



TOWN OF MCCANDLESS  
MEETING OF TOWN COUNCIL  
AGENDA  
April 14, 2025

- 
1. Call to Order at 7:30 p.m.
  2. Pledge of Allegiance led by Town Councilmembers
  3. Announcements
    - a) Immediately following the Town Council meeting of March 24, 2025 Councilmembers entered into an Executive Session to discuss legal and personnel matters. Executive Session at 9:22 p.m.
    - b) The Town is requesting assistance from our McCandless residents with the Parks Master Plan Questionnaire. Your input is essential in creating high quality recreational opportunities, park facilities and trails for generations to enjoy. Please complete the questionnaire by April 30 to share your thoughts.
    - c) On April 26, 2025 The Northland Public Library will host their 2025 Garden Gala- Down the Rabbit Hole. Tickets are available on their website.
    - d) Town Hall will be closed on Friday, April 18 in observation of Good Friday.
    - e) This Saturday, April 19, 2025 is the Town's Easter Egg Hunt! Registration has been closed.
    - f) Motion to [approve/reject] Testimonial Resolution No. 1 of 2025 for appreciation and recognition by the Town of McCandless of Mr. Eric Janssen upon his retirement.
    - g) Department of Public Works 2025 Operational Assessment and Recommendations – Presented by Mr. Jason Dailey, Dailey Operation Consulting
  4. Public Comment on Agenda Items Only
  5. Motion to approve the following minutes, submitted to each member of Council:

a) Meeting of Town Council Minutes March 24, 2025

6. Reports of Committees:

a) Reports of the PUBLIC SAFETY COMMITTEE

i) Staff Reports

(1) Chief's Report

(2) Fire Marshal's Report for the month of March 2025

(3) Building Permit Report for the month of March 2025

ii) Liaison Reports

(1) Personnel Board – Mr. Wall

(2) Volunteer Firefighters Steering Committee – Mr. Hart

iii) Public Comment on Public Safety

b) Reports of FACILITIES MANAGEMENT

i) Staff Report

(1) Public Works Activity Report

ii) Liaison Reports

(1) Environmental Advisory Committee – Mr. Giorgetti

(2) Ad Hoc Technology Committee – Mr. Wall

(3) Ad Hoc Storm Water Management Committee – Mr. Singer

iii) Public Comment on Facilities Management

c) Reports of the SERVICES COMMITTEE

i) Liaison Reports

(1) McCandless Township Sanitary Authority – Mr. Casey

(2) McCandless-Franklin Park Ambulance Authority – Mr. Casey

(3) Northland Public Library Authority – Mr. Giorgetti

ii) Public Comment on Services

7. Old Business

a) Action concerning Proposed Ordinance No. 1556

- i) Motion to [adopt/reject] Ordinance 1556, An Ordinance of the Town of McCandless, Allegheny County, Pennsylvania, adding Article 732, parks and recreation areas, to the McCandless Town Code of Ordinances, to prohibit the possession and consumption of alcoholic beverages in public parks except pursuant to a permit issued by the Town and in compliance with the requirements of the permit.

#### 8. New Business

- a) Action concerning Resolution 2025-02

- i) Motion to [adopt/reject] Resolution 2025-02, A Resolution of the Town of McCandless, Allegheny County, Pennsylvania, Establishing a Master Resolution to Govern Various Town Fees and Charges.

- b) Action concerning appointments to Authorities and Boards

- i) Motion to appoint \_\_\_\_\_ to the Zoning Hearing Board as an Alternate for a term expiring December 31, 2027.
  - ii) Motion to appoint \_\_\_\_\_ to the McCandless Industrial Development Authority for a term expiring December 31, 2026.
  - iii) Motion to appoint \_\_\_\_\_ to the Personnel Board for a term expiring December 31, 2025.

- c) Discussion regarding amendments to the Personnel Board Rules and Regulations, and Proposed Ordinance 1558 Amending the Powers and Duties of the Personnel Board to be consistent with the Rules and Regulations

- d) Action Concerning Resolution 2025-03; Purchase and Sale Agreement for Property Located at 1201 Van Drive, Pittsburgh PA 15237

#### 9. Public Non-Agenda Comments

#### 10. Executive Session

- a) Legal Matter

Respectfully submitted,

John F. Schwend  
Town Manager/  
dmr

**TOWN OF MCCANDLESS**

**TESTIMONIAL RESOLUTION NO. 2025 - 01**

**A RESOLUTION OF APPRECIATION AND RECOGNITION BY THE TOWN OF  
MCCANDLESS TO MR. ERIC JANSSEN UPON HIS RETIREMENT**

WHEREAS, upon the occasion of the retirement of Public Works Employee Eric Janssen from the Town of McCandless effective March 4, 2025 this Resolution is presented as a testimonial of his loyal and dedicated service to the Town; and

WHEREAS, Mr. Janssen has served the Town for forty years, beginning on October 16, 1985; and

WHEREAS, Mr. Janssen has always professionally and courteously performed his duties as a Laborer and Lead Technician in the Sign and Traffic Department; and

WHEREAS, Mr. Janssen has been a loyal and dedicated employee, consistently going above and beyond the call of duty offering to help and train his fellow staff members, and providing his extraordinary skills in the Sign and Traffic Department where he transformed and upgraded the department to the level of efficiency it functions at now.

NOW THEREFORE BE IT RESOLVED by Town Council of the Town of McCandless that the Council does hereby honor Mr. Eric Janssen for his years of service to the Town of McCandless and for the diligent, courteous, and professional manner in which he performed his duties.

THE ABOVE IS HEREBY RESOLVED by Town Council of the Town of McCandless on the 14<sup>th</sup> Day of April 2025

ATTEST:

Town Of McCandless

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John F. Schwend  
Town Secretary

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Jason Singer  
President of Council



# McCandless Police Department

## Memorandum

TO: Town Council

FROM: Ryan P. Hawk, Chief of Police

DATE: April 14, 2025

RE: Monthly Police Activity Report – March 2025

The Town of McCandless Police Department responded to 1,023 calls in the month of March.

On Monday, March 10, Sgt. Michael Cheberenchick was promoted to Lieutenant.

Chief Hawk is continuing to take online training modules through the FBI National Academy.

Officer Shawn Davis continued his ten-week training program with his new K9 partner, Leroy. We would like to thank Agway for their continued and on-going support of the McCandless K9 Program. Agway supports multiple Police K9 Teams throughout Western Pennsylvania including K9 Leroy.

Officers Jennings and Bartoszewicz attended training for technical collision investigations. This two-week training provided investigative data and techniques to allow officers to investigate fatal or near fatal traffic accidents.

Officer Allshouse attended a traffic safety conference that was sponsored by the PA District Attorney's Association. This conference provided valuable training on expert testimony for crash reports.

North Hills SRT officers attended their monthly training.

Social worker referrals have increased in the month of March. In total, we have successfully referred 36 individuals to our social work services. 34 individuals have received or accepted referral services/support/information. 2 individuals have declined services or are not needed at this time.

Our social worker receives her referrals from the police, emergency services (911 calls) and the Town of McCandless Administration (code enforcement or fire marshal).

On March 15, our officers participated in the North Hills DUI Task Force conducting a Roving DUI patrol in Shaler, Hampton, Indiana, and O'Hara Townships, plus Blawnox, Etna, Millvale and Aspinwall Boroughs along various roads. There were 100 vehicles that were stopped for various traffic violations and 8 individuals were administered field sobriety tests. Of those tested, 2 were arrested for DUI. There were 19 citations, and 94 warnings issued for various vehicle code violations. Two individuals were cited for disorderly conduct.

The North Allegheny Baseball team recently visited the McCandless Police Department for its 8<sup>th</sup> Annual Police Officer Luncheon on March 25. During the event, NA players had the opportunity to take part in a Q&A session with the officers. They enjoyed a guided tour of the police station, which included a closer look at the department's vehicles and equipment.

On March 31, Lt. Egli participated in a safety fair at Hosack Elementary School.

April 03, 2025

# Calls for Service - by Keyword

All Municipalities



Incidents Reported Between 03/01/2025 and 03/31/2025

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
ASSAULT					
0440	ASSAULT - HANDS,FISTS,FEET	0	1		
0830	SEXUAL ASSAULT	2			
		2			
ASSIST OTH					
7506	MEGAN'S LAW REPORTING	1			
BLDG CHECK					
7002	BUILDING CHECKS - OFFICER INITIATED	2			
BOMB THREA					
2656	ALL OTHER - THREATS (KILL,BOMB,PHONE,ETC	1			
BURGLARY					
0513	BURGLARY-FORCED ENTRY-RESIDENCE-UNK	1			
CRIM MISCH					
1410	CRIMINAL MISCHIEF VEHICLES	1			
DEATH					
4506	DEATHS - SUICIDES	1			
4510	DEATH INVESTIGATION	2			
		3			
DISORDERLY					
2400	DISORDERLY CONDUCT	5			
2420	DISORDERLY CONDUCT-PUBLIC PLACES	1			
2440	DISORDERLY CONDUCT-DISTURBING THE PEACE	1			
2460	DISORDERLY CONDUCT-OBSCENE LANGUAGE	1			
		8			
DRUG					
1822	NARCOTICS-MANUFACTURE-MARIJUANA,ETC.	1			
1831	NARCOTICS-POSSESSION-MORPHINE,HEROIN,ETC	0		1	
		1			
DUI					
2111	DRIVING UNDER THE INFLUENCE - ALCOHOL	1			
2121	DRIVE UNDER INFLUENCE - DRUGS	1			
		2			
FORGERY					
1020	COUNTERFEITING	1			
FOUND ANIM					
5002	ANIMAL - FOUND	3			
FRAUD					
1100	FRAUD	15			

**Calls for Service - by Keyword**

All Municipalities

Incidents Reported Between 03/01/2025 and 03/31/2025

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
HARASSMENT					
2410	HARASSMENT BY COMMUNICATION	1			
2450	HARASSMENT	4			
		5			
INFORMATIO					
7016	FOLLOW UP INFORMATION	17			
LOOKUP					
8520	TOWN RESIDENT INFORMATION PROGRAM-TRIP	1			
LOST ANIMA					
5006	ANIMAL - LOST	4			
OPEN BURN					
2820	OPEN BURNING	1			
PUBL NUISA					
2650	ALL OTHERS - PUBLIC NUISANCE	5			
SCHOOL					
3950	SCHOOL POST	91			
8525	SCHOOL PARK AND WALK	1			
		92			
SVC CALL					
2800	SOLICITING W/O PERMIT	2			
2810	ABANDONED VEHICLE	6			
3400	MENTAL HEALTH COMMITMENT	2			
3500	SUSPICIOUS PERSONS OR CIRCUMSTANCES	45			
3600	DOMESTIC DISPUTE	19			
3610	JUVENILE DISTURBANCE	7			
3615	CYS CHILDLINE REPORT	2			
3700	PROTECTION FROM ABUSE ORDER/SERVICE	6			
3800	MISCELLANEOUS SERVICE CALL	12			
3810	RESIDENTIAL BURGLAR ALARM	21			
3811	COMMERCIAL BURGLAR ALARM	43			
3812	DURESS ALARM	3			
3815	WELFARE CHECK	21			
3820	ASSIST MOTORIST/DISABLED VEHICLE	9			
3830	ASSIST OTHER POLICE AGENCY	15			
3840	ASSIST FIRE DEPARTMENT	39			
3850	HAZARDOUS CONDITIONS	4			
3860	LOCKOUTS (VEHICLE/BLDG)	8			
3870	ASSIST AMBULANCE	303			
3900	TRAFFIC AND PARKING RELATED ACTIVITY	79			
4020	SUSPICIOUS VEHICLE	10			
4024	UTILITY TROUBLE	7			
4028	CIVIL DISPUTES	4			
5004	FOUND ARTICLES	2			
5008	LOST ARTICLES	6			



**Calls for Service - by Keyword**

All Municipalities

Incidents Reported Between 03/01/2025 and 03/31/2025

Code	Description	Primary	Secondary UCR Count		
		Count	Code 2	Code 3	Code 4
SVC CALL					
5014	MISSING ADULT	1			
5502	ANIMAL COMPLAINTS - BARKING DOGS	2			
5504	ANIMAL COMPLAINTS - WILD ANIMALS	15			
5506	ANIMAL COMPLAINTS - DOGS/CATS AT LARGE	5			
5510	ANIMAL COMPLAINTS - DEER HIT	25			
6610	MOTORIST AID	1			
6612	SIGNALS-SIGNS OUT	3			
7017	DRUG RECOGNITION EVALUATION	1			
		728			
T ACCIDENT					
3100	MINOR VEHICLE ACCIDENT NO REPORT	23			
6004	TRAFFIC ACCIDENT W/ PROPERTY DAMAGE	5			
6006	TRAFFIC ACCIDENT WITH INJURY	2			
6008	TRAFFIC ACCIDENT NO INJURY	16			
		46			
THEFT					
0613	THEFT-\$200 & OVER-RETAIL THEFT	8			
0615	THEFT-\$200 & OVER-AUTO ACCESSORIES	1			
0617	THEFT-\$200 & OVER-FROM BUILDINGS	1			
0619	THEFT-\$200 & OVER-ALL OTHER	2			
0623	THEFT-\$50 TO \$200-RETAIL THEFT	5			
0633	THEFT-UNDER \$50-RETAIL THEFT	1			
0639	THEFT-UNDER \$50-ALL OTHER	1			
0643	THEFT-ATTEMPTED-RETAIL THEFT	2			
		21			
TRAF CIT					
CITT	TRAFFIC CITATION	47			
TRAFFIC					
4010	TRAFFIC OFFENSES	1			
6312	TRAFFIC ENFORCEMENT - WARNINGS	6			
6602	TRAFFIC RELATED - IMPOUNDED,ABANDON M.V.	4			
		11			
TRESPASS					
2660	DEFIANT/CRIMINAL TRESPASS	3			
WEAPONS					
1531	WEAPONS - POSSESSION - FIREARMS	1			
Total Calls		1,023			



## Bureau of Fire Prevention

Town of McCandless  
9955 Grubbs Road Wexford, PA 15090  
Office: 412-364-0616



### Monthly Report - March 2025

#### **FIRE MARSHAL REPORT:**

FIRE CODE INSPECTIONS	17
FIRE CODE CITATIONS	0
BURNING ORDINANCE VIOLATIONS	0
BURNING ORDINANCE CITATIONS	0
OPEN BURNING PERMITS	0
OPEN BURNING PERMIT FEES	\$ -
FIREWORKS PERMITS	0
FIREWORKS PERMIT FEES	\$ -
OCCUPANCY INSPECTIONS	4
HYDRANT APPLICATIONS	1
FIRE MARSHAL CALLS	17
FIRE INVESTIGATIONS	1
TRAINING SESSIONS ATTENDED	4
TRAINING HOURS	6
FIRE PREVENTION PROGRAMS	1
# OF PEOPLE PRESENTED TO	12
SAFETY TRAINING PROGRAMS	0
# OF PEOPLE PRESENTED TO	0
* FALSE ALARMS	9
* FALSE ALARMS BILLED	0
* FALSE ALARMS BILLED (Amount)	\$ 0
FALSE ALARM FEES COLLECTED	\$ 0

\* False alarms are from the month of FEBRUARY.

**ADDITIONAL INFORMATION:**

- Working on Emergency Management Agency (EMA) items as required by County and PEMA.
- Wrote a standard operating guideline (SOG) for driving and using our EMA trailer.
- Assisting UPMC Passavant Hospital with writing their evacuation plan.
- Taught fire prevention to library's home-schooled children on March 7<sup>th</sup>.
- Attended Quarterly training at Allegheny County Emergency Services on March 11<sup>th</sup>.
- Attended Fire Service Steering Committee on March 25<sup>th</sup>. These meetings will be held every two months.
- Attended the "First Quarter Faith-Based Security and Resilience Learning Series" webinar.
- Attended "The Future of Fire Service Instruction in Pennsylvania" webinar.
- Attended the "What You Need to Know to Prepare for Your Next ISO Review " webinar.

