



# The Fourword

Volume 42 Number 9

September 2014

## Maryland State FOP Biennial Conference

The Maryland State Fraternal Order of Police held their 24<sup>th</sup> Biennial Conference in Solomons, Maryland from August 10 – 13<sup>th</sup>. The delegates from Baltimore County Fraternal Order of Police, Lodge #4 participated in the election of your state FOP representatives, state political endorsements, and changes to the state constitution and by – laws.

Lieutenant Governor Anthony Brown received the state wide endorsement for Governor. Senator Brian Frosh received the state wide endorsement for Attorney General. Comptroller Peter Franchot received the state wide endorsement for reelection.

Prince Georges County FOP Past President Vince Canales was elected to be the Maryland State FOP President, and former Maryland State President, Daryl Jones, also from Prince Georges County, was elected to the Conductor position. All other Maryland State Officers were unopposed and retained their positions for an additional two years.



Representing the Professional Police Officers of Baltimore County





## MEETING MINUTES August 2014

- The August General Business meeting was held on August 25, 2014 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

- Past President Caslin was excused. Brother Mike DiCara was on vacation. Brothers Massey, Rommel, and Joe Caskey were working. 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 July, 2014 General Membership Meeting. A second was made by Brother Folio. There was no discussion. The motion passed.

### REPORTS OF OFFICERS

#### ~ PRESIDENT WESTON ~

- July 29 Met with The Director of the Office of Human Resources, George Gay in reference to the promotional posting grievance.
- July 31 Attended an EEOC Technical Assistance Program

Seminar.

- August 10 – 13 Attended the Maryland State Fraternal Order of Police, Bi – Annual Conference.
- August 14 Attended a Step 3, Office of Administrative Hearings promotional posting grievance.
- August 15 Met with a representative from M & T Bank to update and review the FOP Lodge 4 account.
- August 20 Met with a member concerning resignation from the department.
- August 22 Participated in the FOP Lodge #4 golf tournament.
- August 25 Met with a county employee in reference to a work related injury, attended meetings of the Political Action Committee, the Executive Board of Directors, and chaired the FOP Lodge #4 General Membership meeting.

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

- July 29 President Weston and I met with the Baltimore County Director of Human Resources, George Gay, in reference to the county's failure to "post" the application opening date for the Lt's test.
- August 5 Attended a meeting of the Maryland State Lodge Special Investigations Committee.
- August 6 Attended another meeting of the Maryland State Lodge Special Investigation Committee.
- August 7 Traveled to Prince Georges County Lodge # 89 in reference to a special investigation being conducted by the Maryland State Lodge.
- August 10 – 13 Attended the

### LODGE 4 OFFICE

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Baltimore, Maryland 21234  
Phone (410) 668-0004  
FAX (410) 668-8126  
Toll Free (888) 313-3501  
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### ELECTED OFFICERS

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

Steven G. Comegna <b>1<sup>st</sup> Vice President</b> F.O.P. Lodge 4 (410) 409-0293	David M. Rose <b>2<sup>nd</sup> Vice President</b> F.O.P. Lodge 4 (443) 956-2643
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David J. Folderauer, Sr. <b>Lodge Secretary</b> RATT (410) 382-2075	Robert W. Caskey <b>Treasurer</b> CID-Robbery (443) 956-2615
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W. Donald Patterson <b>State Trustee</b> PC12	Ryan Massey <b>Sergeant at Arms</b> CID - Homicide
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Paul A. Merkle <b>Chaplain</b> Retired	L. Timothy Caslin <b>Past President</b> Retired
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### EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert <b>Chairman</b> Retired (410) 404-2788	Mike DiCara <b>Vice Chairman</b> PC 4
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Thomas G. Scally CID - Arson Donna Patterson PC12 James P. Rommel, Jr. PC11 Joe Caskey CID - Homicide	Lou Lagna Retired Patrick Zito Retired Ryan Franks CID - Gun Squad Kathy Kraemer PC 6
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### 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

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

**Fourword Editor**  
Kathryn Greenbeck  
Precinct 8



Association of  
Baltimore County  
Retired Police  
Meeting

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November 4, 2014

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All meetings are held at  
Parkville Heritage Gardens at  
7:30 p.m.

