

Seeing red over police chief decision

16 Nov 2009 — Bucks County Courier Times

middletown

The expected 11th-hour appointment of a new police chief is angering those who believe that decision should be left to the new board of supervisors.

Things are changing quickly in the Middletown police department, where Patrick McGinty could go from acting public safety director to permanent police chief as soon as the next township supervisors meeting on Nov. 24.

Three of the five supervisors - Democrats Robert McMonagle, Chuck Thompson and Kathy Heuer - said they intend to vote to appoint McGinty the new chief after an ordinance to change back to a police chief system from a public safety director is passed. That ordinance should be ready for a vote on Nov. 24 and is expected to pass, since the board directed solicitor Mike Savona at the Nov. 10 meeting to draft and advertise the ordinance.

The board voted in late 2008 to switch from a police chief system to public safety director, saying a director would be more responsive to the board's wishes and that having one person in charge of all emergency operations within the township, and not just the police, makes sense.

However, three Republicans elected to the board Nov. 3 - Tom Gallagher, Drew Kreiling and Patrick Mallon - prefer a police chief and indicated they would move to change back to that system after taking office in January. With the handwriting on the wall, McMonagle, Thompson and Heuer all said they figure it's better to make the move now so they can install who they think is the best person for the job as police chief.

"It's not so much (McGinty) is the person preferred by this board, but it's that it would be the best thing for the township," McMonagle said. "By all accounts, Pat is doing a great job."

McGinty was promoted from lieutenant to acting public safety director in January after the board interviewed several candidates for the permanent job and couldn't nail down an employment agreement with anyone. McGinty started as a township patrol officer in 1974 and, at 35 years, has the most seniority in the department.

He hadn't been interviewed for the permanent public safety director position because he didn't have the college degrees called for in the township's advertisement for the job. McGinty was promoted over fellow Lt. James Kane, who was interviewed and did have the college degrees.

Republican Supervisors Jasper Caro and George Leonhauser questioned why Kane had been passed over in favor of McGinty. The board majority members - McMonagle, Thompson and Heuer - responded that an advertisement for a job is not legally binding. Kane did poorly in his interview for public safety director and they had no confidence he could do a good job leading the department, the three supervisors added.

The newspaper was unsuccessful in reaching Kane for comment.

While declining to say whether he wanted fellow Republican Kane to be the new police chief, Leonhauser said he was outraged by the board majority's stated intention to name McGinty chief.

"It's a travesty a lame duck board would make that decision," said Leonhauser. "It's a power play thing, and they are cheating the residents of Middletown who want the new board to make a decision on a police chief."

Leonhauser and Caro, who both always favored a police chief system and voted against the change to public safety director in 2008, want the board to advertise and interview applicants for the police chief position.

"We should go back to the same people we liked for the public safety director job and ask them about being police chief," Caro said.

He and Leonhauser said the township probably would get even better candidates for a police chief's opening because the position is viewed by many as less political. A public safety director essentially serves at the will of a governing body while a police chief enjoys better job security under the police tenure act, Leonhauser and Caro said.

"I'm for an open process in selecting a police chief," added Leonhauser. "Pat McGinty can apply. Jim Kane can apply. Trying to appoint a chief before a new board takes office is totally politics, partisan politics. They have someone in there (McGinty) who does what they want and they want to keep him there. This is the future of the police department here and I don't want someone jammed down our throat."

Heuer denied that naming McGinty chief would be cheating the residents. Just the opposite, she said.

"I find Pat McGinty upstanding and beyond reproach and I don't think we could find a better candidate," said Heuer. "I think this is an opportunity for us to have an important and beneficial impact on the township before we leave and I'd feel much more comfortable leaving the police department in the good hands of Pat McGinty."

Republican supervisor-elect Gallagher joined Leonhauser in his anger over taking the police chief decision out of the new board's hands.

"If it's not against the law, it should be," said Gallagher. "It's a political move by a lame duck board, period."

Leonhauser and Gallagher said decisions made by Thompson and Heuer don't reflect the will of the majority of residents because they were appointed to the board to fill vacancies and were never elected. Thompson was defeated in the Nov. 3 election and Heuer chose not to run.

McGinty, a lifelong Republican, said charges of politicism aren't valid since the three supervisors who favor his appointment to chief are Democrats.

McGinty said he probably would accept the police chief job if, as expected, it's offered to him.

"I've been running the department most of the year and have a good idea of the issues we're working on," he said.

Thompson and McMonagle said Leonhauser's anger is just posturing because he wants his own preferred candidate, Kane, to be police chief.

"Pat McGinty has proven to be the person we need in the police department and has done an exceedingly good job," said Thompson. "What I'm afraid of is that an appointment by a new board would be political. It's a serious situation. There are real problems in the police department. Ninety percent of our officers are dedicated, hard-working professionals we can be proud of. But there are a few bad apples and they have to be dealt with or otherwise they will corrupt the rest. If we were to go out in the general public and just tap some Democrat and appoint that person police chief, that would be a travesty. But Pat McGinty is a professional who has been here more than 30 years and has proven he can lead the police department. To not give him that opportunity would be a travesty."

Thompson declined to name the "bad apples" he was referring to.

He and McMonagle said McGinty would do the best job of controlling police overtime and monitoring other issues within the department. It doesn't make sense to go through another application and interview process when the best person for the job is already in place, said Thompson and McMonagle.

"Leonhauser has made it clear this past year who he wants at the head of the police department, and that is Jim Kane," said McMonagle. "If that happened, I believe (Kane) and five or six members of the PBA (police union) leadership would be able to run roughshod over the township."

The newspaper was unsuccessful in reaching officer Steve Forman, Middletown's police union president, for

comment.

Township Manager Ray Stepnoski said he was close to recommending that McGinty be named permanent public safety director before the move was made to switch back to police chief.

"That is clearly the board's decision and I'm sort of out of it," Stepnoski said. "Pat has been doing a wonderful job and I think he will make a good police chief, if that happens."

Republican supervisor-elect Mallon hopes it doesn't happen in the way the present board majority is planning.

"It's wrong on a whole bunch of levels," said Mallon. "First off, this sudden change of heart back to a police chief after being so adamant about the merits of a public safety director just reeks of politics. Second, the hiring of a police chief is probably the most important hire any board can make. My concern with letting the present board do that is that the voters have indicated loud and clear they have no confidence in the thinking of the present board."

Letting the new board pick a police chief would be the best thing for everyone, including McGinty, Mallon added.

"Here you have a hard-working and dedicated professional (McGinty) who would be put in the untenable and precarious position of being appointed to a job knowing the community may or may not support that appointment," Mallon said. "If it's done in the way the present board majority is contemplating, he would not have gone through the normal selection and vetting process and that would create doubts in the minds of voters and could potentially create doubts in the minds of the fellow officers he is being asked to lead and direct."

The newspaper was unsuccessful in reaching supervisor-elect Kreiling for comment.

McGinty has been earning about \$100,000 a year as acting public safety director.

Chris English can be reached at 215-949-4193 or cenglish@phillyburbs.com.

"Seeing red over police chief decision" Bucks County Courier Times 16 Nov 2009: B1