## **FIRE COMPANIES REPORT:**

### **1. FIRE CALL SUMMARY: (FEBRUARY)**

<b>FIRE CALLS IN TOWN:</b>	
AUTOMATIC FIRE ALARM - COMMERCIAL	19
AUTOMATIC FIRE ALARM - RESIDENTIAL	5
CO ALARMS	4
FIRE – BRUSH	0
FIRE – STRUCTURE (CONFIRMED)	1
FIRE – STRUCTURE (REPORTED)	5
FIRE – VEHICLE	0
FIRE – OTHER	2
HAZMAT	1
MOTOR VEHICLE ACCIDENTS	12
MEDICAL – QRS	47
RESCUE	1
SERVICE CALL/OTHER	18
<b>TOTAL CALLS IN TOWN:</b>	<b>115</b>

<b>MUTUAL AID CALLS:</b>	
RESPONSES OUT OF TOWN:	28
MUTUAL AID REQUESTS:	16

<b>TOTAL CALLS DISPATCHED FOR:</b>	<b>143</b>
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### **2. Additional Information:**

None

***Submitted by: Jeff Wissner (Fire Marshal)***

## FIRE MARSHAL - ANNUAL 2025

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
FIRE CODE INSPECTIONS	12	29	17										58
FIRE CODE CITATIONS	0	0	0										0
BURNING ORDINANCE VIOLATIONS	0	0	0										0
BURNING ORDINANCE CITATIONS	0	0	0										0
OPEN BURNING PERMITS	0	0	0										0
OPEN BURNING PERMIT FEES	\$ -	\$ -	\$ -										\$ -
FIREWORKS PERMITS	0	2	0										2
FIREWORKS PERMIT FEES	\$ -	\$ 200	\$ -										\$ 200
OCCUPANCY INSPECTIONS	4	1	4										9
HYDRANT APPLICATIONS	1	0	1										2
FIRE MARSHAL CALLS	24	21	17										62
FIRE INVESTIGATIONS	2	0	1										3
TRAINING SESSIONS ATTENDED	2	0	4										6
TRAINING HOURS	4	0	6										10
FIRE PREVENTION PROGRAMS	0	0	1										1
# OF PEOPLE PRESENTED TO	0	0	12										12
SAFETY TRAINING PROGRAMS	0	0	0										0
# OF PEOPLE PRESENTED TO	0	0	0										0
FALSE ALARMS	5	9	*										14
FALSE ALARMS BILLED	0	0	*										0
FALSE ALARMS BILLED (Amount)	\$ -	\$ -	*										\$ -
FALSE ALARM FEES COLLECTED	\$ -	\$ -	\$ -										\$ -

\* data will be provided next month

FIRE CALLS - ANNUAL 2025

FIRE CALLS IN TOWN:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Yearly Total
AUTOMATIC FIRE ALARM - COMMERCIAL	24	19	*										43
AUTOMATIC FIRE ALARM - RESIDENTIAL	4	5	*										9
CO ALARMS	4	4	*										8
FIRE – BRUSH	0	0	*										0
FIRE – STRUCTURE (CONFIRMED)	2	1	*										3
FIRE – STRUCTURE (REPORTED)	7	5	*										12
FIRE – VEHICLE	1	0	*										1
FIRE – OTHER	3	2	*										5
HAZMAT	5	1	*										6
MOTOR VEHICLE ACCIDENTS	13	12	*										25
MEDICAL – QRS	65	47	*										112
RESCUE	1	1	*										2
SERVICE CALLS/OTHER	4	18	*										22
TOTAL CALLS IN TOWN:	133	115	0	0	0	0	0	0	0	0	0	0	248

133

MUTUAL AID CALLS:													
RESPONSES OUT OF TOWN:	34	28	*										62
MUTUAL AID REQUESTS:	19	16	*										35

TOTAL CALLS DISPATCHED FOR:	167	143	0	0	0	0	0	0	0	0	0	0	310
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\* data will be provided next month as report is issued by Allegheny County Emergency Services

FALSE ALARMS - FEBRUARY 2025

DATE	CALL #	CALL_TYPE	LOCATION_ADDRESS	DISTRICT	FALSE Y or N?	REASON	Billed
2/7/25	F250012942	FIRE ALARM - COMMERCIAL	9565 BABCOCK BLVD, MCC	188	Y	PULLSTATION	
2/13/25	F250014666	FIRE ALARM - COMMERCIAL	9100 BABCOCK BLVD, MCC	188	Y	SET OFF BY WORKERS	
2/14/25	F250015121	FIRE ALARM - COMMERCIAL	8224 PERRY HWY, MCC	186	Y	NO REASON FOUND	
2/16/25	F250015655	FIRE ALARM - COMMERCIAL	985 PROVIDENCE BLVD, MCC	188	Y	NO REASON FOUND	
2/16/25	F250015681	FIRE ALARM - COMMERCIAL	985 PROVIDENCE BLVD, MCC	188	Y	NO REASON FOUND	
2/28/25	F250019763	FIRE ALARM - COMMERCIAL	225 BLAZIER DR, MCC	187	Y	ALARM TEST	
2/8/25	F250013268	FIRE ALARM - HIGH LIFE HAZARD	8630 DUNCAN AVE, MCC	186	Y	SMOKING IN ROOM	
2/14/25	F250014998	FIRE ALARM - HIGH LIFE HAZARD	10090 OLD PERRY HWY, MCC	187	Y	ALARM TEST	
2/17/25	F250016108	FIRE ALARM - HIGH LIFE HAZARD	9000 BABCOCK BLVD, MCC	188	Y	PULLSTATION	

TOTAL: \$ -

TOTAL FALSE ALARMS: 9  
TOTAL BILLED: 0

## PERMITS ISSUED FROM: 3/01/2025 TO 3/31/2025

## ALL PERMITS TYPES

Permit#/ Contractor	Dt Issued	Property Address Owner Name	Description Parcel ID#	Fee	Job Value
B-25-026790 JES CONSTRUCTION, LLC PERMIT STATUS : 5 RENOVATIONS - BASEMENT WATERPROOFING	3/04/2025	9301 HIGHMEADOW ROAD 15101	RENOVATIONS - 828-F-221	254.50	14,998
B-25-026789 FIRST CHOICE MAINTENANCE, LLC PERMIT STATUS : 2 ANTENNAS - DISH NETWORK	3/07/2025	10176 OLD PERRY HIGHWAY 15090 INGOMAR VOLUNTEER FIRE COMPANY	ANTENNAS - DISH 1206-N-128	1304.50	30,000
B-25-026796 POLITZ ENTERPRISES INC. PERMIT STATUS : 2 RENOVATIONS - ROOF SHINGLE REPLACEMENT	3/10/2025	9826 PRESIDENTIAL DRIVE 15101	RENOVATIONS - 947-K-136	754.50	29,600
B-24-026649 CHERNEGA CONSTRUCTION LLC PERMIT STATUS : 4 Square Footage: Deck/Porch: 2280 COVERED PORCH	3/11/2025	10501 PERRY HIGHWAY, RT 19 15090 JAHN RICHARD ERIC	COVERED PORCH 1348-S-372	988.50	73,000
B-25-026802 EVANS, ADIAN PERMIT STATUS : 2 FENCE - 4' CHAIN LINK FENCE W/ 2 4' GATES - SIDE & REAR YARD	3/11/2025	7983 LINDISFARNE DRIVE 15237	FENCE - 4' CHAIN 612-K-208	50.00	4,000
B-25-026804 B & T INSTALLATION LLC PERMIT STATUS : 2 ABOVE GROUND POOL	3/11/2025	7983 LINDISFARNE DRIVE 15237	ABOVE GROUND 612-K-208	154.50	4,500
B-24-026703 CALE CONSTRUCTION INC PERMIT STATUS : 2 Square Footage: 1st Flr: 6984 SINGLE FAMILY DWELLING	3/11/2025	10030 HILLTOP LANE 15101	SINGLE FAMILY 1207-R-127	2000.50	100,000
B-25-026799 SELF PERMIT STATUS : 2 INTERIOR RENOVATIONS - RELOCATION OF EXISTING SECURITY DOORS	3/12/2025	600 INGOMAR ROAD 15090 NORTH PARK EVANGELICAL	INTERIOR 945-G-280	754.50	9,000
B-25-026803 SELF PERMIT STATUS : 2 FENCE - 4'6", LUMBER, SIDE & REAR YARDS	3/13/2025	310 ALMAR DRIVE 15237	FENCE - 4'6", 944-P-256	50.00	3,500
B-25-026810 SELF PERMIT STATUS : 2 RETAINING WALL - REPLACEMENT STONE WALL 3'	3/13/2025	9267 HIGHLAND ROAD 15237	RETAINING WALL - 824-M-210	50.00	1
B-25-026801 E&K ENTERPRISES INC PERMIT STATUS : 4 DECK - WALKWAY	3/14/2025	8001 EDWOOD ROAD 15237	DECK - WALKWAY 611-M-229	204.50	40,000
B-25-026807 PALMETTO SOLAR LLC PERMIT STATUS : 2 SOLAR PANELS - ROOF MOUNTED	3/14/2025	8037 PATRICIA DRIVE 15237	SOLAR PANELS - 613-C-179	254.50	13,280
B-25-026808 SELF PERMIT STATUS : 2 FENCE - 4' CHAIN LINK/SPLIT RAIL/2 GATES - REAR YARD	3/14/2025	9441 HILLIARD ROAD 15237	FENCE - 4' CHAIN 824-A-385	50.00	6,000



## PERMITS ISSUED FROM: 3/01/2025 TO 3/31/2025

Permit#/ Contractor	Dt Issued	Property Address Owner Name	Description Parcel ID#	Fee	Job Value
B-25-026813 BOSETTI LAWN CARE LLC PERMIT STATUS : 2 RETAINING WALLS - REPLACEMENTS - 21X2 & 22X3	3/14/2025	8731 CASA GRANDE DRIVE 15237	RETAINING WALLS 714-M-224	50.00	9,945
B-25-026797 D.R. HORTON, INC PERMIT STATUS : 2 Square Footage: 1st Flr: 2629 TOWNHOUSE	3/17/2025	9717 HOPKINS STREET 15090	TOWNHOUSE 945-B-50-9717	1236.75	193,035
B-25-026798 D.R. HORTON, INC PERMIT STATUS : 2 Square Footage: 1st Flr: 2629 TOWNHOUSE	3/17/2025	9719 HOPKINS STREET 15090	TOWNHOUSE 945-B-50-9719	1236.75	193,035
B-25-026814 FENCE BY MAINTENANCE SERVICE PERMIT STATUS : 3 FENCE INSTALL - REAR & SIDE YARD - 4.5 FT, BLACK, ALUMINUM	3/17/2025	1192 BROOK VIEW COURT 15237	FENCE INSTALL - 610-B-69	50.00	12,270
B-25-026794 SPARK SIGNS & GRAPHICS, LLC PERMIT STATUS : 2 SIGN - MANTALITY - BLDG MOUNTED - 42 SQ FT	3/19/2025	9365 MCKNIGHT ROAD 15237 PELLEY JR FRANK J	SIGN - MANTALITY 826-F-141	154.50	5,500
B-25-026795 SPARK SIGNS & GRAPHICS, LLC PERMIT STATUS : 2 SIGN - MANTALITY - MONUMENT - 2 PANELS @ 21.67 SQ FT EACH - REPLACEMENT	3/19/2025	9365 MCKNIGHT ROAD 15237 PELLEY JR FRANK J	SIGN - MANTALITY 826-F-141	150.00	2,000
B-25-026823 LOWE'S PERMIT STATUS : 2 FENCE - 6' PRIVACY - REAR YARD	3/19/2025	9753 BELLCREST ROAD 15237	FENCE - 6' PRIVACY 943-G-122	50.00	5,000
B-25-026817 TRINITY SOLAR PERMIT STATUS : 2 SOLAR PANELS - ROOF MOUNTED	3/20/2025	1925 SHADY OAK CIRCLE 15101	SOLAR PANELS - 947-P-133	254.50	20,000
B-24-026433 DUTCHCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 260 DECK - REPLACEMENT	3/21/2025	1836-501 FOXCROFT LANE 15101	DECK - 717-J-396-501	454.50	11,000
B-24-026434 DUTCHCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 240 DECK - REPLACEMENT	3/21/2025	1836-502 FOXCROFT LANE 15101	DECK - 717-J-396-502	454.50	11,000
B-24-026435 DUTCHCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 240 DECK - REPLACEMENT	3/21/2025	1836-503 FOXCROFT LANE 15101	DECK - 717-J-396-503	454.50	11,000
B-24-026436 DUTCHCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 240 DECK - REPLACEMENT	3/21/2025	1836-504 FOXCROFT LANE 15101	DECK - 717-J-396-504	454.50	11,000

## PERMITS ISSUED FROM: 3/01/2025 TO 3/31/2025

Permit#/ Contractor	Dt Issued	Property Address Owner Name	Description Parcel ID#	Fee	Job Value
B-24-026437 DUTCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 240 DECK - REPLACEMENT	3/21/2025	1836-505 FOXCROFT LANE 15101	DECK - 717-J-396-505	454.50	11,000
B-24-026438 DUTCRAFT CONSTRUCTION LLC PERMIT STATUS : 2 Square Footage: Deck/Porch: 260 DECK - REPLACEMENT	3/21/2025	1836-506 FOXCROFT LANE 15101	DECK - 717-J-396-506	454.50	11,000
B-25-026809 TRINITY SOLAR PERMIT STATUS : 2 SOLAR PANELS - ROOF MOUNTED	3/21/2025	8708 WEST BARKHURST DRIVE 15237	SOLAR PANELS - 713-L-333	254.50	30,000
B-25-026775 MBM CONTRACTING PERMIT STATUS : 2 RENOVATIONS - LINEAR ACCELERATOR REPLACEMENT	3/24/2025	9100 BABCOCK BOULEVARD 15237 UPMC PASSAVANT	RENOVATIONS - 826-M-10	754.50	1,038,000
B-25-026812 JES CONSTRUCTION, LLC PERMIT STATUS : 2 RENOVATIONS	3/24/2025	452 CENTER OAK DRIVE 15237	RENOVATIONS 945-K-152	254.50	47,009
B-25-026825 TEAM SUNSHINE CONSTRUCTION PERMIT STATUS : 2 SOLAR PANELS - ROOF MOUNTED	3/25/2025	1491 JAMESON COURT 15101	SOLAR PANELS - 717-A-59	254.50	44,021
B-25-026826 WOODLAND DECK COMPANY INC PERMIT STATUS : 2 DECK - REPLACEMENT	3/25/2025	106 ASHLEY HILL DRIVE 15090	DECK - 1206-A-6	204.50	45,894
B-25-026842 MCCLUSKEY CONTRACTORS LLC PERMIT STATUS : 2 REPLACE CONCRETE DRIVEWAY; ADD CONCRETE SIDEWALK FROM DW TO PORCH	3/28/2025	8937 KNOLL STREET 15101	REPLACE 716-C-257	50.00	13,000
B-25-026843 PERMIT STATUS : 3 FENCE - 5' WOOD & METAL	3/28/2025	8206 BRAMBLE LANE 15237	FENCE - 5' WOOD & 613-C-54	50.00	16,000
B-25-026828 PRECISION SIGN & AWNING PERMIT STATUS : 2 SIGN - WALL MOUNTED - 26 SQ FT - REPLACEMENT	3/28/2025	700 WEST RIDGE ROAD 15101 COUNTY OF ALLEGHENY	SIGN - WALL 946-A-187	150.00	5,580
B-25-026816 R&B MECHANICAL, INC. PERMIT STATUS : 2 RENOVATIONS- REPLACE EXISTING UNIT VENILATORS W/ NEW UNIT VENTILATORS -HVAC	3/31/2025	8625 PEEBLES ROAD 15237 NORTH ALLEGHENY SCHOOL DISTRICT	RENOVATIONS- 716-K-248	754.50	500,000
B-25-026832 WEAVER BARNS AMISH YARDS 51 PERMIT STATUS : 2 Square Footage: Garage: 576 DETACHED GARAGE - 24'X 24'	3/31/2025	10103 DEER VIEW POINT 15090	DETACHED GARAGE 1207-N-122	250.00	45,000

TOTAL # OF PERMITS: 37 TOTAL FEES: 15757.00 TOTAL VALUE: 2,619,168

# Public Works March 2025 Report

# Building and Grounds

- Paint Town Hall
- Police Department Paint
- Wall Park French Drain
- Cold Patch Vincentian Road
- Deliver Leaf Compost
- Clean Rain Gardens
- Remove Trees From Blazier Culverts
- Lake Marshall Drive Project
- Devlin Park Sidewalk Project
- Clean Filter Basins on Grubbs Road
- Clean Catch Basins
- All Parks Opened

# Road Construction

- Basin Work Red Coach Road
  - Shady Oak Basin Work
  - Stage Drive Basin Work
- Edwood Drive Basin Work
  - Patch Potholes

203 One Calls  
40 Out Fall Inspections  
3 Pond Structures Cleaned

# Rain Garden Clean Out





# Devlin Park Sidewalk





# Vincentian Road Cold Patched



# Lake Marshall Drive Sidewalk Project





# Tree Removal at Blazier Culverts





Basin Work  
Red Coach Road  
Shady Oak  
Stage Drive  
Edwood Drive





# Wall Park French Drain Project



# Police Department Work







# Pond Structure Clean Outs



# Upcoming Work

- Culvert Replacement Wall Park
- Shed At Pickle Ball Courts
- Split Rail Fence Replacement
- Electrical Update at Devlin Park
- Ponds
- 2026 Paving list Basin Replacement
- Wall Install @ Asst Managers Office
- Fill Site Landscape Work
- Devlin Park Benches/ Garbage Cans



