

Patterson Township Board of Commissioners  
1600 19<sup>th</sup> Avenue, Beaver Falls PA 15010

Special Meeting

Monday, March 28, 2011

The Patterson Township Board of Commissioners held a special meeting on Monday, March 28, 2011 at 7:00 p.m. at the Municipal Complex, 1600 19<sup>th</sup> Avenue. The purpose of the meeting was to discuss the grievance filed by the Collective Bargaining Unit regarding Mr. Leiper's request to provide their vacation schedules by April 1<sup>st</sup> in an effort to reduce overtime costs.

Following the call to order and Pledge of Allegiance, roll call showed all Commissioners present (Leiper, Bonomo, Bradow, Hoover, and Policaro).

Mr. Leiper called on the Secretary to address a couple of items, since the public notice included the provision for discussing any other general business.

The Secretary noted the distribution of Resolution #2011-005 to the Board for adoption regarding the Southend Sewer Project, specifically the pending bank loan of the Municipal Authority. An explanation was given noting the amount drawn so far for the project to be \$560,000.00. The full amount of the loan is \$850,000.00. As per the agreement with ESB Bank, the loan should have been fully dispersed within six months, which was in February. Since the paving for the project was postponed until spring, the amount was not needed; therefore not drawn. At this time; however, it is necessary to draw the rest, in the amount of \$290,000.00 by approval of both Boards (Township and Municipal Authority). This will bring the project into compliance with the original agreement made with ESB Bank in August, 2010.

Motion was made by Mr. Policaro; seconded by Mr. Hoover approving the adoption of Resolution #2011-005. Passed unanimous on a roll call vote.

The Secretary also advised the Board of receipt of the pager invoice from American Messaging in the amount of \$1,067.01. The pagers, leased many years ago, for the Township's Emergency Management Agency are no longer being used. The employees are using cell phones to contact each other during and after working hours. Motion was made by Mr. Bradow; seconded by Mr. Hoover approving the elimination of the pagers. Passed unanimous.

Mr. Leiper advised that before starting into the discussion on the purpose of the meeting, which is the grievance, he wanted to address the Board. He started by addressing items discussed at meetings along with invoices being submitted that are not on the agenda. As Commissioners, noting himself included, Mr. Leiper no longer wants items brought to the meeting without it being put on the Agenda. Additionally, there has been surprise visits from

the Fire Department members along with the Police officers, who were not on the agenda, but were allowed to address the Board. In the future, attendants at meetings are to be put on the Agenda if they want to speak. He also requested each Boardmember to focus on their own assigned Department and when an item comes up regarding another department, that Commissioner will be contacted and/or consulted with. Mr. Leiper provided examples to Mr. Policaro of meetings that he has held with the Chief and Police Officers behind Mr. Leiper's back over the last year, who is the current Police Commissioner. He also reported that residents have come to him concerning things that are being said by Mr. Policaro about him behind his back and expressed that they need to work together for the good of the Township residents. Mr. Leiper pointed out that he drove the Chief to Monroeville to pick up the police car on his time and his gas, also to Coraopolis for the car's equipment switch. Mr. Leiper attends the Council of Government meetings, the TCC (Tax Collection) meetings, sewer construction meetings, and advised that he doesn't know what more he can do. Mr. Policaro advised that 75% of what Mr. Leiper said was wrong.

Mr. Policaro did respond by addressing the Civil Service Commission eligibility list last year regarding Mr. Leiper interviewing the candidates. Mr. Policaro claimed that Mr. Leiper violated the regulations, which called for a Committee to be named to do the interviewing. Mr. Leiper advised at that time the interview process was irrelevant. It was simply a meet and greet with the three candidates in his role as Police Commissioner. Having no power to hire, Mr. Leiper noted interviews being done by the Township's Civil Service Commission, who provides a list for hiring to the Commissioners.

As Mr. Leiper concluded, he requested assistance and cooperation specifically from Mr. Policaro. As he distributed folders to each of the Commissioners regarding the grievance, Mr. Leiper reminded the Board that the overtime was discussed at the budget meeting in December. At that time, Mr. Leiper advised that he was going to request vacations by April 1<sup>st</sup> as a means to reduce the overtime. The general consensus of the Board at that time was support for this action. Mr. Leiper also expressed his displeasure with the Board addressing this at the last meeting with the police officers, when he was absent. Mr. Policaro noted that Mrs. Bonomo, as Chairman acknowledged their presence, noted the letter received and called for an executive session to discuss.

Mr. Leiper distributed folders to the Commissioners, Secretary and Solicitor. He provided input on the contents of the folder.

- Letter of January 11, 2011 to the Police Officers requesting them to provide their vacation schedule by April 1<sup>st</sup> as per the Personnel Policy.
- Page 10 and 11 from the Personnel Policy outlining the rules for vacation time.
- Letter of February 9, 2011 from the Collective Bargaining Unit filing an appeal to the decision made by Chief Cindrich to deny their grievance regarding vacation scheduling.
- Letter of February 22, 2011 to the Collective Bargaining Unit from Mr. Leiper denying their appeal regarding vacation scheduling and the reasons why. He pointed out on each of his correspondence to the collective bargaining unit, that he ended it with "if

you have any questions or concerns, please feel free to contact me". Mr. Leiper was advised that Officer Bathgate complained of lack of communication. He noted not being contacted by any of the officers at any time and advised that he was not copied on the last correspondence received from the Collective Bargaining Unit (letters dated March 8, 2011 and March 10, 2011), of which was directed to the other four Boardmembers (grievance appeal).

- Mr. Leiper distributed a memo providing the 2010 W-2's figures for the full-time officers, along with the overtime costs. The percentage of the budget for the Police Department (regarding overtime) was provided with an explanation of the affect it may have on Worker's Comp premiums and pensions if this trend continues. Mr. Leiper provided an explanation in the memo on his reasoning for requesting the vacations as a means of reducing the overtime costs.
- Mr. Leiper also provided a memo addressing the costs for Healthcare for each officer along with the sick days taken in 2010. A recommendation was made to review the personnel policy and add language that will curtail using sick time for days off.

At this time, the Board went into an Executive Session for legal advice at 7:26 p.m.

Back in session at 8:53 p.m. Mr. Ross outlined an appropriate motion to be made as follows: the Board of Commissioners desire for Mr. Leiper, as Police Commissioner, to be authorized to request an extension to rule on the grievance filed by the Collective Bargaining Unit until April 14, 2011 (monthly Township meeting). If the extension is granted by the Collective Bargaining Unit, which will be requested to be put in writing, Mr. Leiper will then negotiate with the Collective Bargaining Unit a resolution and make a recommendation to the Board of Commissioners at the next meeting (April 14, 2011). If the Collective Bargaining Unit is not willing to extend or discuss this grievance further, then the Board of Commissioners will deny the grievance filed opposing vacations be submitted by April 1, 2011. Motion was made by Mr. Bradow; seconded by Mrs. Bonomo approving this action to be taken. Passed on a roll call vote, four ayes; one naye (Hoover).

Prior to adjournment, Mr. Leiper requested any other input. Mr. Policaro noted that this is a serious fiscal matter that needs to be addressed.

There being no other business to be brought before the Board, motion was made by Mrs. Bonomo to adjourn. Seconded by Mr. Bradow, the meeting adjourned at 8:58 p.m.

Respectfully submitted:

Paula J. Wagoner, CMC  
Township Secretary

Copy: James J. Ross, Esq./Kenneth G. Fawcett, Esq.  
Board of Commissioners