24<sup>th</sup> Maryland State FOP Biennial Conference in Solomons, Maryland.

- August 15 Reconciled and uploaded our Campaign Finance Report that was due before August 26, 2014.
- August 20 Transmitted and recorded our "Pre General Report # 1", to the State Office of Campaign Finance.
- August 21 Attended Phase II range.
- August 22 Attended and played in the FOP Lodge # 4 Annual Golf Tournament.
- August 25 Attended a meeting of the Political Action Committee, attended the Executive Board of Directors and General Business Meetings.

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

- August 6 Attended a fundraiser for Delegate John Cluster.
- August 10-13 Attended the



Maryland State Biennial Conference at Solomon's Island.

- August 14 Attended a Step #3 grievance hearing regarding the Lieutenants' test.
- August 19 Met with a member about an IAS case and another member about retirement options.
- August 22 Participated in the FOP Golf Tournament.
- August 25 Attended the Executive Board of Directors and the General Business Meetings.

~TREASURER CASKEY~

- August 8 Worked at the lodge to prepare for the MD State FOP Conference.
- August 10-13 Attended the biennial Maryland State FOP conference in Solomons, MD.
- August 15 Met with our account manager from M&T Bank to discuss our account.
- August 18 Met with two representatives from BB&T Bank, who were trying to gain our business.
- August 22 Participated in the FOP Lodge 4 Golf tournament at Rocky Point Golf course.
- August 24 Worked at the lodge.
- August 25 Attended a P.A.C. meeting, the EBOD meeting, and the General Membership meeting at the lodge, where I reported on the financial status of the lodge.

**SECRETARY FOLDERAUER**

- August 10 – 13 Attended the 24<sup>th</sup> Maryland State FOP Biennial Conference in Solomons, Maryland.
- August 22 Attended and played in the FOP Lodge # 4 Annual Golf Tournament.

## ***Bereavements***

**Retired Brother  
Woodrow Harman**

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**Retired Brother  
James Zulauf**

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**Keith T. Weber  
Father of Brother Keith  
Weber II**

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**Margaret Mary Himpler  
Mother of Brother  
Henry "Butch" Himpler**

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- August 25 Attended a meeting of the Political Action Committee, attended the Executive Board of Directors Meeting, and attended the General Business Meeting.

**EXECUTIVE BOARD  
OF DIRECTORS REPORT**

~ Kenny Schubert~

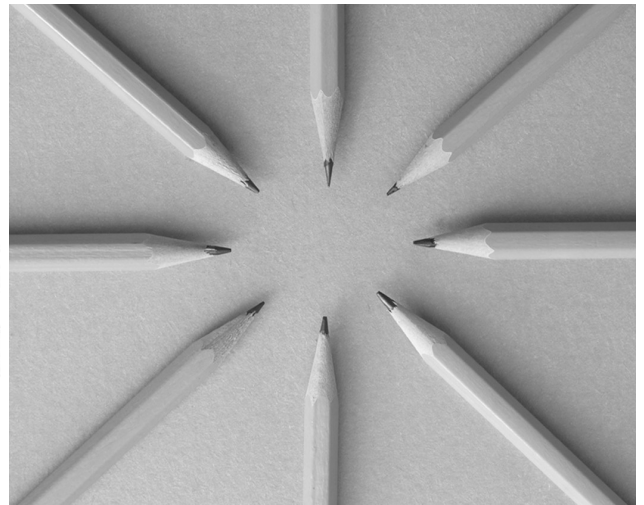
- An Executive Board of Directors meeting was held on August 25, 2014. The meeting was called to order at 5:00 p.m. Past President Caslin was excused. Brother Mike DiCara was on vacation. Brothers Massey, Rommel, and Joe Caskey were working. All other elected officers and Board members were present. Legal counsel Mike

## **Lodge #4 "Fallen Heroes" Memorial Scholarship Awards**

Applications for the Fall, 2015/Spring, 2016 scholarships are available now by contacting Lodge #4. Nine (9) \$3,000.00 awards are made each year.