## History (Cost Summary)

3/1/2025 - 3/31/2025

Innovative Maintenance Systems

## \Town Of McCandless\ Mowers

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3122 - 2023 MASSEY 5711D	\$437.82	\$0.00	\$317.23	\$120.59	\$0.00	\$0.00	\$0.00	\$437.82
3402 - 2021 HUSTLER TURF EQL	\$287.80	\$0.00	\$250.14	\$37.66	\$0.00	\$0.00	\$0.00	\$287.80
3404 - 2022 HUSTLER TURF EQL	\$43.39	\$11.30	\$24.56	\$30.13	\$0.00	\$0.00	\$0.00	\$54.69
Category Subtotal -	\$769.01	\$11.30	\$591.93	\$188.38	\$0.00	\$0.00		\$780.31

## \Town Of McCandless\Amblunce Athu.

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
6130SQ1 - 2023 CHEVY TAHOE	\$37.66	\$0.00	\$0.00	\$37.66	\$0.00	\$0.00	\$0.04	\$37.66
6130SQ3 - 2015 FORD EXPLORE	\$173.95	\$0.00	\$68.50	\$105.45	\$0.00	\$0.00	\$0.01	\$173.95
6130SQ4 - 2024 FORD EXPLORE	\$0.00	\$0.00	\$15.25	\$38.05	\$0.00	\$0.00	\$0.05	\$53.30
6131 - 2021 FORD F-550	\$144.04	\$0.00	\$87.55	\$56.49	\$0.00	\$0.00	\$0.25	\$144.04
6132 - 2022 FORD F-550	\$23.09	\$58.08	\$24.68	\$56.49	\$0.00	\$0.00	\$0.04	\$81.17
6132-1 - 2019 Dodge VAN 1	\$40.66	\$25.40	\$20.87	\$45.19	\$0.00	\$0.00	\$0.00	\$66.06
6132-2 - 2017 TOYOTA VAN	\$94.36	\$0.00	\$49.17	\$45.19	\$0.00	\$0.00	\$0.08	\$94.36
6132-3 - 2024 FORD VAN 3	\$92.36	\$0.00	\$35.87	\$56.49	\$0.00	\$0.00	\$0.12	\$92.36
6133 - 2019 FORD E-450	\$381.74	\$695.72	\$625.54	\$489.58	\$0.00	\$0.00	\$0.83	\$1,115.12
6134 - 2017 FORD E-450	\$39.31	\$142.38	\$68.71	\$112.98	\$0.00	\$0.00	\$0.13	\$181.69
6135 - 2017 FORD E-450	\$65.49	\$79.66	\$54.77	\$90.38	\$0.00	\$0.00	\$0.12	\$145.15
6136 - 2023 FORD F-550	\$84.19	\$0.00	\$27.70	\$56.49	\$0.00	\$0.00	\$0.05	\$84.19
Category Subtotal -	\$1,176.85	\$1,001.24	\$1,078.61	\$1,190.44	\$0.00	\$0.00		\$2,269.05

**\Town Of McCandless\Cars**

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3306 - 2018 FORD EXPLORER	\$0.00	\$18.83	\$0.00	\$18.83	\$0.00	\$0.00	\$0.03	\$18.83
4112 - 2016 FORD EXPLORER	\$193.17	\$171.24	\$168.58	\$195.83	\$0.00	\$0.00	\$0.70	\$364.41
4113 - 2015 FORD EXPLORER	\$145.78	\$94.61	\$100.46	\$139.93	\$0.00	\$0.00	\$0.00	\$240.39
Category Subtotal -	\$338.95	\$284.68	\$269.04	\$354.59	\$0.00	\$0.00		\$623.63

**\Town Of McCandless\Equipment**

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3143 - 2012 WACKER WP1550AM	\$0.00	\$37.66	\$0.00	\$37.66	\$0.00	\$0.00	\$0.00	\$37.66
3155 - 2022 HUSQVARNA K770	\$0.00	\$90.95	\$14.85	\$114.15	\$0.00	\$0.00	\$0.00	\$129.00
3167 - 2022 HUSQVARNA K770	\$0.00	\$101.35	\$44.27	\$57.08	\$0.00	\$0.00	\$0.00	\$101.35
3425 - 2024 VENTRAC 4520N	\$0.00	\$61.78	\$23.73	\$38.05	\$0.00	\$0.00	\$0.00	\$61.78
Category Subtotal -	\$0.00	\$291.74	\$82.85	\$246.94	\$0.00	\$0.00		\$329.79

**\Town Of McCandless\Excavating Equipment**

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3120-C - 2001 SWEEPSTER LCH-	\$0.00	\$408.59	\$294.44	\$152.20	\$0.00	\$0.00	\$0.00	\$446.64
3121 - 2023 KUBOTA KX080-4S2F	\$497.26	\$58.55	\$394.10	\$237.81	\$0.00	\$0.00	\$78.99	\$631.91
3123 - 2017 JOHN DEERE 410L	\$0.00	\$130.52	\$55.20	\$75.32	\$0.00	\$0.00	\$0.00	\$130.52
3124 - 2008 CATERPILLAR 430-E	\$28.84	\$1,616.89	\$1,365.87	\$317.91	\$0.00	\$0.00	\$168.38	\$1,683.78
3132 - 2021 KUBOTA KX057-5R3A	\$0.00	\$0.00	\$15.25	\$38.05	\$0.00	\$0.00	\$0.00	\$53.30
Category Subtotal -	\$526.10	\$2,214.55	\$2,124.86	\$821.29	\$0.00	\$0.00		\$2,946.15

**\Town Of McCandless\Heavy Truck**

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
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3101 - 2014 INTERNATIONAL 740	\$22.53	\$0.00	\$7.47	\$15.06	\$0.00	\$0.00	\$0.58	\$22.53
3102 - 2010 INTERNATIONAL 740	\$279.95	\$420.06	\$379.90	\$320.11	\$0.00	\$0.00	\$1.48	\$700.01
3104 - 2021 INTERNATIONAL HV	\$232.65	\$193.41	\$181.27	\$244.79	\$0.00	\$0.00	\$2.94	\$426.06
3106 - 2020 INTERNATIONAL HV	\$384.08	\$146.67	\$248.30	\$282.45	\$0.00	\$0.00	\$1.29	\$530.75
3108 - 2023 INTERNATIONAL HV	\$169.04	\$114.96	\$133.36	\$150.64	\$0.00	\$0.00	\$2.58	\$284.00
3140 - 2008 MULTIQUEIP MP1455H	\$20.84	\$316.85	\$219.73	\$136.99	\$0.00	\$0.00	\$0.00	\$356.72
<b>Category Subtotal -</b>	<b>\$1,109.09</b>	<b>\$1,191.95</b>	<b>\$1,170.03</b>	<b>\$1,150.04</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$2,320.07</b>

***\Town Of McCandless\Light Truck***

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3301 - 2017 CHEVY TAHOE	\$0.00	\$82.53	\$75.00	\$82.85	\$0.00	\$0.00	\$0.12	\$157.85
4114 - 2016 CHEVY TAHOE	\$154.87	\$252.83	\$283.42	\$124.28	\$0.00	\$0.00	\$1.48	\$407.70
<b>Category Subtotal -</b>	<b>\$154.87</b>	<b>\$335.36</b>	<b>\$358.42</b>	<b>\$207.13</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$565.55</b>

***\Town Of McCandless\Med. Truck***

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3303-C - 2017 CHICAGO PNEUM/	\$0.00	\$166.45	\$128.79	\$37.66	\$0.00	\$0.00	\$0.00	\$166.45
<b>Category Subtotal -</b>	<b>\$0.00</b>	<b>\$166.45</b>	<b>\$128.79</b>	<b>\$37.66</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$166.45</b>

***\Town Of McCandless\Police Department***

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
2102 - 2018 FORD EXPLORER	\$105.93	\$37.66	\$30.61	\$112.98	\$0.00	\$0.00	\$0.10	\$143.59
2107 - 2016 FORD EXPLORER	\$110.90	\$0.00	\$43.11	\$67.79	\$0.00	\$0.00	\$0.14	\$110.90
2108 - 2016 FORD EXPLORER	\$0.00	\$134.60	\$115.77	\$18.83	\$0.00	\$0.00	\$0.12	\$134.60
2109 - 2020 FORD F-150	\$74.94	\$0.00	\$18.45	\$56.49	\$0.00	\$0.00	\$0.04	\$74.94
2115 - 2023 FORD EXPLORER	\$83.44	\$0.00	\$26.95	\$56.49	\$0.00	\$0.00	\$0.08	\$83.44

Category Subtotal -	\$375.21	\$172.26	\$234.89	\$312.58	\$0.00	\$0.00	\$547.47
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**\Town Of McCandless\Trailers**

Equipment	PM Cost	Repair Cost	Parts Cost	Labor Cost	Tax	Custom Cost	CPM/Km/Hr	Total Cost
3200 - 2009 WELLSCARGO TW1C	\$0.00	\$76.10	\$0.00	\$76.10	\$0.00	\$0.00	\$0.00	\$76.10
Category Subtotal -	\$0.00	\$76.10	\$0.00	\$76.10	\$0.00	\$0.00		\$76.10
Grand Totals:	\$4,450.08	\$5,745.63	\$6,039.42	\$4,585.15	\$0.00	\$0.00		\$10,624.57

**March 2025  
Monthly Report  
Town of McCandless  
Department of Public Works**

**Road Construction**

- Basins At Red Coach
- Shady Oak Basins
- Stage Drive Basins
- Edwood Drive Basin Work
- Patch Pot Holes

**Parks, Buildings & Grounds**

- Paint at Town Hall
- Police Department Work
- Wall Park French Drain
- Cold Patch Vincentian Road
- Deliver Leaf Compost
- Start Devlin Park Sidewalk
- Lake Marshall Drive Sidewalk
- Clean Filter Basin on Grubbs Road
- Clean Basins after Storms
- All Parks Opened

**Traffic Control**

See attached report.

**Vehicle Maintenance**

See attached report.

**PA1 Calls/MS4/ Ponds**

- 203 One Calls
- 40 Outfall Inspections

**Permits**

**Park Permits-**

**Driveway Permits-2**

**Street Opening Permits-1**

**Upcoming Work**

- Culvert Replacement at Wall Park
- Sidewalk at Pickle Ball Courts
- Shed at Pickle Ball Courts
- Split Rail Fence Removal and Replacement
- Electrical Update at Devlin Park
- Pond Maintenance
- 2026 Paving List Basin Replacement
- Wall Install @ Asst Managers Office
- Fill Site Landscaping Work
- Devlin Park Benches/Garbage Cans Install

## **TRAFFIC CONTROL ACTIVITY**

**March 2025**

### **12– TRAFFIC SIGNAL REPAIRS (REPLACE LAMP, PEDESTRIAN BUTTONS)**

**1 – Generator**

**3 Traffic Signal Callouts**

**5 – TRAFFIC SIGN REPAIRS**

**2 – TRAFFIC SIGNS INSTALLED (SPEED LIMIT/STOP/SCHOOL/STREET NAME)**

**1 – PA 1 Call**

**7 – SIGNS for Safety Class**

**4 – Signs for Rain Garden**

**4 – Dumpster Signs**

**2 – Signs for parks**

**2 – ARLE CONTRACT WORK**

OFFICIAL

**TOWN OF McCANDLESS  
ORDINANCE NO. 1556**

AN ORDINANCE OF THE TOWN OF MCCANDLESS, ALLEGHENY COUNTY, PENNSYLVANIA, ADDING ARTICLE 732, PARKS AND RECREATION AREAS, TO THE MCCANDLESS TOWN CODE OF ORDINANCES, TO PROHIBIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PARKS EXCEPT PURSUANT TO A PERMIT ISSUED BY THE TOWN AND IN COMPLIANCE WITH THE REQUIREMENTS OF THE PERMIT

**WHEREAS**, Section 201(vi) of the Town Charter authorizes the Town of McCandless (the “Town”) to adopt any ordinances, rules or regulations necessary to promote the creation and maintenance of public parks, open space and recreational and leisure time facilities and programs for residents of all ages, with due consideration for the interests of neighboring residents; and

**WHEREAS**, Section 201(vii) of the Town Charter authorizes the Town to adopt any ordinances, rules or regulations to promote the creation and maintenance of adequate regulations and programs for the preservation and enhancement of a safe, healthy, peaceful and attractive environment for the Town citizens; and

**WHEREAS**, the Town believes that it is in the best interest of the public health and general welfare of its residents to prohibit the possession and consumption of alcoholic beverages in public parks except pursuant to a permit issued by the Town and the rules and regulations set forth thereunder; and

**WHEREAS**, the Board of Supervisors of the Town desires to amend the Town Code of Ordinance to add Article 732, Parks and Recreation Areas, in order to accomplish the foregoing.

**NOW, THEREFORE**, the Town Council of the Town of McCandless ordains that Article 732 of the Town Code of Ordinances, Parks and Recreation Areas, be added as follows, incorporating the above recitals by reference:

**SECTION 1.** The Town Code of Ordinances is amended by adding a new Article 732, Parks and Recreation Areas, by inserting the following text immediately following Article 731, Establishment of Tobacco and Vaping Free Zones in Town Parks and Playgrounds:

**§ 732.01        Definitions.**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Alcoholic Beverage**

Any spirits, wine, beer, ale, or other liquid containing more than one-half of a percent of alcohol by volume which is fit for beverage purposes.

**Container**

Any bottle, can, or other vessel in which alcoholic beverages are contained.

## **Park or Parks**

Unless specifically limited, includes all parks, playgrounds, recreation areas, recreation structures and facilities, and also entrances and approaches thereto, and all other land or property or structures now or hereafter owned or acquired by the Town of McCandless for park or recreational purposes. As of the adoption date of this ordinance, the Parks of the Town include Wall Park, Vestal Field Complex and Trail, Devlin Park, Lorraine G. Rogers Soccer Field, Vincentian Recreation Complex, and Potter Park.

## **Person**

Any natural person, corporation, organization of persons, company, association or partnership.

### **§ 732.02 Consumption.**

No person shall consume any alcoholic beverage in any quantity in the Parks or on the property comprising the Parks in the Town of McCandless except pursuant to a permit issued by the Town and in compliance with the requirements of the permit.

### **§ 732.03 Possession.**

No person shall possess any container of alcoholic beverage, whether wrapped or unwrapped, which has been opened or on which the seal has been broken in any manner in any public park or on the property comprising the public park in the Township except pursuant to a permit issued by the Township and in compliance with the requirements of the permit.

### **§ 732.04 Violations and penalties.**

Any person who violates any of the provisions of this Article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600, plus the costs of prosecution, and, in default of payment of such fine and costs, imprisonment for a period not to exceed 30 days.

**SECTION 2.** Council hereby authorizes any and all appropriate Town officials or staff to take any and all actions necessary to effectuate the purpose of this Ordinance.

**SECTION 3.** If any of the provisions or terms of this Ordinance shall be held invalid for any reason whatsoever, then, unless such provision or term is material to this Ordinance as to render this Ordinance impracticable to perform, such provision or term shall be deemed severable from the remaining provisions or terms of this Ordinance and shall in no way affect the validity or enforceability of any other provisions hereof.

**SECTION 4.** All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

**ORDAINED AND ENACTED** into law this 14<sup>th</sup> day of April, 2025 and is effective immediately.

**TOWN COUNCIL  
TOWN OF McCANDLESS**

**ATTEST:**

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Secretary

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President





# Memorandum

**Memo To:** McCandless Town Council  
**From:** John F. Schwend, Town Manager  
**Date:** April 10, 2025  
**Re:** Fee Schedule Update

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Although we recently adopted a new fee schedule, we will need to take action on this again due to the fact that we are adding two new permit fees for alcohol consumption in the parks. In addition to this, there are fees related to building permits and escrow accounts that need clarified in order to be fair and consistent. First, for commercial roof replacements, we are currently charging the same price per square foot fee that we charge for additions and renovations. This can lead to an exorbitant charge for what is a fairly simple permit to review and inspect. The recommendation is for a roof replacement fee to be charged at \$0.05 per square foot rather than the \$0.30 per square foot. Second, the escrow amounts being charged for applications requiring engineer's review are too low. Escrow amounts currently vary based on permit. We are proposing a minimum \$3,000 escrow be required for any application requiring engineering review.

Please see the following red line document that indicates the changes from the recently passed fee schedule to the new fee schedule.

If you have any questions, please feel free to contact me directly.

**TOWN OF McCANDLESS  
RESOLUTION 2025-02**

A RESOLUTION OF THE TOWN OF McCANDLESS, ALLEGHENY COUNTY, PENNSYLVANIA,  
ESTABLISHING A MASTER RESOLUTION TO GOVERN VARIOUS TOWN FEES AND  
CHARGES.

