



The Fourword

Volume 41 Number 11

November 2013

FOP Lodge #4 Endorses John Cluster for Delegate & Vicki Almond for County Council



Delegate John Cluster, 8th District

Representing Parkville, Carney, Perry Hall, Overlea and Rosedale

John grew up in Arbutus Maryland, where he attended Catonsville High School. After graduating, John joined the Baltimore County Police Department as a Cadet. After completion of the Academy, he became a Police officer, protecting the citizens of Baltimore County. John has sound judgment and sensibility, which allows him to get things done in Annapolis. He was selected as Legislator of the Year three times by the Maryland State Fraternal Order of Police.

John was appointed to the Maryland House of Delegates to fill the vacated seat of Delegate Al Redmer in 2003. In 2006, John lost the election by less than 300 votes in one of the closest elections in the State. After such a close race, John continued to be active in the community and in 2010, John was elected back to House of Delegates.



Councilwoman Vicki Almond

2nd District, Baltimore County Council

Councilwoman Vicki Almond took the oath of office on December 6, 2010, to represent the Second District on the Baltimore County Council. She became the first woman to hold this seat and only the third woman to serve on the Baltimore County Council. For 30 years, Vicki has been involved in building consensus and solving problems. Vicki's front-line experience in state and local government has proven to be invaluable on the County Council.

Vicki has shown the courage to tackle the needs of the citizens of Baltimore County, while creating jobs, revitalizing commercial districts, and providing the tools that our police and emergency personnel require.



Representing the Professional Police Officers of Baltimore County



NOVEMBER



MEETING MINUTES October 2013

- The October, 2013 General Business Meeting was held on October 28, 2013 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Chaplain Merkle gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

- Brother Patterson and Sister Patterson were working secondary employment. All other elected officers and Board members were present. Legal advisor Mike Marshall was also in attendance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Grumbach to accept the minutes of the September, 2013 General Membership Meeting. A second was made by Brother Huff. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- September 24 Met with representatives of Kaiser Permanente concerning communication with our membership.
- September 25 Media interview for the Jason Schneider fundraiser held at the Humidour.
- September 26 Attended a fund-

raiser for County Councilman David Marks of the 5th council district.

- September 28 Attended the Jason Schneider fundraiser at the Humidour.
- September 3 Meeting with Senator Ed Kasemeyer, and interviewed with WYPR concerning litigation with Baltimore County.
- October 8 Met with a member and labor counsel concerning a step three salary grievance hearing.
- October 9 Addressed the in-service training class and met with two members concerning retirement planning.
- October 10 Attended the Police Assistance and Relief Fund meeting.
- October 11 Assisted with a police involved shooting in Precinct 9 and visited the funeral home with the Murphy family.
- October 15 Attended the Baltimore County Circuit Court hearing for the Retiree Health Care subsidy case.
- October 16 Met with members of the Schneider family.
- October 17 Attended a fundraiser for Senator Kasemeyer of the twelfth legislative district, met with a member and his Major concerning working conditions, attended a viewing with the Lagna family.
- October 18 Attended a funeral service with the Lagna family.
- October 21 Attended Legal Advisory and Political Action Committee meetings and the Executive Board of Directors meeting.
- October 22 Attended a fundraiser for Councilman Tom

LODGE 4 OFFICE

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Toll Free (888) 313-3501
www.foplodge4.org

ELECTED OFFICERS

Cole B. Weston
President
(443) 956-2679

Steven G. Comegna 1st Vice President PC3 - Traffic (410) 409-0293	David M. Rose 2nd Vice President F.O.P. Lodge 4 (443) 956-2643
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David J. Folderauer, Sr. Lodge Secretary PC 4 - IST (410) 382-2075	Robert W. Caskey Treasurer CID-Robbery (443) 956-2615
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W. Donald Patterson State Trustee PC12	Anthony DiCara Sergeant at Arms PC12
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Paul A. Merkle Chaplain Retired	L. Timothy Caslin Past President Retired
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EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman Retired (410) 416-2800	Mike DiCara Vice Chairman PC 4
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Thomas G. Scally CID - Arson	Lou Lagna Retired
Donna Patterson PC12	Patrick Zito Retired
James P. Rommel, Jr. K9	Ryan Massey CID - Homicide
Joe Caskey CID - Homicide	Kathy Kraemer PC 6

LODGE STAFF

Juanita Bouthner—Administrative Assistant
Nancy Skinner—Administrative Assistant

LEGAL ADVISORS

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

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

Fourword Editor
Kathryn Greenbeck
Precinct 8

Quirk of the first council district.