Applications for these awards are open to the sons, daughters, adopted children, step-children or legally court-appointed wards, who are citizens of the United States. The applicant's parent or guardian shall have been an **Active** or **Retired** member in good standing of Baltimore County FOP Lodge #4 for at least one (1) full year prior to the date of application for the current year scholarship awards. The applicant must be or will be a full-time student at a recognized college or university.

The deadline to return the completed application with required attachments is February 1, 2015.



- 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.

### **REPORTS OF COMMITTEES**

#### **ATHLETIC COMMITTEE**

**~Don Patterson~**

- The Lodge 4 Golf Tournament was held on Friday, August 22, 2014 at Rocky Point Golf

Course and was sold out.

#### **DONATION REVIEW COMMITTEE**

**~Paul Merkle~**

- The committee met and made the following motions:

- Motion to donate \$ 100.00 to the Semper Fi Fund on behalf of a member who will be participating in the Marine Corps marathon. The event is to be held on October 26, 2014.
- Motion to be a Wish Sponsor at the second annual Summer Celebration benefiting Make-A-Wish Mid-Atlantic with a donation of \$1000.00, which provides a table for eight guests at the event on Saturday, September 6, 2014.
- We received thank you letters from the Benedictine Sisters and the St. Baldrick's Foundation for the recent donations from FOP Lodge 4.

## **GRIEVANCE COMMITTEE**

*~Dave Rose~*

- The grievance committee met to discuss the upcoming Lieutenant's promotional test. The Lodge has received several calls from members who missed the application deadline. There are 23 eligible sergeants who are affected.
- The committee discovered that the Administration did not follow the procedures in article 7 of the Administrative Manual regarding notification to candidates that the application process was open. The Department sent out a Personnel Announcement dated April 4, 2014 listing the study material for the Lieutenant exam. In the announcement there was paragraph which stated "Specific information regarding the promotional posting, as well as the test date and location, will be sent out in a separate communication in the future." There was no future communication of any kind sent out regarding the posting. Several

sergeants however, did the "mental gymnastics" to go on to the County website during the application period and apply for the test even though there was no notification the application process had been opened.

President Cole Weston and First Vice President Comegna met with the Director of Human Resources, George Gay to discuss the situation and attempt to reach a fair and amicable resolution. Director Gay refused to accept any proposals the FOP had to resolve the issue.

A motion was made in committee to file a class action grievance on behalf of the affected members. That motion passed unanimously. That recommendation was presented to the executive board of directors. The board voted unanimously to file the grievance. On July 30, 2014 a grievance was filed and sent to the Director of Human Resources George Gay.

On August 14, 2014 a grievance hearing was held in front of Administrative Hearing Officer Stahl. The grievance lasted about an hour. At the conclusion, Mr.

Stahl advised he would have a decision by August 20, 2014.

On August 8, 2014 the FOP filed an application for a Preliminary Injunction in Baltimore County Circuit Court to have the Lieutenant exam postponed until the grievance could be resolved. A hearing was held on August 27, 2014 in front of Judge Cox. At the conclusion she stated she would not rule until the Mr. Stahl ruled on the grievance.

On August 28, 2014 near the close of business on the last day he had to deliver a decision, Mr. Stahl issued a decision denying the grievance in favor of the County. In addition, he ruled that should the FOP file an appeal to step #4, the grievance should be heard under paragraph (c) of the grievance procedures which is advisory arbitration.

On September 2, 2014 Judge Cox issued an order denying the FOP's request for a Preliminary Injunction.

On September 3, 2014 the grievance committee members met to discuss the two decisions with our





## FOP Lodge 4 Members Recognized at Maryland State FOP Conference in Solomons, MD



President **Cole Weston** received the 2014 MD State FOP Member of the Year award.



Chaplain **Paul Merkle** received the 2014 MD State FOP Lifetime Achievement award.



Brother **John Cluster** received the 2014 MD State FOP Legislator of the Year award.

legal counsel. At the conclusion a motion was made to not file an appeal to step #4 because it would be advisory arbitration. Even if we were successful at advisory arbitration, the test will have already taken place and the County could simply choose to ignore the decision. The motion passed unanimously in committee. The recommendation was presented to the Executive Board of Directors and the motion passed.