IT IS HEREBY RESOLVED by the Town Council of the Town of McCandless, Allegheny County, as follows:

**Section 1. Fees and charges for Town construction, development and other permits:**

Charges do not include any applicable state fees, including those fees assessed pursuant to the Uniform Construction Code, as amended.

a) Building/Zoning Permits

<b>Residential</b> <i>(inclusive of all projects under the International Residential Code (IRC))</i>	
New Construction	\$0.25/sq ft of gross floor area Minimum fee of \$500.
Additions, Renovations, Accessory Structures over 400 sq ft*	\$0.25/sq ft of gross floor area Minimum fee of \$250.
<b>Commercial</b> <i>(inclusive of all projects under the International Building Code (IBC))</i>	
New Construction	\$0.30/sq ft of gross floor area Minimum fee of \$900.
Additions, Renovations: Roof replacement / recover (no structural changes to decking) Accessory Structures over 400 sq ft*	\$0.30/sq ft of gross floor area \$0.05/sq ft of roof area Minimum fee of \$450.
<b>Internal Plan Review</b>	\$0.10/sq ft Minimum fee of \$300.
<b>External Plan Review</b>	To be charged at applicable 3 <sup>rd</sup> party rate.
* Zoning permits that do not require UCC review will also be charged at this rate.	

b) Amateur Radio Antenna Permit – \$50

c) Accessory Structure Permit

**RESIDENTIAL**

General structure, up to 120 sq ft:	\$50
General structure, 121 – 400 sq ft:	\$100
Chicken Coop and Run:	\$50
Fence:	\$50

Open Deck or Porch:	\$200
Pool, Aboveground:	\$150
Pool, In-ground:	\$300
Retaining Wall, Under 4 Ft:	\$50
Retaining Wall, 4 Ft or Greater:	\$100

Accessory structures over 400 sq ft and not otherwise identified here shall be charged under Section 1(a) of this resolution. Chicken Coop and Run review is inclusive of any fencing/screening being added to satisfy the performance standards required by §701.08(d).

## **COMMERCIAL**

General Structure, up to 400 sq ft:	\$150
Fence:	\$100
Pool, Aboveground:	\$150
Pool, In-ground:	\$300
Retaining Wall, Under 4 Ft:	\$100
Retaining Wall, 4 Ft or Greater:	\$200

Accessory structures over 400 sq ft and not otherwise identified here shall be charged under Section 1(a) of this resolution.

d) Certificate of Use (Zoning) / Commercial Occupancy – \$100

Residential new construction is exempt from the Certificate of Use fee at the time of issuance of a Certificate of Occupancy.

e) Communications/Telecommunications

1) Tower and Antenna Permits: \$1,000

2) Small Wireless Facilities

Non-recurring fees: \$500 minimum fee, including a single up-front application that includes up to five Small Wireless Facilities, with an additional \$100 for each Small Wireless Facility beyond five (5); or \$1,000 for a new pole (i.e. not a co-location) intended to support one or more Small Wireless Facilities.

Recurring annual fee of \$270 per Small Wireless Facility per year, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.

3) The applicant and/or owner shall provide an escrow payment upon filing, in accordance with the amounts required by the Town's standard subdivision and land development review process, for all costs incurred of the Town's consultant(s) in providing expert evaluation and consultation in connection with the review of the application.

f) Demolition Permit – \$200 residential; \$300 commercial.

g) Driveway Permit – \$75

Required for any driveway that is new, relocated or changed in grade which enters a Town street or any street that will become a Town street.

h) Fireplace Permit – \$25 for the installation of fireplaces in existing structures.

i) Grading Permit

1) Minor Grading Permit - \$200.

2) Major Grading Permit - \$500. An escrow in the amount of \$3,000 shall be established for the review of plans and inspection of sitework by the Town’s consultants.

j) Logging Permit – \$300 application fee

In addition, an escrow amount of \$3,000 shall be established for review of the logging plan and inspection of the property. The applicant will be charged for the actual costs of review and inspection. If the costs exceed \$3,000 the applicant will replenish the escrow to maintain it at the \$3,000 level until approval is granted by the Town. Any remaining balance will be returned after approval is granted by the Town.

k) Sign Permit – \$150 per sign

l) Town Road Right-of-Way/Utility/Street Opening Permits – \$125 permit fee

1) Inspection: The estimated costs of inspection determined by the Town shall be deposited in escrow. Actual costs will be charged, and any remaining balance will be returned after approval of the work by the Town. Minimum escrow shall be \$100.

2) Repair and restoration: An estimate of the cost for repair and restoration of what is disturbed shall be calculated by the Town based upon the size and composition of the proposed excavation. The applicant shall deposit the estimated amount calculated by the Town in escrow.

The minimum amount of escrow shall be \$3,000. Any amount more than \$5,000 may be secured by a letter of credit or bond, subject to the approval of the Town Manager, Town Attorney or Town Engineer.

Any entity which routinely performs work in Town rights-of-way, such as utilities, may deposit an ongoing escrow (and bond, where applicable). Such escrow shall be replenished any time it is reduced below the amount originally deposited before any new work, other than emergency work, may proceed. A utility filing a bond with the Town may renew the bond each year from the date of its issuance in an amount and form satisfactory to the Town Manager, Town Attorney or Town Engineer.

## **Section 2. Charges submitted by request for Town review and/or approval:**

a) Appeals to Zoning Hearing Board

1) Appeal of Zoning Officer’s Decision (including NOV appeal)

Residential: \$300

Commercial: \$750

Appeals related to mixed-use development or a residential development as a whole (i.e. multiple lots in a forthcoming subdivision; an apartment complex) shall be charged at the commercial rate.

2) Zoning Variance

Residential: \$300

Commercial: \$750

Appeals related to mixed-use development or a residential development as a whole (i.e. multiple lots in a forthcoming subdivision; an apartment complex) shall be charged at the commercial rate.

3) Special Exception – \$500

4) Use Variance – \$1,000

b) Conditional Use – \$1,000 application fee

An escrow amount of \$3,000 shall be established at the time of application to pay for reviews by Town consultants, cost of required legal notices, and other associated expenses. The escrow shall be replenished to \$3,000 any time it is reduced to \$500.

c) Curative Amendment – \$1,000

d) Estimated costs of reviews by specialized consultants, such as traffic or soils engineers or geologists, shall be deposited with the Town in escrow prior to utilization of such services. This escrow shall be in addition to the escrow deposited for general or stormwater engineering reviews and inspection.

e) Proposed Zoning Amendment – \$1,000 application fee

An escrow amount of \$3,000 shall be established at the time of application to pay for reviews by Town consultants, cost of required legal notices, and other associated expenses. The escrow shall be replenished to \$3,000 any time it is reduced to \$500.

f) Rezoning – \$1,000 application fee

An escrow amount of \$3,000 shall be established at the time of application to pay for reviews by Town consultants, cost of required legal notices, and other associated expenses. The escrow shall be replenished to \$3,000 any time it is reduced to \$500.

g) Site Inspection and As-Built Reviews – Per the engineer's fee structure as approved by the Town in an amount to cover the actual cost of inspections.

h) Subdivision and Land Development

1) Legal fees incurred by the Town will be charged in accordance with the fee structure agreed upon between the Town and Town Attorney.

2) Simple Subdivision – \$250 application fee.

An escrow amount of \$3,000 shall be established at the time of application to pay for reviews by Town consultants. The escrow shall be replenished to \$3,000 any time it is reduced to \$500.

3) Subdivision and/or Land Development Plan:

\$200 per acre or fraction thereof with a minimum charge of \$1,000.

An escrow amount of \$5,000 shall be established at the time of application to pay for reviews by Town consultants. The escrow shall be replenished to \$5,000 any time it is reduced to \$1,500. For developments with both preliminary and final plan submissions, any funds remaining in the escrow deposit made with a preliminary plan submission shall be credited toward the escrow established for final plan submission.

4) Fee in Lieu of Sidewalk Waivers

Fee in lieu of sidewalk waivers will be calculated based on the actual cost of work as reviewed and approved by the Town Engineer.

5) Fee in Lieu of Recreation With Regard to Residential Development Projects

Public Recreation and Open Space (PROS) fee in lieu: \$800 per Residential Dwelling Unit

i) Substantive Validity Challenge (Zoning Ordinance) – \$1,000

j) Transportation Overlay District

Actual costs for Traffic Report Review and TPAD Program Modification Review shall be charged in accordance with the Town approved engineering fees.

k) UCC / Code Appeals Board hearing

Residential: \$300

Commercial: \$750

Appeals related to mixed-use development or a residential development as a whole (i.e. multiple lots in a forthcoming subdivision; an apartment complex) shall be charged at the commercial rate.

### **Section 3. Charges for Town Fire Prevention Permits**

a) Fire Alarm Installation

5,000 sq ft or less: \$200

5,001 to 19,999 sq ft: \$300

20,000 to 40,000 sq ft: \$400

Over 40,000 sq ft \$600

b) Fire Pump, any size – \$200

c) Fire Reports – \$25

d) Fireworks Display – \$200

A surety bond is required in accordance with the current edition of the Town's Fire Prevention Code.

- e) Recreation Fires – \$25 each occurrence
- f) Service Stations and Auto Body Garages – \$100  
Includes storing and painting of automobiles and undercoating of automobiles.
- g) Sprinklers

20 heads or less:	\$150
150 heads or less:	\$250
400 heads or less:	\$350
Over 401 heads:	\$400
- h) Storage of Explosives, Ammunition, Gunpowder, Flammable/Combustible Liquids and Hazardous Materials – \$100 annual fee in accordance with current edition of the Town’s Fire Prevention Code.
- i) Storage Tanks, Stationary Tanks, L.P. Gas Cylinders – \$50 for temporary or permanent installations.
- j) Suppression Systems – \$200 per system  
Includes commercial cooking hoods and other types of automatic suppression systems.
- k) All other operational/Fire Prevention Permits – \$50 each
- l) Charges do not include any applicable state fees, including those fees assessed pursuant to the Uniform Construction Code, as amended.

#### **Section 4. False Alarms**

- a) First False Alarm – No fee shall be charged for the first instance of a false alarm during the calendar year.
- b) Second False Alarm – The owner of a multi-family (3 or more units) commercial, industrial, or institutional property having a fire alarm or sprinkler alarm that is located within the Town of McCandless shall be charged a base service fee of \$200 for its second instance of a false alarm within the same calendar year. In the event that the Fire Marshal determines that the false alarm is the result of the act or omission of the tenant, the tenant shall be assessed the service fee.
- c) Additional False Alarms – For each additional false alarm occurring within the calendar year, the multi-family, commercial, industrial, or institutional property owner (or tenant, as applicable) shall be charged a service fee which shall increase by an amount of \$100 per false alarm up to a maximum of \$400 per false alarm. For example, for a third false alarm, the entity shall be charged \$300; for a fourth false alarm and each false alarm thereafter, the entity shall be charged \$400.

#### **Section 5. Recreation Permits**

- a) Heritage and Cultural Center – \$75 for guided group tours or outreach activities, \$200 refundable deposit to rent the Center plus \$75/hour.

- b) Pavilion Fees – \$75 fee for McCandless residents for the use of a Town pavilion. \$100 fee for non-resident use of pavilion.
- c) Town Ball Field Fees – \$400 per season; or \$75 per game for night/evening use or \$50 for daylight use.
- d) Pickleball Courts Reservation - \$10 per hour. Non-Refundable.
- e) Alcohol Permit Fee - \$50 fee for alcohol permit with a pavilion rental. \$20 fee for vendors who wish to sell alcoholic beverages at approved community events in addition to the Exposition Permit from the PA Liquor Control Board

## **Section 6. Other Fees and Charges**

- a) Administrative charge for receipt of insufficient fund check – \$30 plus any bank charge incurred by the Town.
- b) Amusement Permit – \$25 per year
- c) Application Fee for Police Officer Candidate – \$50 (May be waived by Police Chief or Town Manager)
- d) Application for Certification of Stormwater Drainage Compliance – \$15
- e) Assessment and Tax Lien Letters – \$30 per letter; \$5 fax machine fee.
- f) Comprehensive Plan – Actual cost of reproduction.
- g) Engineering fees are set annually by the Town Manager and on an as-needed basis for specific inspections.
- h) External Uniform Construction Code (UCC) Plan Review Requirement  
Commercial, multi-family and institutional building plans may be sent to a Pennsylvania Certified Third Party Plan Review Agency for plan review at the discretion of the Building Official/Fire Official. Costs for such review shall be borne by the applicant.
- i) Insurance Reports (other than fire) – \$5
- j) Liquor License Transfer Escrow – \$500  
Should the escrow be depleted, the Applicant shall reimburse the Town for any additional unreimbursed costs incurred by the Town relative to the Application.
- k) Paving, Grading, Drainage Standards & Specifications - \$7.50



- l) Plan Review Service Charge – When the Town Manager, Planning & Development Administrator or Building Official/Fire Official considers the use of outside professionals to be necessary to review plans submitted, he/she may engage such professionals and charge such costs to the applicant.
- m) Police Reports – \$15
- n) Public Records Policy Fees
  - 1) Certification – The Town’s fee for official certification of copies containing the Town seal is \$2.00 per copy.
  - 2) Copies from Microfilm - \$0.50 per page
  - 3) Copies of Video/Audiotapes/Body Worn Camera/Dashboard Camera – \$100 plus legal review fees
  - 4) Copying onto Electronic Media – Actual cost incurred by Town
  - 5) Facsimile Transmission – Local call (\$1.00 per transmission); Long distance (\$1.50 per page).
  - 6) Photocopies - \$0.25 per page for 11” x 17” or smaller; \$1.00 per page for any larger sheets or actual costs incurred by the Town, whichever is greater.
  - 7) Postage – Fees for postage shall not exceed the actual cost of mailing.
  - 8) Pre-payment of Fees – The Town may require pre-payment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.
  - 9) Printing from Electronic Media - \$0.25 per page
  - 10) Waiver of Fees – The Town may waive duplication fees when the Town deems it to be in the public interest to do so.
- o) Public Utility Permit Bond – Minimum \$10,000. Any amount over \$10,000 as determined by the Town Engineer and/or Town Manager.
- p) Special Police Detail - \$115 / hour without a patrol unit or \$125/hour with a patrol unit.
- q) Transient Vendor License Fee – The nonrefundable fee for each license application shall be \$100 to cover the cost to process the application, plus \$25 for each vendor associated with the applicant, plus the prescribed fee for any background check conducted by the Chief of Police. Any renewal shall be at half price, if renewed within 15 days of the expiration of the license. Any and all fee amounts may be adjusted by Town resolution including the cost for the background check.
- r) Zoning Map – \$5 per map, per copy

**Section 7. All prior resolutions establishing various Town fees and charges are hereby repealed to the extent inconsistent herewith.**

Motion made by Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_, and this resolution is adopted this 14th day of April, 2025, such fees to become effective immediately.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President



# Memorandum

**Memo To:** McCandless Town Council  
**From:** John F. Schwend, Town Manager  
**Date:** April 10, 2025  
**Re:** Appointments to Boards

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The interview committees have met and reviewed the applicants for the following positions. Each applicant is listed, and the interview committee's recommendations for appointment are noted below as well.

## Zoning Hearing Board Alternate

- Bill Burdwood
- Travis Cully (recommended for appointment)

## Personnel Board

- Laureen Alt
- James Evanochko
- Eric Fischer (recommended for appointment)
- Dale Glew
- Robert Schoeber

## MIDA Board of Directors

- Mark Guzan
- William Kirk (recommended for appointment)

If you have any questions, please feel free to contact me directly.



# Memorandum

**Memo To:** McCandless Town Council  
**From:** John F. Schwend, Town Manager  
**Date:** April 10, 2025  
**Re:** Personnel Board Rules and Regulations

---

As we had discussed earlier in the year, changes needed to be made to the Personnel Board Rules and Regulations in order to align with the updated Personnel Board Ordinance that we had recently adopted. The process for updating the Rules and Regulations is as follows:

- A draft of changes to the rules and regulations recommended by the professional staff is presented to the Board for their review
- After the Board reviews and suggests any additional changes, they vote to approve the rules and regulations
- Council then reviews the rules and regulations after the Personnel Board approves them. Council then must adopt the rules and regulations for them to take effect.

At the March 25<sup>th</sup> meeting of the Board, they reviewed proposed changes to the rules and regulations. In addition to the changes proposed by the professional staff, the Board made additional changes that they felt improved the rules and regulations. A summary of key changes are below, with the full document to follow.