- October 28 Chaired a Negotiations Committee meeting and the General Membership meeting.

~1st V. P. COMEGNA ~

- October 21 Worked at the lodge office. Attended meetings of the Legal Advisory Committee and the Political Action Committee. I also attended the Executive Board of Directors Meeting.
- October 23 Met with a member of F.O.P. Lodge # 3 in reference to Campaign Finance reporting.
- October 28 Worked at the lodge office. Attended a meeting of the Negotiations Committee and attended General Business Meeting.

~2nd V.P. ROSE~

- September 25 Argued the Brother Rommel grievance at step #1 and met with our labor attorney to discuss current cases.
- September 26 Attended a fundraiser for Councilman David Marks.
- September 29 Attended a fundraiser for Jason Schneider at the Humidour Cigar Lounge.
- October 8 Attended a Pension Board of Trustees meeting and attended the County's Circuit Court appeal of Tamara Ray's Workers' Compensation award.
- October 15 Attended Circuit Court for Baltimore County's Motion to Alter or Amend the Retiree Health Care decision.
- October 17 Attended shift 3 roll call at Precinct 9.
- October 21 Chaired Legal Advisory and Grievance Committee meetings, attended the Executive Board of Directors meeting.
- October 22 Attended a fundraiser

for Councilman Quirk.

- October 28 Attended the General Business meeting.

~TRESURER CASKEY~

- October 8 Worked at the lodge.
- October 11 Responded to a police-involved shooting.
- October 24 Worked at the lodge.
- October 28 Worked at the lodge and attended the General Membership meeting, where I advised on the financial status of the lodge.

SECRETARY FOLDERAUER

- October 21 Worked at the lodge office. Attended meetings of the Legal Advisory Committee and the Political Action Committee. I also attended the Executive Board of Directors Meeting.
- October 28 Worked at the lodge office. Attended a meeting of the Negotiations Committee and attended the General Business Meeting.

**EXECUTIVE BOARD
OF DIRECTORS REPORT**

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on October 21, 2013. The meeting was called to order at 5:05 p.m. Treasurer Caskey, Brother Patterson, Sister Patterson, and Brother Rommel were working. Brother Scally was sick. All other elected officers and Board members were present. Legal counsel Mike Marshall was also in attendance. Motions that were made, after receiving a proper second, were discussed, voted upon, and appear in this issue under the appropriate committee reports.

ATTENTION MEMBERS

The Lodge #4 web site, www.foplodge4.org, does not require a password. Contained on the site is an abundance of information about the current events going on in the Lodge, as well as links to resources, products and services, and the latest Lodge news.

The message board, however, does require a password. When you click on the link, it will guide you through the registration process.

Call the Lodge if you have any questions about the FOP Lodge #4 web site.

REPORTS OF COMMITTEES

EXPENDITURE COMMITTEE

~Pat Zito~

- The lodge expenditures for May, June and July, 2013 were found to be in order.

GRIEVANCE COMMITTEE

~Dave Rose~

- The committee members met to discuss several grievances.
- We received a decision in Brother Jim Rommel's step #1 grievance of his involuntary transfer from the K-9 unit. Colonel Evans denied the grievance, stating management's right to transfer in the MOU, the Administrative Manual and the County Code. Brother Rommel, at the time wished to appeal the decision to step #2.
- The committee members met

Bereavements

**Retired Brother
Finbarr C. Murphy**

**Retired Brother
Robert J. O'Connor**

**Retired Brother
Clinton K. Huff**

**Andrew Hoffman
Brother-In-Law of Brother
Daniel Yeagley**

**Margaret E. Jones
Mother-In-Law of Retired
Brother Lou Lagna**

**Norman E. Williams
Father of Brother
Keith Williams**

**Camden Wissman
Son of Brother
Zach Wissman
and Nephew of Brother Mark
Wissman**

**Kylee B. Webster
Daughter of Retired Brother
Allan Webster**

**Sheila Ann Engel
Mother of Brother
Richard Engel, Jr. and
Sister Mary Crumbacker and
Mother-In-Law of Brother Phil
Crumbacker**

**Lisa M. Ratajczak
Mother of Sister
Brenna Vaughn and
Mother-In-Law of Brother
Bruce Vaughn**

**Madeline A. Langhirt
Mother of Brother
Steven Langhirt**

**Holton Hutchinson
Father of Sister
Kathy Kraemer**

**Myra K. Mason
Mother-In-Law of
Brother Frank Enko**

and discussed the grievance among the members as well as with our labor counsel. A motion was made to fund the grievance. There was a proper second and the motion passed.

