specific findings of fact and conclusions of law within sixty (60) days of the later of (a) receipt of the hearing transcript or (b) the date set for receipt of any Proposed Findings of Fact and Conclusions of Law.

## **Section 6.5    Hearing Procedure**

A. All testimony shall be given under oath administered by the chairperson, or in absence of the chairperson, the vice-chairperson of the Commission. The Commission shall have the power to issue subpoenas as set forth in these Rules. The hearing shall be open to the public unless, prior to the commencement of the hearing, a written or oral request to close the hearing is made by either the charged police officer or firefighter/EMT or the Township and the Commission decides to honor that request.

B. If the Commission sustains the charges, the police officer or firefighter/EMT who was suspended, removed or reduced in rank may file an appeal with the Court of Common Pleas within thirty (30) days from the date of entry by the Commission of its final order. No order of suspension without pay shall be made by the Commission for a period longer than one (1) year. In the event that the Commission fails to uphold the charges, then the police officer or firefighter/EMT sought to be suspended, removed or demoted shall be reinstated with full pay for the period of the suspension without pay, removal or demotion, and no charges related to the suspension, removal or reduction in rank shall be officially recorded in the such person's record.