- Changes made to the appointment policy to mirror the Town's appointment policy
- Eliminating the Alternate Positions (since there are already 5 board members)
- Language consistent with the application and interview process outlined in the Ordinance
- The top 12 candidates will be eligible for an oral interview
- Test weighting of 40% written and 60% oral
- Calculation standards for oral interviews
- Duration of list to be six months with the option for a six-month extension
- Minimum Score of 75% for promotional exams rather than 70%

The Personnel Board voted unanimously to approve these changes. In order to codify these changes, we will need to amend the ordinance reflecting two specific provisions, the weighting of the written and oral exams, and the number of candidates to be interviewed.

The Rules and Regulations and the Ordinance should be acted upon together, and with proper advertisement could be adopted at the April 28<sup>th</sup> meeting of Council

If you have any questions, please feel free to contact me directly.

REVISED 3/25/2025

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**Town of McCandless  
Allegheny County  
Pennsylvania**

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# **PERSONNEL BOARD RULES AND REGULATIONS**

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## **CHAPTER 1. DEFINITION OF TERMS.**

### **1.1 Definitions.**

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

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

**Alternate Board Member:** An individual appointed by the Town Council to serve as an "Alternate Board Member of the Personnel Board." Properly appointed Alternate Board Members shall have all the same powers and duties as properly appointed Board Members set forth in the Town Ordinances and as outlined in these rules and regulations.

**Board :** The Personnel Board of the Town of McCandless, Pennsylvania.

**Certified List of Three:** The submission to the appointing authority pursuant to their request for three names taken from the respective eligible lists developed by the Personnel Board.

**Chairperson:** The Chairperson of the Personnel Board of the Town of McCandless, Pennsylvania

**Chief of Police:** a sworn officer heading the Police Department who may be appointed with or without Personnel Board status.

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

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

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

**Full-Time Police Officer:** A qualified Police Officer hired under the provisions of these Rules and Regulations.

**Furlough List:** The list containing the names of persons temporarily laid off from positions in the Police Department because of a reduction in the number of officers.

**Medical Examinations:** 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, that relates to definitions.

**Police Department:** The Police Department of the Town of McCandless, Allegheny County, Pennsylvania.

**Police Officer:** Any sworn Full-Time Police Officer serving in the Police Department except as specifically noted.



**Primary Board Member:** An individual appointed by the Town Council to serve as a "Primary Board Member of the Personnel Board."

**Promotion: Ranking Officer:** A qualified Full-Time Police Officer in the Police Department appointed to a ranking position of Sergeant or Lieutenant, under these rules and regulations.

**Probationer:** An officer in the Police Department who has been appointed from an eligible list, but who has not yet completed the work-test period.

**Qualified Medical Professional:** An individual, in collaboration with or under the supervision or direction of a physician, as may be required by law, who is licensed: 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 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."

**Reduction in Rank:** A change to a different position or rank where the employee fulfilled all of the requirements of these rules and regulations 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.

**Secretary:** The Secretary of the Town of McCandless

**Suspension:** The temporary separation without pay of a Police Officer from the Police Department.

**Town Council:** The appointing authority of the Town of McCandless, Allegheny County, Pennsylvania.

**Town:** Town of McCandless, Allegheny County, Pennsylvania

## **1.2 Gender.**

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

## **CHAPTER 2. THE PERSONNEL BOARD**

### **2.1 Personnel Board.**

a) **Primary Board Members.** The Board shall consist of five ~~Primary~~ Board Members who shall be qualified electors of the Town and shall be appointed by the Town Council to serve for ~~three year terms, the terms of two and three years, and as terms thereafter expire shall be appointed for terms of three years.~~ All Primary Board Members or Alternate Board Members appointed prior to January 1, 2022 shall serve until the end of the term of office set at the time of their appointment. Nothing in this section shall extend the term of any Primary Board Members or Alternate Board Members appointed prior to January 1, 2022.

Any vacancy occurring in the ~~Primary~~ Board Members for any reason whatsoever shall be filled by the Town Council for the unexpired term as soon as practical after such vacancy occurs. ~~Any Alternate Board Member will first be consulted, and if an Alternate Board Member is interested in becoming a Primary Board Member, s/he will have first right of refusal. If more than one Alternate Board Member is interested, the Alternate Board Member appointed first or with his/her term expiring first shall be considered first, before other citizens. Town Council shall consider recommendations from Primary Board Members, including the Chairperson and Vice Chair, in their voting, to decide if the Alternate Board Member is selected as a Primary Board Member. If the Alternate Board Member is not selected by Town Council as a Primary Board Member, s/he may remain an Alternate Board Member for the remainder of his/her term. If there are no Alternate Board Members, or none of the Alternate Board Members are interested in becoming Primary Board Members, the Town will advertise the open position(s) to all citizens. If an Alternate Board Member transitions to become a Primary member, the Town shall seek to fill the Alternate Board Member position as soon as practicable.~~

~~Primary Board Members whose term is expiring may, at their discretion, choose to re-apply for up to two (2) additional terms. In this case, the Primary Board Member need only to submit interest to the Town Council liaison or President of Town Council; s/he need not complete the entire application process. Town Council will then vote on the continued appointment of that Primary Board Member for an additional term. The procedure to fill a vacancy for a Board Member position shall be consistent with the current Appointment Policy for Boards and Commissions as approved by Council.~~

~~Primary~~ Board Members shall receive no compensation.

b) ~~Alternate Board Members.~~ Town Council may appoint no more than two qualified electors to serve as Alternate Board Members. The term of office shall be five years. An Alternate Board Member shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided for Primary Board Members but shall not be entitled to vote as a member of the Board unless designated as a voting Alternate Board Member, as outlined in Section 2.3. (b) and (c), of these Personnel Board Rules and Regulations. ~~Alternate Board Members shall receive no compensation.~~

## **2.2 Office Incompatible with Position of Board Member**

No Board Member 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 Primary Board Member may be a member of the teaching profession.

## **2.3 Organization of Board— Quorum.**

a) The Board shall organize each year ~~within ten days of the appointment of all of its members and at their first regular meeting, and~~ shall elect one of its members as its Chairperson and one as its Vice Chairperson. The Board shall thereafter meet once a month on a date and time set forth in compliance with all Town ordinances unless there is no business to conduct. Meetings may also be called by the Chairperson or by a majority of the other four Primary Board Members. Three members of the Board shall constitute a quorum. Minutes shall be kept and minutes of open meetings shall be made available to the public upon request. Minutes shall be approved by the majority of the Board.

b) If by reason of absence or disqualification of a member, a quorum is not reached, the Chairperson shall designate as many Alternate Board Members of the Board to sit on the Board as may be needed to provide a quorum. Any Alternate Board Member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the Alternate Board Member was initially designated until the Board has made a final determination of the matter or case. Designation of an Alternate Board Member shall be made on a case-by-case basis in rotation according to declining seniority among all Alternate Board Member or by whose term expires first if they were appointed at the same time. If seniority is the same, the Chairperson of the Board may select an Alternate Board Member at their discretion. No action of the Board shall be valid unless it shall have the concurrence of a majority of attending members.

c) For purposes of hiring and promoting Police Officers under these rules, each step of the hiring or promotional process requiring official action by the Board 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 Primary Board Members or Alternate Board Members, as the case may be, provided that the quorum requirement has been satisfied.

## **2.4 Duties of Chairperson.**

The Chairperson, or in his or her absence, the Vice Chairperson, shall preside at all meetings and hearings of the Board, decide all points of order or procedure, and perform all duties required by law including these rules and regulations.

## **2.5 Duties of Vice Chairperson.**

The Vice Chairperson shall act in the absence of the Chairperson in carrying out the duties of the Chairperson and shall be a voting member.

## **2.6 Meetings.**

In addition to Section 2.3 above, the Board shall call for an Executive Session if there are matters to discuss that are not suitable for the public to listen in on or broach the normal confidentiality of employee data. Executive sessions shall be closed to the public except as required by the Sunshine Law. Each Board Member shall be notified in writing by email of each meeting. Except for the annual organization meeting, all meetings shall be held either at the call of the Chairperson or at the call of three members of the Board. In all cases regarding meetings, including scheduling, the Board shall follow the provisions provided for pursuant to 65 Pa. C.S. Ch. 7, as amended and commonly known as the "Sunshine Law". Meetings shall be governed by Robert's Rules of Order. The order of business for all regular meetings shall be as follows:

- a) Roll Call
- b) Public Comments (Agenda Items)
- c) Approval of Previous Meeting's Minutes
- d) Communications and Reports
- e) Unfinished Business  
Hearing of Cases (If applicable)
- g) New Business
- h) Public Comments (General)
- i) Adjourn

Minutes of meetings shall be kept and minutes of open meetings shall be made available to the public upon request. Minutes shall be approved by the majority of the Board.

## **2.7 Clerical Assistance, Supplies, Solicitor, etc.**

The Town Council shall furnish to the Board, on its requisition, clerical assistance that may be necessary for the work of the Board. The Town Council shall provide a suitable and convenient room for the use of the Board, or an online forum for members to gather virtually. The Board shall order from the Town Council the necessary stationery, postage, printing, and supplies. The Town Council shall also provide the services of a solicitor for the Board, to be appointed by the Board and paid by the Town Council. The Town Council shall have the authority to place a reasonable limit on the amount allowed each year for the services of the Board solicitor. The elected and appointed officials of the Town Council shall aid the Board in all proper ways in carrying out their authority under the Town Ordinances.

## **2.8 Appointment of Examiners.**

The Town Council shall have the responsibility to appoint the physical and psychological examiner, as outlined in Section 3.19, of these rules and regulations. The Board shall reserve the right to accept or reject, for cause in whole or in part, the recommendations of the regularly appointed examining agency.

## **2.9 Amendment of Rules & Regulations.**

The Board may amend, revise, void or replace these rules and regulations for any reason by action of a majority of the Board. Before any changes to these rules and regulations become effective, those changes must be approved by the Town Council . These rules and regulations, and any amendments thereto, once approved, by the Town Council , shall be made available to the public for distribution or inspection, as amended.

## **2.10 Records.**

The Board shall keep records of examinations and other official actions. All recommendations of applicants for appointment received by the Board shall be kept and preserved for a period of five years, and all records and all written causes of removal filed with the Board, except as otherwise provided in *Section 5.3*, shall be open to public inspection and subject to reasonable regulation.

## **2.11 Investigations.**

The Board shall have the power to make investigations concerning all matters relating to the administration and enforcement of these rules and regulations. The Chairperson of the Board is authorized to administer oaths and affirmations in connection with such investigations.

## **2.12 Subpoenas.**

The Board shall have the power to issue subpoenas over the signature of the Chairperson to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry and must do so, if requested in writing, no later than two business days prior to the hearing. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid by the person requesting the issuance of the subpoena.

All officers in public service and employees of the Town of McCandless shall attend and testify when required to do so by the Board. If any person shall refuse or neglect to obey any subpoena, the Board, may apply, by petition, to the Court of Common Pleas of Allegheny County, Pennsylvania, for its subpoena to be enforced, requiring the attendance of such persons before the Board or the court to testify and to produce any records and papers as necessary, and in default, shall be held in contempt of Court.

## **CHAPTER 3. FULL-TIME POLICE OFFICER**

### **A. APPLICATIONS AND QUALIFICATIONS**

#### **3.1 Eligibility for Examinations.**

In order to be eligible for participation in any examination for any full-time position with the Town of McCandless Police Department, every applicant must submit a completed application form to the ~~Board or other offices or agencies designated by the Board~~Town Manager or his designee,

before the deadline stated for that specific examination. The applicant must make an oath or affirmation that the application has been completed truthfully, and that the applicant is subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

### 3.2 Discrimination.

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

### 3.3 Applications.

Application forms shall be available to all interested persons online and/or at the Town business office. The Board assumes no responsibility for missed filing deadlines due to a delay in the mail.

### 3.4 General Qualifications.

A:

To be eligible, at the time of application:

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- A. You must meet at least **one** of the following of 1, 2, and 3:
  - 1. Have a bachelor's degree from an accredited college or university. Preference is for a degree related to law enforcement or police-related degree, but is not required.
  - 2. Have at least four years (8,320 hours) law enforcement experience.
  - 3. Have at least two (2) years (4,160 hours) of law enforcement experience **and** one of the following:
    - i. Have an associate's degree from an accredited college or university.
    - ii. Have four (4) years of military service with an honorable discharge.
  
- B. You must also meet **all** of the following criteria:
  - 1. Be at least 21 years old.
  - 2. Be licensed by the Commonwealth of Pennsylvania to operate a motor vehicle or hold a valid drivers' license from the applicant's state of residence. You must obtain a valid Pennsylvania Drivers' License within sixty (60) days after you establish residency within the Commonwealth of Pennsylvania.
  - 3. Be a citizen of the United States of America.
  - 4. Has Act 120 certification and commits to the taking of a certification examination administered by the Municipal Police Officers' Education and Training Commission (MPOETC) within 60 days of notice by the Town to take and pass the examination, or is otherwise certified under applicable law and further has

satisfied all other federal, state and local rules and regulations regarding his/her ability to act as a police officer;

5. Be of good moral character; and agree to uphold and abide by the Town's Mission Statement.
6. Be free of habitual addiction of intoxicating liquors or drugs.
7. Indicate a willingness to establish residence within one year after the conclusion of the probationary period within the defined residence boundaries set forth in the contract.
8. Be eligible to carry a firearm and be free from conviction of a disqualifying crime in accordance with the Police Officers Education and Training Program of Title 37 of the Pennsylvania Code.
9. Satisfy the requirements of Act 57 of 2020 pertaining to background checks.
10. Such other qualifications which may be proposed by the Personnel Board and approved by Council.

### **3.5 Public Notice — Notification.**

Whenever ~~the Board is advised that~~ Town Council desires a new list of eligible candidates from which to fill existing or anticipated vacancies, the ~~Board-Town~~ shall advertise this fact and establish a period of time during which applications will be received. The ~~Board-Town~~ shall conspicuously post in the Town Municipal Building, or other public locations (including online), an announcement of the Full-Time Police Officer vacancies, 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. For the position of Full-Time Police Officer, at least two (2) weeks prior to each examination, publication of the notice shall be placed in at least one public forum, either online or in print.

The Town Manager or Town Secretary, shall give, in writing, to each applicant qualified for the next step in the examination process, a notice which shall include the date, time, and place the applicant shall report for the next examination in the process. In the case of physical and psychological examinations, the Town Manager or Town Secretary shall notify the Police Officer candidate who has been conditionally offered a position in the Police Department by a written notice of the date, time, and place of the examination as well as the name of the physical and psychological examiners.

Every such notice shall be sent at least seven (7) days prior to the date fixed for examination. Only applicants receiving notices to report for any examination shall be permitted to participate in such examination, and each applicant shall present his or her notice to the examiner before he or she shall be examined. Failure to report for an examination in accordance with the instructions contained in the written notice shall disqualify the applicant, except that in the case of a physical or psychological examination, the physician and psychologist designated in the notice may fix another date or time for such examination; provided, however, that any such date or time for a rescheduled examination shall be scheduled at such time to permit the seven (7) days' notice of the date and time established in the written notice to be issued.



### **3.6 Recording and Filing Applications.**

Each applicant shall complete fully the prescribed application form. The applicant is responsible for all information placed upon the form. False or incorrect information may void the application form and any subsequent action taken upon it.

- A. When the form is returned, the following shall be provided by the applicant at that time:
  - 1. The fee as set by resolution of Town Council; and
  - 2. Proof of any honorable discharge, and a full and complete explanation, if appropriate, of any claim for veteran's preference. All veteran's preference claims shall be made along with the return of the application form, and within the time required of the return of the application form. Any person claiming veteran's preference shall execute whatever release may be required in order to investigate fully the circumstance of the claim of veteran's preference.
- B. The Town shall conduct a background investigation of the Contenders on the Certified List of Three selected pursuant to Sections 3.9.d and 3.15 of these rules and Regulations and in accordance with the provisions of Act 57 of 2020, pursuant to the following procedure:
  - 1. The Town will conduct a thorough background investigation on the applicant including a review of the applicant's employment information and separation records, if applicable.
  - 2. The background investigation shall include the following:
    - a. A criminal history check, including the submission of fingerprints to the State Police Central Repository and the Federal Bureau of Investigation.
    - b. A check of the applicant's credit history.
    - c. Personal interviews with at least three people who have personal knowledge of the applicant but are not related to the applicant, nor are a member of the applicant's household.
    - d. Interviews of the applicant's employers, if any, for the past 5 years to determine the applicant's work history.
    - e. A review of the applicant's employment information from each previous law enforcement employer to determine the applicant's law enforcement work history.