- We received a decision in Brother Phil Crumbacker's step #3 grievance in reference to his improper placement on the pay scale since his return to employment. OAH Officer Stahl denied the grievance stating "Nothing in the county code or the MOU negate the county's ability to do so." Our attorney has reviewed the decision and feels the FOP should appeal the case to step #4, arbitration. The committee members agreed and after a motion and a proper second, the motion passed.
- The class action grievance involving the Chief's placement of an officer in a position at the Police Academy as an instructor with an officer who never participated in the application process and is not on the current or former list of candidates has been resolved. The vacated position will be filled by a member from the current eligibility list. The staff will operate at 1 over strength as it has since 2012. No appeal of the step 2 decision denying the grievance will be necessary.

- Resolved a possible grievance involving vacation selection in precinct 7.
- Resolved a possible grievance involving early reporting/reschedule pay in VNS.

HEALTHCARE COMMITTEE

~Steve Comegna~

- Open enrollment runs from October 15, 2013 until November 15, 2013 for those members who wish to make changes to their health care benefits and/or their flexible spending accounts.

LEGAL ADVISORY COMMITTEE

~Dave Rose~

- On October 8, 2013 the FOP filed a Freedom of Information Act Request with Baltimore County Government requesting any and all documentation relating to the "loan" taken from the old pension system. The County has 30 days to comply.
- On October 8, 2013 I attended a Circuit Court jury trial involving a member's workers' compensation award. About a year ago, the member was awarded a rating of 25% by the

What are YOU Thankful For?



Commission. The County appealed the Commissions award of 25% insisting it was too high. At the conclusion of a 2 day jury trial, the jurors increased the rating to 30%.

- On October 15, 2013 the County's motion to alter or amend the decision in the retiree subsidy case was heard in Circuit Court in front of Judge Finifer. The County continued to argue that the Court of Appeals decision is incorrect and unfair to the County. In addition they continue to argue the judicial branch cannot make them pay. Judge Finifer asked County attorney Nolan several poignant questions, some of which he had no response. Judge Finifer said he would issue his decision in writing.
- On September 20, 2013 the FOP filed a contempt petition against Baltimore County, County Executive Kamenetz and Budget Director Keith Dorsey in the retiree subsidy case. The County has failed to obey the August 14, 2013 order of the Circuit Court by Judge Finifer which gave the County 20 days to comply. No hearing date has been scheduled.
- On October 23, 2013 we received a decision in the Brandt Bradford case which was argued on April 4, 2013 at the Board of Appeals. In the decision the Board ruled in favor of Bradford



FOP Lodge 4 Fallen Heroes Memorial Scholarship Awards

Applications for the Fall, 2014 & Spring, 2015 scholarships are now available. Nine (9) \$3000.00 scholarships are to be awarded this year.

The deadline is February 1, 2014.

Contact Lodge 4 for details.

stating the law permits him to change his retirement option.

- The County did not file for a Writ of Certiorari in the case against former County Executive Jim Smith. Our attorney will be contacting the county's attorney to discuss the implementation of the provisions of the MOU that were related.
- The Complaint and Petition to Show Cause in the Megan Childress case for violations of several sections of the LEOBR had a settlement conference on September 12, 2013 in front of Judge Howe in Baltimore County Circuit Court. Judge Howe spoke to both parties in the case and no settlement was reached. There is no reschedule date for the show cause hearing.
- The Petition to Show Cause in the Angela Avent case has been filed in Baltimore County Circuit Court. No hearing date has been scheduled.
- The County has filed for a Request for a Writ of Certiorari with the Maryland Court of Appeals in the Absence Control Policy case. The court has

agreed to hear the case. It should be heard sometime in 2014.

MEMBERSHIP COMMITTEE

~Tom Scally~

- The committee made a motion to recommend that Catalina McHenry be admitted into Lodge 4 as an associate member. Ms. McHenry is sponsored by Brother Don Bridges. The General Membership approved this motion.

PENSION COMMITTEE

~Dave Rose~

- At the October Pension Board of Trustees meeting, the Board approved 11 total retirements.
- On October 18, 2013 the Board had a conference call in reference to Jason Schneider. The board voted unanimously to approve of his spouse receiving line of duty death benefits.
- The minutes of the September meeting did reflect that the loan taken from the pension system was paid in full with interest.

