

## Chief's appointment part of larger story

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The expected appointment of Patrick McGinty as police chief tonight could cause quite a stir among those who feel the appointment should be left to the new board taking office in January.

Middletown acting Public Safety Director Patrick McGinty is expected to be appointed police chief at tonight's township supervisors meeting.

McGinty's appointment is expected to come after the board approves an ordinance repealing the public safety director position and reinstating the police chief system. Two of the five supervisors, Democrats Robert McMonagle and Chuck Thompson, said they intend to move for McGinty's appointment tonight after the ordinance passes as expected.

The third Democrat, Kathy Heuer, would say only that she wanted to vote on a new police chief before she leaves office at the end of the year and didn't want the appointment left to the new board that takes office in January. However, about 10 days ago, Heuer said she would vote to appoint McGinty.

Republican Supervisors Jasper Caro and George Leonhauser, a former township detective, always favored the police chief system but said the decision on a new chief should be left to the new board. McMonagle, Thompson and Heuer, who all favored the public safety director position, voted to switch back to police chief at the Nov. 10 meeting as a preemptive strike. They said it was going to be done next year anyway and doing it before the new board takes office would ensure that the best person for the job, McGinty, gets the appointment.

Caro and Leonhauser favor advertising and interviewing for the police chief job.

"The decision is best left to this board," countered Heuer. "I want to be making the decision because I have no confidence in the incoming board. They are lacking in integrity."

Republicans Patrick Mallon, Tom Gallagher and Drew Kreiling defeated Democrats Thompson, Harry Arnold and Julie Sauerbry-Smith in the Nov. 3 election. Heuer chose not to run for election after being appointed to the board in 2008, and Caro didn't run for re-election.

The board makeup will go from 3-2 Democrat to 4-1 Republican in January.

As one example of the Republicans' alleged lack of integrity, Heuer cited some Republican campaign literature that said Kreiling had an MBA from Columbia University when, it turned out, he was only working on such a degree from Columbia Southern University, an online school.

Leonhauser said it was "amazing" for Heuer to be talking about integrity when she is part of a lame duck board attempting to make an 11th-hour decision on one of the most important jobs in the township.

"They were so adamant about a public safety director and now, all of a sudden, their principles are just thrown aside," said Leonhauser. "Is it just because they want to appoint someone who they want, who will do their bidding? It doesn't make any sense to me."

Thompson countered Leonhauser has shown during his time on the board he only wants to be an advocate for the police department and not all the residents of the township. Thompson criticized Leonhauser for voting on

salary and other matters involving his two sons and son-in-law, who are all township police officers. He should be abstaining on those matters, Thompson said.

"I vote on things that affect the entire department, not just my sons," Leonhauser responded. "If it were something that involved just my sons, then naturally I would abstain."

Leonhauser also denied the contention he is only looking out for the interests of police.

"I don't see it that way at all," he said. "I vote on all matters coming up that affect the township. I'm the whole deal."

Leonhauser also denied the Democrats' contention that he is only posturing because he wants his own preferred candidate, Lt. Jim Kane, named police chief.

"If Jim Kane wants to apply, fine. If Pat McGinty wants to apply, fine," said Leonhauser. "I want the best available candidate as police chief. That is what I support."

Leonhauser declined to comment on whether the Republicans are planning any action to try to block McGinty's expected appointment as chief.

While a lieutenant, McGinty was appointed acting public safety director in January after the board interviewed several candidates for the permanent PSD job but couldn't fill the position. McGinty didn't interview because he didn't have the college degrees called for in the job advertisement. Kane did, but the three Democratic board members said his interview went poorly and they had no confidence he could do a good job leading the police department. The newspaper was unsuccessful in its attempts to reach Kane for comment.

An advertised job requirement is not legally binding, the three Democratic supervisors added.

At 35 years, McGinty has the most seniority of anyone in the department. Like Kane a Republican, McGinty said he probably would accept the chief's job if the three Democrats voted to give it to him.

"I'm humbled by the endorsement of the board," said McGinty. "I've been a member of the department for 35 years and understand the community and its needs, and if appointed chief I would be committed to keeping our department the best in the area."

McGinty believes he has good support within the department.

"Of course any commander worth his salt will have his detractors," he said. "Sometimes being a responsible commander means you occasionally irritate people, but I have the desire to resolve pending grievances and arbitrations for all parties. If appointed chief, I would look forward to working with the board coming in next year. They have acknowledged that the citizens want a police chief running the department. I am a police professional with solid credentials and experience, not a politician."

Thompson feels strongly that McGinty would be the best man to oversee the department and deal with issues like overtime. The township had \$1.1 million in police overtime last year and had one sergeant with \$160,000 in gross pay, including overtime and other extras.

The ordinance switching back to a police chief system would not take effect until five days after its approval, said township solicitor Mike Savona. However, the supervisors could vote to appoint McGinty chief and make the appointment effective at the same time the ordinance kicks in, he said.

If McGinty is appointed chief, he would enjoy all the protections accorded to sworn police officers under the police tenure act, Savona said.

"There are a handful of instances where an officer can be dismissed, like conviction of a crime or conduct unbecoming," he said. "What is more important is that the tenure act sets up a whole process before an officer

can be dismissed. There has to be a certain amount of notice, and a hearing, and any decision can be appealed to court."

That contrasts to a position like a township manager or public safety director, who serve at the will of the municipality's governing body, Savona said.

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