- f. A check of the applicant's driving history that includes a review of all traffic violations and verification that the applicant has a valid driver's license.
  - g. A verification of the applicant's eligibility to lawfully possess a firearm.
  - h. A check of the applicant's social media history; if requested, the applicant shall provide the Town with access to all social media utilized by the applicant.
- 3. For the purposes of these Rules and Regulations, "employment information" shall mean written information in connection with the applicant's job applications, performance evaluations, attendance records, disciplinary action, and eligibility for rehire.
- 4. The applicant shall provide the Town with an authorization and release permitting the Town to obtain the applicant's employment history from any law enforcement agency where the applicant previously worked or currently works.
- 5. The Chief of Police or a designate of the Chief shall contact each law enforcement agency identified by the Applicant pursuant to Subsection B.3 and shall request the applicant's employment history in accordance with the provisions of Section 7304 of Act 57 of 2020.
- 6. If applicable, the applicant shall, pursuant to the provisions of Section 7307(a) of Act 57 of 2020, disclose to the Town that the applicant's employment information is subject to a confidentiality agreement.
- 7. As part of the background investigation, the Town shall, if applicable, review the applicant's separation records, which for the purposes of this Code are defined as records required to be maintained under Section 7308 of Act 57 of 2020. Specifically, those records include:
  - a. Records of the reason or reasons for, and circumstances surrounding, a separation of service for a law enforcement officer on a form developed by MPOETC and made available on its publicly accessible Internet website.
  - b. Records of all criminal charges filed against a law enforcement officer.
  - c. Records of all civil or ethical complaints made against a law enforcement officer.

- d. Records of the disposition of all charges and complaints, including final and binding disciplinary actions (for the purposes of these Rules and Regulations, the term “final and binding disciplinary action” means a disciplinary action in which a law enforcement officer voluntarily accepts discipline or, in the case of appeal by the disciplined officer, disciplinary action in which the appeal has been exhausted or resolved by settlement agreement, arbitration or other dispute resolution mechanism) taken by the law enforcement agency against a law enforcement officer, including imposition of probationary or other conditions related to employment.
- 8. Pursuant to Section 7310(a) of Act 57 of 2020, the Town shall obtain a signed waiver from the applicant expressly permitting the Town to obtain the applicant's separation records from MPOETC. The applicant may not be hired until the Town receives a copy of the separation record from MPOETC, or a certification of no separation record, as the case may be.
  - 9. Within seven (7) days of the completion of the selection or hiring process, the Town shall notify MPOETC of the applicant's final employment status in the Training and certification System (TACS).
  - 10. If the Town hires an applicant whose separation records includes any of the following, the Town shall file a report with MPOETC that indicates the Town's reasoning and rationale for hiring the applicant:
    - a. Final and binding disciplinary action based on any of the following:
      - (1) excessive force;
      - (2) harassment;
      - (3) theft;
      - (4) discrimination;
      - (5) sexual abuse;
      - (6) sexual misconduct;
      - (7) domestic violence;
      - (8) coercion of a false confession;
      - (9) filing a false report; or
      - (10) a judicial finding of dishonesty.
    - b. A criminal conviction relating to conduct described in subparagraph B.10.a.
    - c. Temporary regulations for the purpose of implementing Act 57 of 2020 were promulgated by MPOETC and took effect on July 14, 2021. Those temporary regulations expired after two (2) years. Where any MPOETC promulgated temporary or final regulations,

effective now or in the future, conflict with any part of these Rules and Regulations, the MPOETC regulations shall control.

11. Applications for positions of Full-Time Police Officer shall be received at the Town Municipal Office, or other offices or agencies designated by the BeardTown, only after a police officer position 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 Town Manager or Town Secretary designated in the public advertisement or that official's designee. That person 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. Any application containing material errors or omissions may, at the discretion of the Board, 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.
12. Penalty for False Statement: The statements made by the applicant in the official application shall contain no falsification, omissions, or concealment of material fact. Should any investigation disclose any material misstatement, falsification, or concealment with respect to an application,
  - a. The application shall be invalid and the applicant shall be disqualified from examination, or
  - b. If the applicant shall have been examined, the name of such applicant shall be removed from the eligibility list, or
  - c. If the applicant has been appointed, such material misstatement, falsification or concealment shall constitute grounds for dismissal from the Town of McCandless Police Department.
  - d. No person who has made a material false application shall be permitted in the future to be an applicant for any position in the Town Police Department.

### **3.7 Rejection of Applicant.**

The Board 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 and regulations for the position for which the applicant has applied. In addition, the Board may refuse to examine, or if examined, may refuse to certify any applicant who is:

- A. Found to have furnished incomplete, inaccurate, misleading, or false information on the official application or in response to any portion of the hiring process,
- B. Physically unfit for the performance of the duties of the position of which the candidate seeks employment,
- C. Illegally using a controlled substance, as defined in section 102 of the Controlled Substance Act (Public Law 91-513, 12 U.S.C. § 802),
- D. 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 of office,
- E. Affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitution and laws of the United States and the Commonwealth of Pennsylvania.

### **3.8 Hearing for Disqualified Applicant.**

If any applicant or other persons who believe that they are aggrieved by the actions of the Board in refusing to examine or to certify them as eligible after examination, the Board shall, at the request of such person, schedule a hearing before the Board within ten (10) days of receiving written notice of what is perceived as the alleged error. Within ten days after such request, the Board shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. §101, et seq., with or without counsel, at which time the Board shall take testimony and review its refusal to provide examination or certification.

The deliberations of the Board including interim rulings on evidentiary or procedural issues, may be held in a closed executive session. The Board's disposition of the matter shall constitute official action which shall occur at a public meeting held pursuant to 65 Pa. C.S. Ch. 7 (relating to open meetings). The decision of the Board shall be final.

## **B. EXAMINATION AND GRADING PROCEDURE.**

### **3.9 General Examination Requirements.**

All examinations shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the position sought. The examination for Full-Time Police Officer shall consist of a physical agility test, written examination, oral examination, and background investigation. The written examination and the oral examination will be graded individually on a one hundred percent (100%) scale for each examination. The written examination will represent ~~sixty-fourty~~ percent (460%) of the Final Score as defined by Section 3.10. The oral examination will represent ~~forty-sixty~~ percent (640%) of the Final Score.

The physical agility test and the background investigation will be graded pass/fail. Any candidate that fails either or both of the physical agility test and/or background investigation shall be removed from the list of eligible candidates, regardless of their written examination score, oral examination score, or Final Score.

The testing process will be as follows:

- a) Physical Agility Test: Those candidates passing the physical agility test as outlined in Section 3.11, will qualify to take the written examination.
- b) Written Examination: Those candidates passing the written examination as outlined in Section 3.12, will qualify to take the oral examination.
- c) Oral Examination: Those candidates passing the oral examination, as outlined in Section 3.13, will then be placed on the eligibility list, after those qualifying for veteran's preference points, as outlined in Section 3.14, have been awarded those preference points.
- d) Background Investigation: Prior to being considered for appointment on the "Certified List of Three" the top scoring applicants will undergo a complete background investigation as outlined in Section 3.6.B and Section 3.15. Although a requirement, only a sufficient number of top scoring candidates necessary for consideration, as determined by the Board, will need to have a background investigation performed.

Thus, any individual appearing on the initial eligibility list is subject to background investigation and no one will be certified as eligible on the "Certified List of Three" until they have successfully completed a background investigation.

### 3.10 Final Composite Score

The Final Composite Score shall be calculated by:

- Multiplying the written examination score (out of a possible 100 points – see Section 3.12) by .46 (46%) to calculate the Weighted Written Examination Score.
- Multiplying the Final Oral Examination Grade (out of a possible 100 points – see Section 3.13) by .64 (64%) to calculate the Weighted Oral Examination Score.
- Adding the Weighted Written Examination Score to the Weighted Final Oral Examination Grade.
- ~~Multiplying the sum of the Weighted Written Examination Score and Weighted Final Oral Examination grade by 2 (the Weighted Composite Score Total).~~
- Adding any preference points under Section 3.14 to the Weighted Composite Score Total.

The Final Composite Score is out of 2100 possible points, plus any additional preference points a candidate is entitled to under Section 3.14. The Final Composite Score for each candidate shall be the score used in ranking eligible candidates and providing Town Council with ranked list of eligible candidates. The Board shall advise any applicant (upon written request) of the scores made by the applicant, but in all other respects, the scores shall remain confidential.

### 3.11 Physical Agility Testing.

An applicant for the position of Full-Time Police Officer shall successfully meet and pass the agility tests currently being conducted by the Allegheny County Police Training Academy. Any changes made by the Academy will automatically be changed for testing purposes. This test shall be graded on a pass/fail basis. Applicants who have successfully passed or failed the physical agility test will be notified at the completion of the physical agility test or within thirty (30) days by the Board.

### 3.12 Written Examination.

The written examination shall be graded on a 100-point scale, and an applicant must score seventy percent (70%) in order to continue in the application process. Applicants scoring less than seventy percent (70%) shall be rejected. The written test shall be a validated test administered by an experienced test administrator. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their test results and passing applicants shall be scheduled for an oral examination appointment.

### 3.13 Oral Examination.

~~The Board shall administer the oral examination to the highest twelve (12) applicants who have attained the passing scores of 70% or greater on the written examination, and any person possessing a veteran's preference right who has achieved a passing score on the written examination (whether or not among the 12 highest scoring applicants to achieve a passing score of the written exam). At least three voting members of the Personnel Board (Participating Oral Examiners) must be physically present for each oral examination of each candidate eligible to sit~~

for the oral examination. Additional members may also attend any oral interviews in person or virtually and be part of the scoring process, so long as they attend all interviews either in person or virtually. Alternate members may also attend any oral interviews as non-participants. The oral examination shall involve the Participating Oral Examiners questioning applicants on how they would handle situations relevant to police work. The content, order, and method of questioning shall be decided by the Chairperson of the Board, in consultation with the rest of the Board, in advance.

For each candidate eligible to sit for an oral interview, each Participating Oral Examiner for that candidate shall give a composite grade for that candidate's oral examination on a scale of 50 to 100 (the Composite Oral Grade). In calculating the Composite Oral Grade for each candidate, each Participating Oral Examiner shall use the parameters as set forth for each category of scoring as determined before the interview process by the Chairperson of the Board (in consultation with the rest of the Board) consistent with these Rules and Regulations.

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Once the oral interviews of all candidates eligible to sit for an oral interview are completed, each Participating Oral Examiner shall turn in their Composite Oral Grades for each candidate to the Chairperson and/or other person(s) as assigned by the Chairperson. For each candidate that participated in oral interviews, the Composite Oral Grade for that candidate from all Participating Oral Examiners shall be added together and averaged, calculating the mean of the Participating Oral Examiners' Composite Oral Grades to calculate that candidate's Average Oral Grade.

Once each candidate has been assigned an Average Oral Grade using the above process, any candidates with an Average Oral Grade below 70 shall be removed from consideration. After eliminating any candidates with an Average Oral Grade below 70, the remaining candidates shall be ranked in order of their Average Oral Grades. There may be no ties in the ranking list. If any of the remaining candidates have identical Average Oral Grades, then the Board shall vote to break the tie between those candidates and order them accordingly in the ranked list.

After the eligible candidates are ranked in order by their Average Oral Grade (including any adjustments to break ties), the candidates shall be assigned a Final Oral Examination Grade. The Final Oral Examination Grade shall be determined as follows:

- The highest-ranked remaining candidate shall be assigned a Final Oral Examination Grade of 100.
- The lowest-ranked remaining candidate shall be assigned a Final Oral Examination Grade of 70.
- The rest of the remaining candidates shall be assigned Final Oral Examination Grades evenly spaced between 70 and 100.

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For example, if there are 6 total remaining candidates (after eliminating any candidates with an Average Oral Grade below 70), the remaining candidates would be assigned the following Final Oral Examination Grades (all rankings below being the rankings after the tie-breaking procedure outlined above):

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~~• The remaining candidate with the highest Average Oral Grade receives a Final Oral Examination Grade of 100.~~

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~~• The remaining candidate with the second-highest Average Oral Grade receives a Final Oral Examination Grade of 94.~~

~~• The remaining candidate with the third-highest Average Oral Grade receives a Final Oral Examination Grade of 88.~~

~~• The remaining candidate with the fourth-highest Average Oral Grade receives a Final Oral Examination Grade of 82.~~

~~• The remaining candidate with the fifth-highest Average Oral Grade receives a Final Oral Examination Grade of 76.~~

~~• The remaining candidate with the lowest Average Oral Grade receives a Final Oral Examination Grade of 70.~~

An Oral Examination shall be administered to the highest twelve (12) applicants who have attained the passing score of seventy percent (70%) or greater on the written examination. The Oral Interview shall be directed toward finding whether or not the applicant possesses such ordinary qualifications as are requisite for an efficient municipal police officer, including poise, demeanor, ability to communicate and deal with others, resourcefulness and the ability to handle situations which may result from domestic disputes and other tense situations, or from other causes demanding both prompt and calm action. The oral interview will be conducted by a panel independent of the Personnel Board with members to be appointed by the Police Chief, Town Manager or Council. The panel shall consist of three persons and will be comprised of persons with police management experience, including current and past Chiefs or ranking officers. Ten questions will be administered worth ten points each. The panelists shall independently score each question for each applicant. The final score of the oral exam will be the average of the scores of each panel member.

The assigned Final Oral Examination Grade is the grade used from the oral examination process in determining a candidate's Final Score under Section 3.10.

Within thirty (30) days after the applicants' oral examination, they shall be informed of their Final Score.

### **3.14 Veterans' Preference Points.**

Pursuant to the Veterans' Preference Act, any applicant for the position of Police Officer who qualifies as a military veteran under this Act shall receive an additional ten (10) points added to their Weighted Composite Score Total as set forth in Section 3.10. The sum of the Weighted Composite Score Total and the 10 preference points shall constitute that candidate's Final Score if that applicant otherwise qualifies under Sections 3.10, 3.11, 3.12 and 3.13, of these rules and regulations. Applicants claiming veteran's preference shall have submitted satisfactory proof of service and honorable discharge therefrom with their application form and will not receive the

preference points without providing such documentation before calculation of the candidate's Final Score.

### **3.15 Background Investigation.**

The Board shall request the Chief of Police or the Chief's designee to conduct a background investigation on the top scoring eligible applicants, as determined by the Personnel Board prior to inclusion on the "Certified List of Three" of those eligible as set forth in Section 3.18, of these rules and regulations.

The background investigation must be consistent for each applicant and shall meet, at a minimum, all the specific requirements of the MPOETC, as required by law, and as set forth in Section 3.6.B and any additional criteria that may be established by Town council from time to time. The investigation will include, but is not limited to, questioning neighbors, schools and employers. The applicant may be interviewed directly when the information collected requires clarification or further explanation. The Chief of Police or Chief's designee may use his/her own discretion in the expansion or contracting of these items and time frames. The applicant may be required to execute releases or waivers permitting any investigation as determined by the Chief or the Board.

After the background investigation is completed, the Chief of Police or the Chief's Designee shall make a recommendation to the Board on whether the applicant is appropriate for consideration for appointment as a Police Officer for the Town.

The recommendation by the Chief of Police or the Chief's designee shall be based on the criteria set forth in Section 3.7, of these rules and regulations and on any other relevant information developed during the background investigation. This report to the Board shall be in writing and in compliance with the Americans with Disabilities Act and must not include any physical history information on a candidate. If the recommendation is to disqualify, then a detailed, written explanation of the reasons for disqualification must be included. The Board shall then make a final determination on whether additional information is required or if the information collected and reported warrants acceptance or rejection of the candidate.

Within thirty (30) days after the Board considers the recommendation based on the background investigation, each applicant shall be notified as to whether they have passed or failed this portion of the examination process.

## **C. CERTIFICATION OF THE LIST OF ELIGIBLES AND APPOINTMENT**

### **3.16 Creation of Eligibility List.**

All contenders who have successfully passed the written examination and the oral examination and have a score of at least 70% on the written examination and 70% on the oral examination, shall be included on a list of eligibles. The list shall be prepared in descending numerical order of Final Composite Scores (including any additional points added for Veteran's Preference under Section 3.14). The names of those persons with the highest three scores may be considered by Council for selection as a police employee. Town Council may decide to interview some members of the list of eligibles. Any contender requested to attend an interview shall appear at the time and

place set by Council. Failure to attend any such interview shall be deemed to be a willful decision not to accept a position which may be offered by the Town.

In the case of tied scores, the tie will be broken by giving preference to the applicant who received the highest score on the written test. In the event the qualifying applicants received identical scores, the order of listing shall be determined by the earliest application received.

Any individual appearing on the eligibility list is subject to a background investigation and no one will be certified in accordance with Section 3.18, of these rules and regulations until they have successfully completed a background investigation and received a written recommendation that the applicant is appropriate for consideration in accordance with Section 3.6.B and Section 3.15, of these rules and regulations.

