

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS
SPECIAL MEETING**

OCTOBER 6, 2004

Chairman Rod Wieder called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Members present were Vice Chairman Pete Lamana, members Chuck Halderman, Rob Zisko and Jim Brownlow. Attorney Joseph Rudolf, a labor and negotiations attorney from Reed Smith was present.

PUBLIC COMMENT

Chairman Wieder asked for any public comment. He stated the comment would be held to five minutes as stated in Resolution 92-2.

Carol Bolster, Church Street, questioned why the meeting is being held at this time of the day. Mr. Wieder responded the Board scheduled the meeting on the advice of counsel.

Michael Lordan Route 212, stated he sent an email to the Township and wondered if the Board received it. None of the members received the email and it did not appear on the Township email list.

Debbie Yerger admonished the Board for their weak and underhanded behavior. She expressed her concern that the Board had promised the chief 6 weeks to address his issues.

Judy Stewart, Coopersburg discussed scheduling issues and administrative problems that were discussed at the meeting on September 28, 2004. She hoped the Board would work with the Chief.

Louis Bell questioned how the Board could change their mind in one week.

The Manager of Wood Heat in Pleasant Valley stated he was not aware of the meeting this morning. He saw a sign on a residence on Bursonville Road on his way home.

Colleen Bell stated there are three petitions currently being circulated. There was not sufficient time to collect the petitions and tally the names. The petitions concern keeping Chief McLaughlin, increase the police force to five officers and requesting the resignation of Supervisor Pete Lamana.

Jim Brownlow moved to adopt Resolution 2004-006,

SPRINGFIELD TOWNSHIP, BUCKS COUNTY

**A RESOLUTION DEMOTING PROBATIONARY POLICE CHIEF
BRIAN MCLAUGHLIN TO THE RANK OF PATROL OFFICER
WITHIN THE TOWNSHIP AS A RESULT OF HIS UNSATISFACTORY
PERFORMANCE DURING HIS PROBATIONARY PERIOD.**

BE IT ENACTED by the Board of Supervisors of Springfield Township (“the Township”), County of Bucks, Pennsylvania, pursuant to the Second Class Township Code; and

WHEREAS, Springfield Township has been duly organized and recognized as a Second Class Township in Pennsylvania; and

WHEREAS, PURSUANT TO Section 1506 of the Second Class Township Code, the Township’s Board of Supervisors is empowered to create and to adopt resolutions; and

WHEREAS, THE Township employs a paid police department for the benefit and protection of its residents, property and businesses; and

WHEREAS, THE Township appoints and removes full-time members of its police department pursuant to the Act of June 15, 1951, P.L. 586, as amended, 53 P.S., 811-814, commonly referred to as “the Police Tenure Act”, and

WHEREAS, pursuant to the Police Tenure Act, the Township may require a promoted officer to serve an initial probationary period of one year in duration during which the employee is classified as an at-will employee in the promoted rank; and

WHEREAS, the Township promoted Brian McLaughlin from the rank of patrol officer to the position of Chief of Police of the Township’s Police Department, effective December 1, 2003, and subject to a twelve-month probationary period; and

WHEREAS, McLaughlin’s probationary period is in effect until November 30, 2004; and

WHEREAS, on numerous occasions during his probationary period, Chief McLaughlin has failed to adequately discharge his duties as Chief of Police and failed to follow instructions and directions given to him by the Board of Supervisors; and

WHEREAS, such deficiencies include failing to schedule the officers of the Township’s Police Department in an efficient and effective manner, failing to properly supervise Township Police Officers and failing to complete tasks as directed or instructed by the Township’s Board of Supervisors; and

WHEREAS, as a result of Chief McLaughlin’s inability to properly discharge his duties and to follow the instructions and directions given to him by the Board of Supervisors, the Board of Supervisors concluded that Chief McLaughlin’s performance during his probationary period has been unsatisfactory and warrants demotion to his previous rank of patrol officer; and

WHEREAS, on Tuesday, September 28, 2004, the Board of Supervisors met to discuss Chief McLaughlin’s performance during which time individuals attending the meeting became unruly, disruptive and threatened violent behavior toward the Board of Supervisors and Township employees, which behavior Chief McLaughlin did not seek to prevent, address, diminish, curtail or stop.

NOW THEREFORE, The Board of Supervisors of Springfield Township, Bucks County, hereby resolves as follows:

1. From December 1, 2003, through and including November 30, 2004, Brian McLaughlin has Serving as the Township’s Chief of Police on a probationary basis during which period he was to demonstrate his ability to discharge the duties of the office of Chief of Police.

2. The performance of Brian McLaughlin during his probationary period as Chief of Police has been unsatisfactory due to his inability to adequately discharge his duties as Chief of Police and due to his failure to follow directions and instructions given to him by the Board of Supervisors.
3. As a result of the unsatisfactory level of performance by Brian McLaughlin, the Springfield Township Board of Supervisors desires to return Brian McLaughlin to the rank of patrol officer which he held prior to his promotion to the rank of Chief of Police.
4. Effective immediately, Brian McLaughlin shall be returned to the rank of patrol officer within the Township's Police Department, and he shall be compensated for work performed as a Township Police Officer after the Effective Date of this Resolution in accordance with the provisions of the collective bargaining agreement in place and in effect between the Township and the labor organization representing the Township's non-managerial police officers.
5. On a temporary basis, until further notice, Scott Huber will be designated as Officer in Charge of the department. He will meet with Barbara Smith today to discuss his duties.
6. This Resolution shall take effect immediately.

RESOLVED, this 6th day October, 2004.

Second by Chuck Halderman.

Discussion by Board members only. Rob Zisko stated his position has not changed. He questioned the timing of the meeting.

Vote Mr. Lamana, Mr. Wieder, Mr. Halderman and Mr. Brownlow – YES.
Mr. Zisko – NO.

Motion carries.

Chuck Halderman moved to adjourn the meeting at 8:25 a.m. second by Pete Lamana.
Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary