



# The Fourword

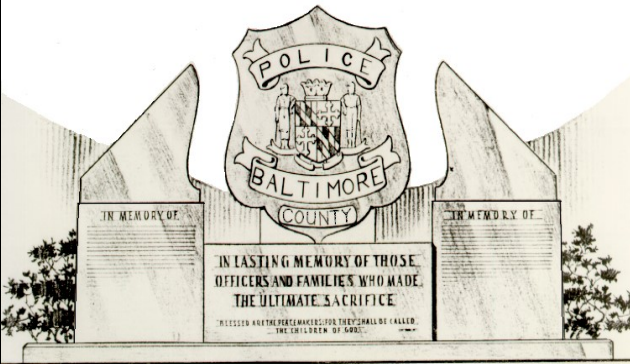
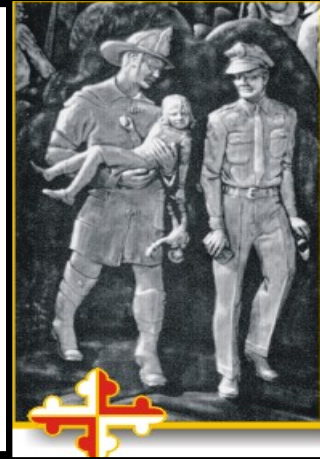
Volume 47 Number 3

March 2019

## Fallen Heroes Day

May 3, 2019 at 1:00 p.m.

Dulaney Valley Memorial Gardens  
200 East Padonia Road  
Timonium, Maryland 21093



## Baltimore County Police Memorial Day

May 10, 2019

10:00 a.m.

Courthouse Plaza,  
401 Bosley Avenue  
Towson, Maryland 21204

## NATIONAL LAW ENFORCEMENT OFFICER MEMORIAL DAY

May 15, 2019

United States Capitol  
Washington, D.C.

11:00 a.m.



Representing the Professional Police Officers of Baltimore County





## MEETING MINUTES February 2019

- The February General Business meeting was held on February 25, 2019 at FOP Lodge #4. President Weston called the meeting to order at 7:30 p.m. Chaplain DiCara gave the invocation. President Weston led the Pledge of Allegiance.

## ROLL CALL OF OFFICERS

- All Officers and Legal Advisor Mike Davey were in attendance.

## APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Zito and seconded by Brother King to suspend the regular business so that County Executive John Olszewski could address the membership. County Executive Olszewski spoke to the membership and answered questions for about an hour. A motion was made to call the meeting back to order and was seconded and passed.
- A motion was made by Brother Huff to accept the minutes of the January General Membership Meeting. A second was made by Brother M. DiCara. There was no discussion. The motion passed.

## REPORTS OF OFFICERS

### ~ PRESIDENT WESTON ~

- January 29– Met with the County Executive and his Deputy Administrative Officer concern-

ing the process for selecting the next Chief of Police.

- February 6– Attended a negotiation session with the County and addressed the In-Service Training class.
- February 8– Chaired a Negotiations Committee meeting.
- February 12– Attended the Pension Board of Trustees meeting.
- February 13– Addressed the In-Service Training class and attended a negotiation session with the County.
- February 14-17– Attended the National FOP Leadership Matters Seminar in Nashville, Tennessee.
- February 18– Attended a meeting of the Political Action Committee, the Legal Advisory Committee and the Lodge #4 Executive Board of Directors.
- February 19– Participated in a Negotiations Committee conference call, met with member Doug Jess and responded to an officer involved shooting in Precinct #2.
- February 20– Addressed the In-Service Training class.
- February 21– Attended the department promotion ceremony.
- February 25– Chaired a Negotiations Committee meeting and the FOP Lodge #4 General Membership meeting.

### 1<sup>st</sup> V. P. COMEGNA ~

- January 29– Attended a meeting with Baltimore County Executive John Olszewski, Jr.
- February 6 – Attended a negotiation session with the County.
- February 7 – Attended the County Executive's budget presentation for District #6.
- February 8 – Visited Precinct #8, Parkville.

## LODGE 4 OFFICE

9304 Harford Road  
Baltimore, Maryland 21234  
Phone (410) 668-0004  
FAX (410) 668-8126  
Toll Free (888) 313-3501  
www.foplodge4.org

## ELECTED OFFICERS

Cole B. Weston  
**President**  
(443) 956-2679

Steven G. Comegna  
**1<sup>st</sup> Vice President**  
F.O.P. Lodge 4  
(410) 409-0293

David M. Rose  
**2<sup>nd</sup> Vice President**  
F.O.P. Lodge 4  
(443) 956-2643

Donna M. Patterson  
**Lodge Secretary**  
PC-12  
(410) 365-8481

Robert W. Caskey  
**Treasurer**  
CIB-Robbery  
(443) 956-2615

W. Don Patterson  
**State Trustee**  
Retired

Ryan Massey  
**Sergeant at Arms**  
CIB - Homicide

Anthony DiCara  
**Chaplain**  
PC-8

L. Timothy Caslin  
**Past President**  
Retired

## EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert  
**Chairman**  
Retired  
(410) 404-2788

Mike DiCara  
**Vice Chairman**  
PC-4

Thomas G. Scally  
Retired

Kathy Kraemer  
PC-6

David Sweren  
PC-12

Chris Hodnicki  
CIB-GET

James P. Rommel, Jr.  
PC-3

Ryan Franks  
CIB-Arson

Robert Graff  
PC-6

Justin Warnick  
CIB-RATT

## LODGE STAFF

Nancy Skinner—Administrative Assistant

## LEGAL ADVISORS

Schlachman, Belsky & Weiner, P.A.  
Phone (410) 685-2022  
IAS Cases Michael Davey

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*The Fourword* is the official monthly publication of Baltimore County Fraternal Order of Police Lodge 4.

**Fourword Editors**  
Don Patterson

## *The Fourword*

- February 13 – Attended a negotiation session with the County.
- February 18 – Attended meetings of the Negotiations Committee, the Political Action Committee and the Lodge #4 Executive Board of Directors.
- February 19– Participated in a Negotiations Committee conference call, attended a meeting with member Doug Jess and attended Phase I Range conversion training.
- February 25– Attended meetings of the Negotiations Committee, the Legal Advisory Committee, the Executive Board of Directors and the Lodge #4 General Membership.

### **2<sup>nd</sup> V. P. ROSE~**

- January 29– Attended a meeting with County Executive John Olaszewski, Jr.
- January 30– Addressed the In-Service Training class.
- January 31– Attended the District 7 Town Hall meeting.
- February 1-Participated in a Negotiations Committee conference call.
- February 4– Visited Precinct #9, met with a member to discuss a possible grievance and attended the State FOP Legislative Committee meeting in Annapolis.
- February 6– Attended a negotiation session with the County
- February 7-Attended a meeting with the department's Legal Director and a member to settle a case.
- February 8-Participated in a Grievance Committee conference call to discuss a grievance.
- February 12– Attended the Pension Board of Trustees meeting.
- February 13– Met with Lt. Norris from Internal Affairs, attended a presentation to the depart-

ment by Axon and attended a negotiation session with the County.

- February 15– Met with a member to discuss retirement options.
- February 16– Responded to an officer firearm discharge in Precinct #11.
- February 18– Attended a Negotiations Committee meeting, chaired a Legal Advisory Committee meeting, attended the Lodge #4 Executive Board of Directors meeting and the State FOP Legislative Committee meeting in Annapolis.
- February 19– Participated in a Negotiations Committee conference call and met with member Doug Jess.
- February 25– Attended a Negotiations Committee meeting, chaired meetings of the Legal Advisory Committee and the Grievance Committee, attended an Executive Board of Directors meeting and the Lodge #4 General Membership meeting.

### **SECRETARY PATTERSON**

- February 14-17– Attended the National FOP Leadership Matters Seminar in Nashville, Tennessee.
- February 18– Attended a meeting of the Legal Advisory Committee and the Lodge #4 Executive Board of Directors meeting.
- February 25– Attended a meeting of the Legal Advisory Committee, the Lodge #4 Executive Board of Directors and the Lodge #4 General Membership.

### **~TREASURER CASKEY~**

- At the February General Membership meeting, Treasurer Caskey reported the finances of the Lodge.

### **~TRUSTEE PATTERSON~**

- February 14-17– Attended the National FOP Leadership Matters Seminar in Nashville, Tennessee.
- February 18– Attended the Lodge #4 Executive Board of Directors meeting.
- January 28– Attended a meeting of the Lodge #4 Executive Board of Directors and the Lodge #4 General Membership meeting.

### **RETIREMENT**

**Mike Balog  
Matt McElwee  
Jonathan Trentzsch  
John Rossbach  
Mike Hill  
Gerald Wensel  
Dave Schmitz  
Mark Dorsey  
Rich Delea  
Glen Holden  
Thomas Reese  
Jim Rommel  
Joe Backhaus  
Scott Harclerode  
Mark Claypoole**

### **EXECUTIVE BOARD OF DIRECTORS REPORT**

**~ Ken Schubert~**

- An Executive Board of Directors meeting was held on February 18, 2019. The meeting was called to order at 12:00 pm. All board members were in attendance as was Legal Advisor Mike Davey.
- Motions that were made, after receiving a proper second, were discussed, voted upon, and appear in this issue under the appropriate committee reports.

**Peer to Peer Support  
Group meetings are  
held at Lodge #4  
beginning at 6:30 p.m.**

**Next Meeting Date  
April 16, 2019**

## **REPORTS OF COMMITTEES**

### **BULL ROAST COMMITTEE**

**~Ken Schubert~**

- The 2019 FOP Lodge #4 Bull Roast was held on Sunday, March 24, 2019. Report will be in next month's newsletter.

### **DONATION REVIEW COMMITTEE**

**~Mike DiCara~**

- The Donation Review Committee met and brought forth the following motions which passed.
- To donate \$300.00 to St. Baldrick's Annual Fundraiser to cure childhood cancer.
- To purchase a table of ten for the Police Emerald Society's Blue Line Bash for a total of \$600.00.
- To donate \$300.00 for a Bronze sponsorship for Kylee's Angels bull roast to raise money for sarcoma research.
- To donate \$250.00 to the Casey Cares Foundation's annual gala to raise money for critically ill children.
- These motions were passed by the Executive Board of Directors and there was no opposition from the general membership.

### **GRIEVANCE COMMITTEE**

**~Dave Rose~**

- On February 25, 2019, the committee met to discuss a directive from Colonel Folderauer to 1st VP Comegna and 2nd VP Rose stating "You were marked working Shift 2 on Martin Luther King Day. This should not have occurred. You are directed not to report to work on President's Day, Monday, February 18, 2019. Both of you will be marked "P". Both of you will be marked "P" for two other holidays (Columbus and Veteran's) this year per Section 6.11."
- The Memorandum of Understanding between the County Administration and the Fraternal Order of Police Lodge #4 states specifically under Article 12, Section 12.6: FOP President: During the term of this Memorandum of Understanding, the President of the Baltimore County Lodge #4, Fraternal Order of Police, Inc. shall designate two (2) appointees of the bargaining unit who shall be granted a full time leave of absence from their duties for the Police Department, mandated in-service training excepted, but shall remain on the payroll of the Police Department for the purpose of performing full-time duties on behalf of the FOP. During such leave, the appointees shall continue to accumulate seniority and shall receive all benefits as if said employee were fully on duty, including, but not limited to, pension accruals and fringe benefits.
- Sgt. Comegna and Sgt. Rose were appointed by the President. Both Sgt. Comegna and Sgt. Rose had to work on President's Day to conduct their duties for the FOP and should be compensated accordingly.
- A motion was made to file a

grievance and there was a proper second. The motion passed. The motion was presented to the general membership and there was no objection.

- The committee discussed a grievance by POFC. Fuller from Precinct #9. She was contacted at home by her sergeant on her day off at the direction of her Captain to perform work in reference to a threat on a student. She did as she was directed and submitted a compensatory leave form seeking compensation under Section 6.4 and 6.5 of the MOU. She was denied by her Commander and was offered compensation "hour for hour". Attempts to resolve the grievance with the immediate supervisor was unsuccessful. The committee reviewed the language in the MOU and past grievances for precedent. A motion was made to file a grievance under 6.4 and 6.5 of the MOU by Mike DiCara and a proper second was made by Kathy Kramer. The motion passed unanimously. The grievance was delivered to Captain Conger on February 8, 2019.
- The grievance hearing was held at Precinct #9 on February 15, 2019. The facts of the case were explained in detail as well as the presentation of past grievances to support our position. If both sides are in agreement that the time spent "performing work" is compensable, then under the provisions of the MOU it is "call back and day back". There is no provision for hour for hour compensation. On February 22, 2019, Captain Conger issued a written decision granting the grievance.
- The County has filed an appeal to the Court of Special Appeals in the Section 6.1c grievance. The County filed their initial

brief. Our brief was filed on January 9, 2019. The County did not respond. No hearing date has been scheduled.

- The FOP and the County had the health care arbitration hearing on January 15, 2019. Second VP Rose and First VP Comegna attended and both testified for our position. County Budget Director Keith Dorsey and County Consultant Mark Lynne testified for the County. The initial brief for the FOP was filed on February 22, 2019. The County has 30 days to file their brief. The FOP will then have 10 days to respond. The arbitrator has another 30 days to give her decision.
- The step #3 grievance for the specialized assignment process was heard on August 10, 2018 at the Office of Administrative Hearings by Judge Stahl. He issued his decision on August 23, 2018 and denied the grievance. We submitted our notice of intent to arbitrate on September 19, 2018. Arbitrator Marvin Johnson has been selected to hear the grievance. No hearing date has been set.
- We presented the POFC. McCain reschedule pay grievance on November 1, 2018 at step #3, the Office of Administrative Hearings. Judge Stahl issued a decision on November 14, 2018 denying the grievance. We submitted our notice of intent to arbitrate on December 5, 2018. The Legal Advisory Committee met on December 17, 2018 and voted to appeal to arbitration. The Executive Board of Directors also approved the appeal. There was no opposition from the general membership.

## LEGAL ADVISORY COMMITTEE

~Dave Rose~

- On February 25, 2019, the committee met to discuss filing an unfair labor practice against the Baltimore County Administration.
- On or about February 7, 2019, the Baltimore County Police Department conducted the promotional draft without including representation from the Fraternal Order of Police Lodge #4 (FOP) in the promotional draft process. The parties have a continuous practice dating back decades whereby FOP representatives have been invited and have participated in the promotional draft. Indeed, consistent with that established practice, the Department scheduled a meeting on February 7, 2019 with FOP representatives to conduct the promotional draft. The Department subsequently cancelled the February 7, 2019 meeting and conducted the promotional draft without involvement of the FOP's representatives. The Department sent out the results of the promotional draft process on February 7, 2019.
- The decision of Baltimore County to conduct the promotional draft without the involvement of the FOP's representatives constitutes a unilateral change in the terms and conditions of employment and a refusal to bargain in good faith violation of Sections 4-5-310 and 4-5-201(a) of the Baltimore County Code and an unfair labor practice under Sections 4-5-203(a)(1) and (4) of the Baltimore County Code.
- A motion was made to file the complaint. There was a proper second. The motion passed. It was presented to the Executive Board of Directors and passed.

There was no objection from the general membership.

- Chairman Rose assisted POFC. Bordner's attorney, Clarke Ahlers in reaching an agreement for her resignation, which was effective February 12, 2019.
- On February 8, 2019, the committee received a request from POFC. Bordner for reimbursement of \$13,250.00 in attorney fees. In March 2017, the committee and the Executive Board of Directors denied her request for legal fees for an attorney for representation already covered by the lodge retainer with SBW Law. As per the bylaws, she is seeking a partial reimbursement now that her case has concluded.
- The committee members discussed this request at great length. Ultimately, a motion was made to reimburse \$1,000.00. There was a proper second and the motion passed unanimously. The committee recommendation was presented to the Executive Board of Directors and the board concurred.
- The attorneys for Ericka Barnes have filed a complaint for a Writ of Mandamus on her behalf. Generally, a writ of mandamus is an order from a court to an inferior government official ordering the government official to properly fulfill their official duties or correct an abuse of discretion. No hearing date has been set. The case was scheduled for mediation with retired Judge Platt on February 27, 2019. A hearing for the Mandamus is scheduled for July 9, 2019 with Judge King. The appeal has been stayed pending the outcome of the Mandamus hearing.
- A writ of mandamus was filed in Baltimore County Circuit Court on August 20, 2018 for the Marvin Haw case. No date has been set. However, the County

Administration submitted Bill 77-18 to County Council on October 1, 2018. The bill, which was passed by Council, permitted a "beneficiary" to appeal a decision of the Board of Trustees to the County Office of Administrative Hearings and the County Board of Appeals. This was in effect retroactive to March 14, 2013. The case has been remanded back to the OAH. No date has been set.

### **PENSION COMMITTEE**

**~Dave Rose~**

- At the February 12, 2019 Pension Board of Trustees meeting, the trustees approved thirteen (13) total retirements, eight (8) were from the Police Department.

### **POLICY REVIEW COMMITTEE**

**~Dave Rose~**

- The committee members reviewed fourteen (14) new/revised policies this month. No bargaining issues were identified.

### **POLITICAL ACTION COMMITTEE**

**~Steve Comegna~**

- The Political Action Committee met on Monday, February 18, 2019. There were two motions presented to the Executive Board of Directors. They were as follows:
- To transfer \$6,000.00 from the General Fund Account to the Political Action Fund.
- To purchase a \$500.00 sponsor-

ship to an event for Baltimore County Councilman David Marks (District #5) on Thursday, March 21, 2019.

- These motions were approved by the Executive Board of Directors on Monday, February 18, 2019. This report was presented to and approved by the general membership on Monday, February 25, 2019 at the General Membership meeting.

### **GOOD OF THE ORDER**

- During the month of February, FOP Lodge #4 received four (4) thank you cards. Five (5) flower arrangements were sent to bereaving members. Three (3) fruit baskets were sent to grieving members. One (1) memorial donation was made in lieu of flowers.

### **BIRTHS**

**Emerson Kenley Thorn, Son of Brother Isaac Thorn**

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**Harper Lane McElfish, Daughter of Brother Nick McElfish, Granddaughter of Brother Spike McElfish, and Great Granddaughter of Retired Brother Bill McElfish**

### **BEREAVEMENTS**

**Laurence V. Rogers, Husband of Retired Sister Mary Jo Rogers**

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**Katie Walker, Mother of Retired Brother Stanley Harmon**

\*\*\*\*\*

**Mary Patricia Kline, Grandmother of Brother Ryan DeMent**

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**Gene Van Den Heuvel, Father of Retired Brother Mark VanDenHeuvel**

\*\*\*\*\*

**Dolores Rawlings, Aunt of Brother Michael Fitzpatrick**

\*\*\*\*\*

**Colin Howser, Nephew of Sister Ashley Faulkner**

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**Jodi Lynn Miller, Mother of Brother Josh Miller**

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**James Sheridan Evans, Father-in-Law of Brother Donald Ossmus**

**If you are in need for a notary, we provide notarization at the Lodge. Please feel free to contact Nancy Skinner at 410 668-0004 to make an appointment.**



## **Membership Passes to the National Aquarium**

The Executive Board of Directors of Baltimore County Fraternal Order of Police, Lodge #4 has entered into another one year business partnership under the Corporate Membership program with the National Aquarium. This means we have four transferable passes for use by our members.

If you are interested in using the passes:

- You can call or email the Office at (410) 668-0004, or [office@foplodge4.org](mailto:office@foplodge4.org).
- If they are available on the date you have requested they will be reserved for you.
- It will be your responsibility to pick up and return the passes.
- On the occasions when different members have passes reserved on adjacent dates we ask the parties to communicate and agree upon a drop-off/pickup location for transferring the passes.
- Should the passes become lost or stolen while they are in the member's possession we will require the member to pay for the replacement cost.

These passes grant access to the aquarium through the corporate membership entrance which should reduce if not eliminate any waiting in line.

We are pleased to be able to offer this as an additional benefit to the members of FOP Lodge #4.

## ***ARE YOUR BENEFICIARIES UP TO DATE ?***

***Please ensure that your beneficiary designees are current.  
Take a moment to verify that your loved ones are provided for  
in the manner you intend. The following offices can assist you.***

<b><i>Pension</i></b>	<b><i>Retirement Office</i></b>	<b><i>410-887-8246 or 1-877-222-3741</i></b>
<b><i>Life Insurance</i></b>	<b><i>County Insurance</i></b>	<b><i>410-887-2568 or 1-800-274-4302</i></b>
<b><i>PBA</i></b>	<b><i>Police Personnel</i></b>	<b><i>410-887-2208</i></b>
<b><i>Deferred Comp.</i></b>	<b><i>Richard DeNardi</i></b>	<b><i>877-677-3678</i></b>
<b><i>Baltimore County Employee Federal Credit Union</i></b>		<b><i>410-828-4730</i></b>

The April

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
April 22, 2019  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road

The May

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Tuesday,  
May 28, 2019  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road