### LEGAL ADVISORY COMMITTEE

~Dave Rose~

- The County has filed an appeal to the Circuit Court of the October 23, 2013 Board of Appeals decision in the Brandt Bradford case. At this time there is no hearing date.
- The County's appeal to the Maryland Court of Appeals in the Absence Control Policy case was heard on June 4, 2014. On July 30, 2014 we received an unfavorable decision. The court reversed the Court of Special Appeals and ruled in favor of the County Administration.
- The County's Briefs to the Court of Special Appeals in the Retiree Subsidy case were submitted August 1, 2014.

### PENSION COMMITTEE

~Dave Rose~

- At the August Pension Board of Trustees meeting the Board approved 18 total retirements. None of those were from the police department.

**POLICY REVIEW  
COMMITTEE**

~Dave Rose~

- There were five (5) new policies to review this month. The committee had no issues with any of them.

**POLITICAL ACTION  
COMMITTEE**

~Steve Comegna~

- The Political Action Committee met on Monday August 25, 2014. The committee continued to discuss our ongoing endorsement process as we approach the November 4, 2014 General Election. The committee also dealt with several fundraiser requests. Those requests were framed as motions and presented to the Executive Board of Directors at the August 2014 Board Meeting. Those motions were as follows (each vote in committee was unanimous):
- To purchase a \$250.00 Chardonnay Sponsorship to an event being held by State Delegate Susan Aumann (District # 42B) on September 05, 2014.
- To purchase a \$500.00 ticket to an event being held for Lt. Governor Anthony Brown on September 06, 2014.
- To purchase up to six (6) tickets to an event being held by George Harman (candidate for Baltimore County Executive) on September 14, 2014. The ticket cost is \$50.00 each, for a maximum expenditure of \$300.00.
- To purchase two (2) tickets to an event being held by State Delegate Steve Lafferty (District # 42A) on September 16, 2014. The ticket cost is

\$45.00 each for a total expenditure of \$90.00.

- To purchase one (1) ticket to an event being held by State Senator Ed Kasemeyer (District # 12) on September 17, 2014. The cost is \$250.00.
- To act as a "Host" for an event being held by Joe DiCara (candidate For Baltimore County Council, District # 7) on September 18, 2014. The cost is \$1000.00.
- To purchase an \$250.00 sponsorship for an event being held by State Delegate Dana Stein (District # 11) on September 23, 2014.
- Each motion was approved by the Executive Board of Directors. This report was presented to the membership at the August 2014 General Business Meeting. Each motion was read and received a proper "second." The motions were individually discussed and voted upon. The expenditures were approved by the membership.
- There were a couple of questions asked about the endorsement process for the 7<sup>th</sup> District Baltimore County Council race. President Weston addressed those questions and explained the process.

**NEW BUSINESS**

Brother Buzz Beeler spoke against Lodge 4's endorsement of Joe DiCara for County Council. There was some discussion and President Weston advised that the PAC Committee has not taken action regarding the information in Brother Beeler's column.

**GOOD OF THE ORDER**

- Brother Jeff Williams thanked the Lodge for our donation in memory of Woody Harman, who helped Brother Williams and his family during a time of great hardship.
- Brother Grumbach advised that the remaining 2014 Retirees' Association meeting will be held on November 4, 2014.
- Brother John Cluster requested assistance at the polling places on November 4.
- The Annual BCoPD reunion of both active and retired officers will be held on September 19.
- A crab feast fundraiser will be held on September 20 at the Buc's Club.
- Public Safety Day will be held on September 27 at the North Plaza Shopping Center located at Waltham Woods Rd. and Joppa Rd. in Parkville.
- Brother Lou Lagna thanked the lodge for the fruit basket that was sent when he was in the hospital.
- Second Vice President Rose advised that he worked with Nationwide to allow members to roll up to 80% of the upcoming 3% bonus into deferred compensation accounts.
- During the month of August, FOP Lodge #4 sent four (4) cards and flower arrangements to bereaving members. Two (2) thank you cards were received. Four (4) fruit baskets or flowers were sent to members for hospitalizations or births.
- The meeting was adjourned at 8:26 pm.

The October

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

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

at  
FOP Lodge 4  
9304 Harford Road

The November

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
November 24, 2014  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road