### **3.17 Duration of Eligibility List.**

The original eligibility lists for Full-Time Police Officers will be valid for a ~~period of two (2) years~~ ~~six (6) months~~ from the date the Board formally adopts the eligibility list. Prior to expiration of the ~~two-year~~~~six month~~ period, the Board may extend the validity of the eligibility list for up to an additional ~~twelve-six~~ months by a majority vote of ~~the Board~~Town Council at a duly authorized ~~Board-Council~~ meeting. In the absence of a lawful extension by ~~the Board~~Council, the list shall expire.

### **3.18 Appointment Procedure.**

a) Furloughed Police Officers shall be given first consideration for re-employment, prior to any other hiring procedure and shall be reinstated in order of their seniority as outlined in Section 5.5 of these rules and regulations.

- 1) Except as provided above, every initial position of Full-Time Police Officer for employment in the Police Department shall be filled only in the following manner: The Town Council shall notify the Board of any vacancy which is to be filled and shall request certification of three names from the eligibility list.
- 2) If three (3) names are not available, then the Board shall certify the name(s) remaining on the list.

The Town Council shall make an appointment from one of the three names certified, or a lesser number certified, with reference to the merits and fitness of the candidates. However, for the initial appointment to the position Full-Time Police Officer, when one of the three applicants on the certified list is a veteran, that applicant shall be selected. If there are two or more of the names on the certified lists of three that are veterans, the Town Council shall have the discretion to appoint the veteran they deem most qualified.

- b) The Town Council may object to one or more of the persons certified for the reasons set forth in Section 3.7, of these rules and regulations. If the candidate to whom the appointing authority objects or fails to timely exercise the rights of appeal under Section 3.8, or if the Board declines to uphold the appeal, the Board shall

strike that name from the eligibility list and certify the next highest name for inclusion, on the certified list of three candidates for each name stricken off the "Certified List of Three."

### **3.19 Physical and Psychological Medical Examinations.**

After the Town Council selects a candidate from the certified list of three for appointment to the vacant position, that candidate shall receive a conditional offer of employment. The offer of employment shall be conditional upon the conditional appointee undergoing a physical, psychological and medical examination and a determination that the conditional appointee is capable of performing all the essential functions of the position. Physical and medical examinations shall be under the direction of a physician or other qualified medical professional. Psychological examinations shall be under the direction of a psychiatrist or psychologist. The successful completion of any tests administered under this Section shall be a condition precedent to employment with the Town. In the event any test is approved to determine if unacceptable levels of alcohol are or have been consumed, or whether any controlled substances are or have been ingested, the applicant shall be notified prior to the test.

~~The Personnel Board shall determine which psychological, physical or medical tests are to be administered and who shall administer them in conformance with applicable law or regulations.~~ The physician or other qualified medical professional and the psychiatrist or psychologist shall be appointed by Town Council 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 the essential functions of the position for which the person was conditionally appointed.

The physical and psychological exams will be conducted in compliance with the MPOETC regulations. The completion of the required MPOETC physical and psychological forms will be provided by the Town. Drug testing shall be included as one component of the requirements. In addition, the respective examiners will be given a copy of the job description and the "Essential Functions of the Job" for performing the duties of Police Officer. The completed forms will be certified by the examining physician(s) indicating that the candidate is physically or psychologically fit, as the case may be, to perform the duties of a Police Officer. The completed forms shall be confidential and submitted to the appropriate Town official for disposition.

If the opinion rendered by the physician, 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 Town 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.

If, at the conclusion of the interactive discussion, the Town determines that the conditional appointee is not qualified, the Town Council shall give written notice to the conditional appointee and the Board.

The rejected candidate may appeal this decision under Section 3.8 of these rules and regulations. If the candidate fails to timely exercise the rights of appeal, or if the Board declines to uphold the

appeal, the Board shall strike the name from the eligibility list and certify the next highest name for inclusion on the "Certified List of Three."

### **3.20 Probationary Period.**

Every successful applicant for the position of Police Officer shall serve a twelve (12) month probationary period. For newly hired Police Officers, the probationary period will begin on the first day the new officer reports for work. During this probationary period, a newly hired Police Officer may ~~only~~ be dismissed for cause for the reasons set forth in Section 3.7, of these rules and regulations, or because of incapacity for duty due to the use of alcohol or drugs. Any individual to be tested under Section 3.19 shall also be notified, generally, concerning any further tests which may be administered during his/her probationary period, or whether physical standards must be met to successfully complete the probation period. In addition, a probationary Police Officer may be dismissed if the probationary Police Officer does not meet the requirements and expectations of the position and documentation is accurately noted.

The Chief of Police shall submit a final probationary report, not less than ten (10) days nor more than fifteen (15) calendar days before the next regular meeting of the Town Council, immediately preceding the end of the probationary period. Each report shall be submitted in writing to the Town Council. Within five (5) calendar days after receiving a probationary report from the Chief of Police, if the conduct of the probationer has not been satisfactory to the Town, the probationer shall be notified in writing by the Town that the appointment will not be permanent. Following receipt of this notification by the probationer, a newly hired Police Officer's employment shall end. Any probationer who is notified in writing by the Town prior to completion of the twelfth month probation period, that his appointment will not be made permanent, has no rights of appeal under these rules and regulations.

The Town Manager or Town Secretary shall notify the Board, in writing, of its decision to retain or remove the probationer of such decision within five (5) calendar days and in no event beyond the last day of the probationary period.

### **3.21 Optional Provision.**

Town Council may fill a vacancy in an existing position in the Police Department which occurs as a result of retirement, resignation, disability or death by the reappointment or reinstatement of a former employee of the Police Department who had previously complied with the Personnel Board Rules and Regulations. The officer's reappointment is subject to any recertification requirements prescribed by the MPOETC. In addition, the officer shall successfully pass a physical agility test, background investigation, and a psychological and medical examination.

### **3.22 Provisional Appointment.**

Whenever there are urgent reasons for the filling of a vacancy in any position in the Police Department and there are no names on the eligibility list, for such appointment, the Town of McCandless may nominate a person to the Board for a non-competitive examination. Such nominee may be certified by the Board after the nominee successfully passes such noncompetitive examination. However, prior to being subject to a non-competitive test, the provisional appointee

shall be subject to any recertification requirements prescribed by the MPOETC. In addition, the officer shall successfully pass a physical agility test, background investigation, and a psychological and medical examination, as required by the Board. He may then be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the Board to hold a competitive examination and certify an eligibility list and a regular appointment shall then be made from the name or names submitted by the Board, as provided for in Section 3.18 of these Rules and Regulations. Nothing in this section shall prevent the appointment, without examination, of persons temporarily assigned the full duties of a Police Officer for the Town in cases of riots or other such emergencies.

#### **CHAPTER 4. PROMOTIONS (RANKING POSITION)**

##### **D. APPLICATION AND QUALIFICATION**

###### **4.1 Eligibility for Examinations.**

- a) At the time of application, with the exception of the Chief of Police, all applicants for a promotional position shall have not received any formal reprimand for one (1) year prior to the deadline for submitting an application and/or Letter of Intent and shall not have been suspended without pay for any time five (5) years prior to the deadline for submitting and application and/or Letter of Intent. Any formal written reprimand or suspension to which the applicant has timely appealed pursuant to a grievance procedure or these rules and regulations shall be disregarded unless the appeal is resolved prior to the creation of the eligibility list.
- b) At the time of application, all applicants for the following promotional (ranking positions) shall have had continuous prior service as a Full-Time Police Officer, as noted, with the Police Department as follows:
  - 1) An applicant for the position of Sergeant shall have at least five (5) years of continuous prior service with the Police Department.
  - 2) An applicant for the position of Lieutenant shall have at least five (5) years of continuous prior service as a Sergeant with the Police Department.

###### **4.2 Discrimination.**

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

###### **4.3 Notification.**

Whenever the **Board-Town** is advised of a vacancy in any rank above patrolman, the **Board-Town** shall post the interval of time during which applications from the Town's police officers will be accepted. For promotions, at least two weeks prior to the close of the application period, publication



of a notice outlining the qualifications for the position and requesting application forms and/or Letters of Intent, to apply for the position, shall be conspicuously posted in the Police Department and the Town Municipal Building. ~~At the discretion of the Personnel Board, t~~he Board may receive documentation from the Town of those eligible for a promotional exam and may notify them, in writing, of the notice and the deadline for filing applications. It is important that all applicants who meet the qualifications for promotion be notified by the Town Manager, Chief of Police, or Town Secretary or other individuals designated by the Board.

The Town Manager, Chief of Police, or Town Secretary shall give, in writing, to each applicant qualified for the next step in the examination process, a notice which shall include the date, time and place the applicant shall report for the next examination in the process.

Every such notice shall be mailed or otherwise delivered at least seven (7) days prior to the date fixed for examination. Only applicants receiving notices to report for any examination shall be permitted to participate in such examination, and each applicant shall present his or her notice to the examiner before he or she shall be examined. Failure to report for an examination in accordance with the instructions contained in the written notice shall disqualify the applicant.

#### **4.4 Rejection of Applicant.**

The Board 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 and regulations for the particular position for which the applicant has applied. In addition, the Board may refuse to examine, or if examined, may refuse to certify any applicant who is:

- a) Found to have furnished incomplete, inaccurate, misleading, or false information on the official application or in response to any portion of the hiring process,
- b) Physically unfit for the performance of the duties of the position of which the candidate seeks employment,
- c) Illegally using a controlled substance, as defined in section 102 of the Controlled Substance Act (Public Law 91-513, 12 U.S.C. § 802),
- d) 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 of office,
- e) Affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitution and laws of the United States and the Commonwealth of Pennsylvania.

#### **4.5 Hearing for Officers Denied Promotion.**

Any non-probationary employee who has been examined for the purpose of filling a promotional vacancy and believes he or she is aggrieved by the action of the Personnel Board with regard to the conduct or results of his or her examination, or in not being selected as one of the top three candidates to be considered for promotion by Town Council may request a hearing before the Board. within ten (10) days of receiving written notice of what is perceived as the alleged error.

Within ten days after such request, the Board shall designate a time and place for the hearing which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. §101, et seq., with or without counsel, at which time the Board shall take testimony and review its refusal to provide examination or certification. The Board shall notify the aggrieved individual of the results of the hearing, in writing, within 10 days of its conclusion.

The deliberations of the Board, including interim rulings on evidentiary or procedural issues, may be held in the nature of a closed executive session. The Board's disposition of the matter shall constitute official action which shall occur at a public meeting held pursuant to 65 Pa. C.S.A 7 (relating to open meetings). Within 10 days of receiving the written results of his or her hearing, if an aggrieved individual is not satisfied with the result reached by the Personnel Board, he may, in writing, make a request to the Board that a hearing before an impartial hearing officer be conducted in accordance with the Pennsylvania Local Agency Law, Subchapter B, 2 Pa. C.S. §§551, et seq. The impartial hearing officer shall be selected by the Town and shall have no affiliation or interest with the Town or the aggrieved individual. The cost of the impartial hearing officer shall be divided evenly between the Town and the aggrieved individual. The decision of the impartial hearing officer shall be final.



## **E. EXAMINATION AND GRADING PROCEDURE.**

### **4.6 General Examination Requirements.**

Written and oral examinations will be administered as required for police appointments. A summary of each applicant's personnel record will be provided by the Chief of Police to the Board for review. No background investigation will be made.

The examination for any promotional position, except the position of Chief of Police, shall include a written examination and an oral examination, which will be graded on a one hundred (100) point scale with the written examination representing ~~sixty-fourty~~ percent (~~640%~~) of the final score, the oral examination representing ~~forty-sixty~~ percent (~~460%~~) of the final score. Written examinations shall be scored on the basis of a possible 100% with ~~70% of the minimum passing score on each examination. Oral examinations shall be scored on the basis of a possible 50% to 100% with 70% of the minimum passing score on each examination. Example: 60% of 80 written = 48; 40% of 90 oral = 36; 48 + 36 = 84% composite score. A minimum of 75% being required in order to proceed to the Oral Interview.~~ Apparent ties shall be broken by favoring the contender with the higher ~~written-oral~~ score.

Only the top three names may be considered for each selection by Town Council and any one of the top three candidates may be selected by Town Council.

Any applicant selected to fill the vacancy, must undergo the same medical examination as prescribed for police appointment.

### **4.7 Written Examination.**

The written examination shall be graded on a one hundred (100) point scale. An applicant must score at least ~~seventy-five~~ percent (~~750%~~) to be eligible for the oral exam and continue in the promotional process. Applicants who score less than ~~seventy-five~~ percent (~~750%~~) shall be disqualified. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their examination results.

### **4.8 Oral Examination.**

Every applicant who has satisfied all of the written examination requirements provided in Section 4.7, above, shall be given an oral examination. An applicant must score at least ~~seventy-five~~ percent (~~750%~~) to qualify and continue in the application process. Any applicant who scores less than ~~seventy-five~~ percent (~~750%~~) will be disqualified. The oral examination shall involve questioning applicants on police-oriented issues, including how they would handle situations relevant to police work, and shall be administered in the same fashion as the Oral Interview outlined in 3.13. Within thirty (30) days after the administration of the oral they shall be informed of their total overall score.

## **F. CERTIFICATION OF THE LIST OF ELIGIBLES AND APPOINTMENT**

### **4.9 Creation of Eligibility List.**

At the completion of the examination requirements set forth in Sections 4.6, and 4.7 and 4.8, the Board 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.

In the case of tied scores, the tie will be broken by giving preference to the applicant who received the highest score on the ~~written-oral~~ test. In the event the qualifying applicant received identical scores, the order of listing shall be determined by the earliest application received.

### **4.10 Duration of Eligibility List.**

The Town shall notify the Board of a vacancy in the police force to be filled by promotion and shall request the certification of an eligibility list. The Board shall certify for each vacancy the names of three persons on the eligibility list who have received the highest average in the last preceding promotional examination held within a period of ~~two-yearssix months~~ preceding the date of the request for the eligibility list.

### **4.11 Appointment Procedure.**

- a) The ranking promotional positions, except the Chief of Police, shall be filled only in the following manner:
  - 1) The Town Council shall notify the Board of any vacancy which is to be filled and shall request the certification of three (3) names from the eligibility list;
  - 2) If three (3) names are not available, then the Board shall certify the name(s) remaining on the list;
  - 3) The Town Council shall make an appointment from one of the three names certified with sole reference to the merits and fitness of the candidates.
- b) The Town Council may object to one or more of the persons certified for the reasons set forth in Section 4.4, of these Rules and Regulations. If the candidate to whom the Town Council objects fails to timely exercise the rights of appeal under Section 4.5, or if the Board declines to uphold the appeal, the Board shall strike the name of that candidate from the eligibility list and certify the next highest name for inclusion on the list of three candidates for each name stricken off.

#### **4.12 Probationary Period.**

Every successful applicant for a promotional position within the Police Department shall serve a twelve (12) month probationary period. The probationary period will begin on the first day of the promotion to the respective ranking position.

A Full-Time Police Officer promoted to a ranking position, during probation, may be returned to the position from which they were promoted, for cause for the reasons set forth in Section 4.4, of these rules and regulations, or because of incapacity for duty due to alcohol or drugs.

In addition, a probationary promoted police officer may be returned to their previous position, if the probationary police officer does not meet the requirements and expectations of the position and documentation is accurately noted.

The Chief of Police shall submit a final probationary report, not less than ten (10) days or more than fifteen (15) calendar days before the next regular meeting of the Town Council immediately preceding the end of the probationary period. Each report shall be submitted in writing to the Town Council. Within five (5) calendar days after receiving a probationary report from the Chief of Police, if the conduct of the probationer has not been satisfactory to the Town, the probationer shall be notified in writing by the Town that the appointment will not be permanent and the promoted probationary Police Officer will be returned to the previous position held, for the Town.

Any probationer who is notified in writing by the Town Council, prior to completion of the twelfth month of the probation period, that their appointment will not be made permanent, has no right of appeal under these rules and regulations.

The Town Manager or Town Secretary shall notify the Board in writing of its decision to retain or remove the probationer of such decision within five (5) calendar days and in no event beyond the last day of the probationary period.

At the end of the twelve (12) month probationary period, if the probationer is not notified in accordance with this section, a promoted ranking Police Officer shall receive permanent status in their respective promotional position.

### **G. CHIEF OF POLICE**

#### **4.13 Appointment of Chief of Police — Personnel Board Appointment**

In the case of a vacancy in the Office of Chief of Police, the Town Council has sole discretion in selecting the individual to fill the position of Chief of Police and Council shall determine what procedure shall be followed in making the appointment or selection. If the Town requests the Board to subject that person to a noncompetitive examination, and if that person shall be certified by the Board as qualified, as a result of that non-competitive examination, that person may then be appointed to the position of Chief of Police and thereafter shall only be removed from the position of Chief of Police for the reasons set forth in Section 5.1, of these rules and regulations.