**POLICY REVIEW
COMMITTEE**

~Dave Rose~

- The committee received 2 policies to review this month. The Lodge made one minor suggestion regarding one of the policies. The Department agreed to the change. The other required no changes.

**POLITICAL ACTION
COMMITTEE**

~Steve Comegna~

- The PAC Committee met on Monday October 21, 2013. We presented the following motions to the Executive Board. These motions were as follows:
- Motion: To endorse Baltimore County Councilwoman Vicki Almond in her re-election campaign.
- Motion: To purchase two (2) tickets to a fundraiser being held by State Senator Kathy Klausmeier (District #8) on Thursday November 07, 2013. The ticket cost is \$125.00 each for a total cost of \$250.00.
- Motion: To purchase one (1) ticket to a fundraiser being held by Brother Rainier Harvey (Candidate for the House of Delegates in District # 44B) on Thursday November 21, 2013. The ticket cost is \$100.00 each.
- The committee continued conversation about our endorsement process and an endorsement timetable for 2014's primary election.
- Each motion was approved by the Executive Board of Directors. Each motion was also approved by the general membership at the October 2013 Gen-

**Thank You
Sponsors of the 2013 FOP Lodge 4 Golf Tournament**

- Maryland State FOP
- Schlachman, Belsky & Weiner
- Ron Schlicht—State Farm Insurance
- Jesse Thurlow, P.T.
- Signal 88 Security
- Wolf Professional Security
- Ed Kasemeyer, District 12
- Baltimore County Employees Federal Credit Union
- Susan Aumann for Delegate
- Retirement & Investment Group
- Bass Machining
- Connelly Funeral Home of Dundalk
- Law Offices of Larry J. Feldman
- A Family Affair
- S F & C Insurance Associates
- Redmer Insurance
- Friends of Kathy Klausmeier
- Ship's Café & Sports Pub
- Nationwide Mutual Insurance Company
- Mars Supermarket (Philadelphia Rd.)
- Joseph C. Boteler

eral Business Meeting.

NEW BUSINESS

• Brother Folio asked about the buy-back of the Departmental Sig Sauer handguns. His question was if retirees might have the option of buying the guns that active officers elect not to buy. President Weston advised that the Department has a legal opinion that the current law does not allow our retirees to purchase departmental weapons.

GOOD OF THE ORDER

- Brother Grumbach advised members of the November 5th Retirees' meeting.
- Second Vice President Rose informed members that Brother Wissman lost his 4 month old son recently and that there is a link for donations to the Wissman family on the FOP Lodge 4 web site.
- Brother Lagna thanked mem-

bers for the well-wishes he received after surgery and for the lodge's donation to Gilchrist Hospice in memory of his mother-in-law.

- Brother Tony DiCara advised members of a fundraiser for Jason Schneider's family, which was held at the Greene Turtle in White Marsh on October 29.
- Brother Clark Greene thanked the FOP Lodge 4 for their leadership and advised members of his November 1 retirement.
- During the month of October, FOP Lodge #4 sent six (6) cards and flower arrangements to bereaving members. Seven (7) donations were sent in lieu of flowers at the family's request. Three (3) fruit baskets were sent to members in the hospital. Eleven (11) thank you cards were received.
- The meeting was adjourned at 8:24 pm.

CONSTITUTION & BY-LAWS



AMENDMENT TO THE CONSTITUTION AND BYLAWS OF THE BALTIMORE COUNTY FRATERNAL ORDER OF POLICE, LODGE #4

WHEREAS: The membership of the Fraternal Order of Police is comprised of both active and retired police officers.

WHEREAS: Active and retired members hold elected offices on local, state, and national executive boards.

WHEREAS: When the president is an active member of the police department they are granted a full-time leave of absence from the 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 President 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.

NOW THEREFORE BE IT RESOLVED:

Article VI

Duties of Officers; add the proposed language in a new – Section 15:

SECTION 15:

If the president of the organization is retired from the police department they will receive \$25,000.00 annual salary to be paid bi-weekly as an employee of the organization.

An annual review will be conducted by the First Vice President and the Chairperson of the Board of Directors to determine what, if any cost of living increase should be considered.

This section is not applicable if the president is an active member of the police department. This section does not negate or modify the compensation that is contained in section 13 of this article.

Submitted by:

L. Tim Caslin

Past President

The December

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
December 23, 2013
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The January

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
January 27, 2014
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road