## **CHAPTER 5. SUSPENSIONS, REMOVALS AND REDUCTION IN RANK - FURLOUGHS**

### **5.1 Grounds for Disciplinary Action.**

- A. No person appointed to a position in the Police Department, pursuant to these Rules and Regulations, shall be suspended without pay, removed or reduced in rank except for the following reasons:
  - 1. Physical or mental disability affecting the officer's ability to continue in service, in which case the officer 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;
  - 4. Inefficiency, neglect, intemperance, disobedience of orders or conduct unbecoming an officer;
  - 5. Intoxication while on duty;
  - 6. Engaging or participating in conducting of any political or election campaign while on duty or in uniform or while using Town property otherwise than to exercise the person's own right of suffrage; or
  - 7. Engaging or participating in the conduct of a political or election campaign for an incompatible office as provided in the applicable Municipal Code.
- B. A statement of any charges made against any officer so employed shall be furnished to the officer within five (5) days after the same are filed with the Board.
- C. No officer shall be removed for religious, racial or political reasons.

### **5.2 Notice of Suspension, Removal or Reduction in Rank.**

Whenever a Police Officer is suspended, removed, or reduced in rank, the specific charges warranting such actions shall be stated in writing by the Town. The charges shall be stated clearly and in sufficient detail to enable the officer to understand the charges and to allow the officer an opportunity to respond to those charges. The charges shall specify the subsection of Section 5.1, 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 5.1.

Within five days after the Town Council voted to impose the disciplinary action, a written statement of the charges shall be delivered to the officer either by personal service or by certified registered mail. In addition, the charges shall notify the officer of the right to appeal under Section 5.3, of these Rules and Regulations. A copy of the statement of charges shall also be served upon the members of the Personnel Board within the same allotted time.

### **5.3 Hearings on Suspension, Removals and Reductions in Rank.**

Any Police Officer who has been suspended, removed, or reduced in rank, may appeal the decision of the Town Council by requesting a hearing with the Personnel Board. In the event an officer aggrieved by such a decision is entitled by a collective bargaining agreement to pursue a grievance on the matter, the officer must elect to pursue the matter either under the processes in place under the collective bargaining agreement or under these rules and regulations. Once an election of remedies is made, the alternate procedure is waived. When chosen, the hearing process is as follows:

- A. The hearing request must be received in writing by the Chairperson of the Board at 9955 Grubbs Rd, Wexford, PA 15090, requesting a hearing, within ten (10) days after the Police Officer received notice of the discipline. The officer may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the officer to provide written answers to any of the charges shall not be deemed an admission by the officer. The Board shall schedule a hearing within ten days from the written request for a hearing unless continued by the Board for cause at the request of the Town of McCandless or the officer. Notwithstanding this provision, the failure of the Board to hold a hearing within ten days from the filing of the charges in writing shall not result in the dismissal of the charges filed. A hearing shall be open to the public, or closed to the public, as desired by the individual requesting the hearing.
- B. The Town and the person sought to be suspended, removed or demoted shall at all times have the right to employ counsel before the Personnel Board and upon appeal to the Allegheny County Court of Common Pleas. The Personnel Board shall be represented by legal counsel who shall not be the Town Attorney or an attorney within the office of the Town Attorney. At any hearing, the officer against whom the charges have been made may be present and represented by counsel, may call witnesses and present testimony and documentation in his defense. The Town may also be represented by counsel, call witnesses and present evidence as is necessary to support the charges. The employee, the Town and the Personnel Board have the right to call and question witnesses and to question witnesses called by others. All testimony shall be taken under oath to be administered by the Chairperson. A stenographic record of all testimony shall be taken at every hearing and preserved by the Board. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection.

- C. Evidence presented at the hearing may be oral or documentary. The parties shall not be bound by technical rules of evidence, and all relevant evidence of reasonably probative value may be received. Reasonable examination and cross examination shall be permitted. The Chairperson of the Personnel Board shall rule on the admissibility of evidence. In the event another Personnel Board member should disagree with the ruling of the Chairperson, the Personnel Board may recess to resolve the difference of opinion. The Chairperson shall reaffirm or modify his ruling as soon as the hearing has resumed in accordance with the decision of the majority of the Personnel Board. 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 Board finds that sufficient evidence has been introduced to support the charge, the Board shall not modify the penalty imposed by the Town unless it finds that the penalty imposed was arbitrary, discriminatory or an abuse of the Town Council's discretion. In considering the appropriateness of the discipline, the Board shall not substitute its judgment for that of the Town Council. The Board may request post-hearing briefs, and shall issue a written decision containing specific findings of fact and conclusions of law within thirty (30) days of receipt of the hearing transcript.
- D. In the event that the Board fails to uphold the charges, then the Officer shall be reinstated with full pay for the period of the suspension, removal, or reduction in rank. No charges related to the suspension, removal or reduction in rank shall be officially recorded in the officer's official personnel records, nor may any of these charges be held against the officer for future merit pay raises or promotional opportunities.

#### **5.4 Hearing Procedure.**

- A. A member of the Personnel Board shall meet or otherwise confirm with the employee and the Town Manager within seven days of the receipt of the request for a hearing:
  - a. The date, time and location of the hearing;
  - b. Whether the hearing will be public or closed; and
  - c. Whether the employee requesting a hearing will employ counsel.
- B. All testimony shall be given under oath administered by the chairperson, or in the absence of the chairperson, the vice chairperson. The Board shall have the power to issue subpoenas as set forth in Section 2.12, of these rules and regulations.
- C. Unless Town Council or the person sought to be suspended, removed, or reduced in rank requests that the proceedings before the Board be open to the public, the proceedings before the Board pursuant to this section shall be held in the nature of a closed executive session that shall not be open to the public. Any such request shall be presented to the Board before the hearing commences. The deliberations of the Board including interim rulings on evidentiary or procedural issues, may be held in private and shall not be subject to a request for being open to the public

by the Town or to the person sought to be suspended, removed or reduced in rank. The Board's disposition of the disciplinary action shall constitute official action which shall occur at a public meeting held pursuant to 65 Pa. C.S. Ch. 7 (relating to open meetings).

- D. The Chairperson shall open the hearing by reading the employee's request for hearing. If the hearing is a closed hearing, the Chairperson shall require each person present in the hearing room to identify himself and state his position in the hearing. The Chairperson shall then read the communication to the employee imposing discharge, suspension or demotion. The Chairperson shall then have the Town or the supervisory official who ordered the discharge, suspension or demotion present the facts of the charge or case against the employee. The employee who has been discharged, suspended or demoted shall then be given the opportunity to present his case against the discharge, suspension or demotion. If either the Town (or its supervisory official) or the employee wishes to present a summation of the evidence, either individually or through counsel, such summation shall be briefly and concisely stated, with the employee's summation being last.
- E. All parties concerned shall have an immediate right of appeal to the Court of Common Pleas of Allegheny County, and the case shall be determined as the court deems proper. No order of suspension made by the Board shall be for a longer period than one (1) year. The appeal with the Court of Common Pleas shall be taken within thirty (30) days from the date of entry by the Board of its final order and shall be by petition, the employee shall be entitled to secure a full and complete transcript of the record of the hearing by the Personnel Board at the cost of the employee. Upon the appeal being taken and docketed, the Court of Common Pleas shall fix a day for the hearing and shall proceed to hear the appeal on the original record and additional proof of testimony as the parties concerned may desire to offer into evidence. The decision of the court affirming or revising the decision of the Board shall be final, and the officer shall be suspended, discharged, reduced in rank or reinstated in accordance with the order of the court.
- F. The employee shall be responsible for any hearing costs he incurs, including, but not limited to, the employee's counsel, court reporter, witnesses and other fees.

#### **5.5 Furloughs.**

If for reasons of economy or other reasons it shall be deemed necessary by the Town to reduce the number of paid officers, the following procedure shall be followed:

- 1) The Town shall first furlough the person or persons, including probationers, last appointed to the respective force. Such removal shall be accomplished by furloughing in numerical order commencing with the person last appointed until such reduction shall have been accomplished.

- 2) If the Town decides to increase the size of the Police Department officer personnel, the furloughed Police Officers shall be reinstated in order of their seniority in the Police Department. Employees notified of reinstatement must accept reinstatement within thirty (30) days of receipt of such notice, otherwise such employee shall be deemed to have waived any right to reinstatement.

- 3) These reductions in force provisions are not applicable to the Chief of Police.

Adopted and approved by the Personnel Board of the Town of McCandless this \_\_\_\_ day of \_\_\_\_\_, 202~~53~~.

ATTEST:

\_\_\_\_\_  
Chairperson

By: ~~Amy Wehrspann~~ Matthew Shipley,  
Personnel Board

Adopted and approved by the Personnel Board of the Town of McCandless this \_\_\_\_ day of \_\_\_\_\_, 202~~53~~.

ATTEST:

\_\_\_\_\_  
Town Manager

By: \_\_\_\_\_  
President Town Council



**OFFICIAL  
TOWN OF McCANDLESS  
ORDINANCE NO. 1558**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN  
OF McCANDLESS, ALLEGHENY COUNTY,  
PENNSYLVANIA, AMENDING ARTICLE 137, PERSONNEL  
BOARD, OF THE TOWN CODE OF ORDINANCES TO  
ALIGN ARTICLE 137 WITH THE AMENDED PERSONNEL  
BOARD RULES AND REGULATIONS.**

**WHEREAS**, Section 1103 of the Town of McCandless ("Town") Town Charter authorizes the establishment of a Personnel Board consisting of such number of qualified electors of the Town as may be determined by the Town Council ("Council"), and who shall be appointed by Council for such terms as may be established by Council; and

**WHEREAS**, on July 15, 2002, by Ordinance Number 1272, Council established a Town Personnel Board ("Board") consisting of three members and up to two alternates; and

**WHEREAS**, on April 11, 2022, by Ordinance Number 1522, Council expanded the Personnel Board to consist of five members and up to two alternates; and

**WHEREAS**, on January 22, 2024, by Ordinance Number 1547, Council altered the Board's meeting procedures and qualifications for employment as a police officer and to establish specific requirements for hiring and promotion; and

**WHEREAS**, on February 10, 2025, by Ordinance Number 1554, Council revised the powers and duties of the Personnel Board, the rules for police appointments and promotions, altered meeting procedures and qualifications for employment as a police officer, and established specific requirements for hiring and promotions

**WHEREAS**, in order to better fulfill the duties of the Board and in furtherance of the general health, safety, and welfare of the Town and its residents, Council desires to amend Article 137 of the Town Code of Ordinances, Personnel Board, to align Article 137 with the amended Personnel Board Rules and Regulations; and

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the Town of McCandless, Allegheny County, Pennsylvania, that:

**Section 1.** Section 137.02 of the Town Code of Ordinances, Terms of Members, is hereby amended by inserting the underlined words and deleting the stricken words as follows:

## § 137.02. Terms of Members.

~~Effective January 1, 2022, The appointment of any member or alternate member shall be for a three-year term. , except that the initial appointment of the fifth member shall be for a two-year term. All members or alternate members appointed prior to January 1, 2022, shall serve until the end of the term of office set at the time of their appointment. Nothing in this section shall extend the term of any members or alternate members appointed prior to January 1, 2022.~~

**Section 2.** Section 137.05 of the Town Code of Ordinances, Rules of Procedure, is hereby amended by inserting the underlined words and deleting the stricken words as follows:

## § 137.05. Rules of procedure.

\*\*\*\*\*

### Rule II - Police Appointments.

\*\*\*\*\*

208 - List of Eligibles: All contenders who have successfully passed the written examination and the oral examination and have a score of at least 70% on the written examination and 70% on the oral examination, shall be included on a list of eligibles. The list shall be prepared in descending numerical order of final composite scores. ~~The Final Composite Score shall be calculated by:~~

- ~~a. Multiplying the written examination score (out of a possible 100 points) by 0.6 (60%) to calculate the Weighted Written Examination Score.~~
- ~~b. Multiplying the Final Oral Examination Grade (out of a possible 100 points) by a 0.4 (40%) to calculate the Weighted Oral Examination Score.~~
- ~~c. Adding the Weighted Written Examination Score to the Weighted Oral Examination Score.~~
- ~~d. Multiplying the sum of the Weighted Written Examination Score and Weighted Final Oral Examination Score by 2 (the Weighted Composite Score Total).~~
- ~~e. To the Weighted Composite Score Total shall be added 10 points to anyone properly entitled to veteran's preference points.~~

~~The final Composite Score is out of 200 possible points, plus any additional veterans preference points to which a candidate is entitled. The written score shall be multiplied by 60% (0.60) and the oral score shall be multiplied by 40% (0.40); the addition of these two calculations shall form a composite score. To the composite score shall be added 10 points to anyone properly entitled to veteran's preference points. The names of those persons with the highest three scores may be considered by Council for selection as a~~

police employee. Town Council may decide to interview some members of the list of eligibles. Any contender requested to attend an interview shall appear at the time and place set by Council. Failure to attend any such interview shall be deemed to be a willful decision not to accept a position which may be offered by the Town.

\*\*\*\*\*

Rule III - Police Promotions.

303 - Scoring: Any applicant who obtains ~~70~~75% or more, in both the written and oral examination, shall be included on the eligibility list.

Both written and oral examinations shall be scored on the basis of a possible 100% with ~~75~~70% of the minimum passing score on each examination. The composite score shall be ~~40~~60% of the written score plus ~~60~~40% of the oral score.

Example: ~~60% of 80 written = 48; 40% of 90 oral = 36; 48 + 36 = 84% composite score.~~  
Apparent ties shall be broken by favoring the contender with the higher written score.

Only the top three names may be considered for each selection by Council and any one of the top three candidates may be selected by Council.

\*\*\*\*\*

**Section 3.** Severability.

If any of the provisions or terms of this Ordinance shall be held invalid for any reason whatsoever, then, unless such provision or term is material to this Ordinance as to render this Ordinance impracticable to perform, such provision or term shall be deemed severable from the remaining provisions or terms of this Ordinance and shall in no way affect the validity or enforceability of any other provisions hereof.

**Section 4.** Repealer.

All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

**ORDAINED AND ENACTED** into law this \_\_\_\_ day of \_\_\_\_\_ 2025, effective immediately.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Manager

\_\_\_\_\_  
President

**OFFICIAL**  
**TOWN OF McCANDLESS**  
**RESOLUTION NO. 03 of 2025**

A RESOLUTION OF THE TOWN OF McCANDLESS,  
ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING  
THE ACQUISITION OF REAL PROPERTY LOCATED AT 1201  
VAN DRIVE AND IDENTIFIED AS ALLEGHENY COUNTY  
BLOCK AND LOT NUMBER 1070-N-297 FOR PUBLIC PARK  
AND RECREATION PURPOSES.

**WHEREAS**, the Town of McCandless (“Town” when referring to the municipal corporation and “McCandless” when referring to the geographic location) owns and operates Potter Park, which consists of property identified by Allegheny County Department of Real Estate as Block and Lot Number 943-C-269 which is located at 9901 Harmony Road, McCandless, PA 15237 (“Potter Park”); and

**WHEREAS**, Janet L. Maier (“Owner”) is the record owner of property at 1201 Van Drive consisting of approximately 14.086 acres, currently identified by the Allegheny County Department of Real Estate as Block and Lot No. 1070-N-297 (“Property”), adjacent to Potter Park in McCandless; and

**WHEREAS**, Town Council discussed the potential acquisition of the Property in several Executive Sessions; and

**WHEREAS**, Town Council, for the benefit of the public, desires to establish open space for park and recreation use by the community and expand Potter Park.

**NOW, THEREFORE**, be it resolved and enacted by Town Council of the Town of McCandless as follows:

**SECTION 1.** The Town of McCandless hereby authorizes the acquisition of the Property at 1201 Van Drive, currently identified by the Allegheny County Department of Real Estate as Block and Lot No. 1070-N-297, from Janet L. Maier, by Deed for consideration in the amount of Four Hundred Seventy-Five Thousand and 00/100 Dollars (\$475,000.00), consistent with and subject to the prorations of the Purchase and Sale Agreement, and further authorizes the Town Manager and Town Attorney to take all required actions and execute all required documents to effectuate the acquisition of the Property.

**SECTION 2.** The Town Attorney is directed to pursue all necessary actions to secure the proper tax-exempt status for this public property following the September 5, 2025 closing.

**SECTION 3.** This Resolution may be attached to any application for tax-exempt status as evidence of the Town’s use of the Property as public property for the public purposes of providing for a passive recreation area and open green space for the community.

Motion made by Council member \_\_\_\_\_, seconded by Council member

\_\_\_\_\_, and this resolution is adopted this 14th day of April, 2025.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Manager

\_\_\_\_\_  
President

I, John Schwend, Town Manager, do hereby certify that the within is a true and correct copy of a resolution duly adopted by the Town Council of the Town of McCandless at a regularly convened meeting thereof held on April 14, 2025.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_