



# The Fourword

Volume 45 Number 12

December 2017

## Important Tax Information for Active and Retired Members

### **Income Subtraction Modification**

Active Law Enforcement Officers who reside and work in the same political subdivision are eligible to claim an Income Subtraction Modification for the first \$5,000.00 of income earned. Additional information may be located on the organizations website at [www.fop lodge4.org](http://www.fop lodge4.org), under the Contracts and Legislation section.

### **H.E.L.P.S. Retiree Act**

The Healthcare Enhancement for Local Public Safety (HELPS) Retirees Act, provision provides a tax benefit to retired public safety officers to pay for health care by allowing the use, on a pretax basis, of up to \$3,000.00 annually from their pension funds to pay for premiums on health care and long-term care insurance. Additional information may be located on the organizations website at [www.fop lodge4.org](http://www.fop lodge4.org), under the Contracts and Legislation section.

### **Pension Subtraction Modification**

In 2017 Governor Hogan signed the bill passed by the state legislature to provide for a \$15,000.00 Pension Exclusion for Retired Law Enforcement, Fire, Rescue, or Emergency Services Personnel starting at age 55. Information can be located in section rr on pages 9 and 10 of the Maryland 2017 State and Local Tax Forms and Instructions book published by the Comptroller of Maryland. Each member is encouraged to consult with their individual tax preparer to determine how these provisions may apply.



Representing the Professional Police Officers of Baltimore County





## MEETING MINUTES November 2017

- The November General Business meeting was held on November 27, 2017 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

- Treasurer Caskey, Secretary Patterson and State Trustee Patterson were excused. All other officers were in attendance as well as Legal Advisor Chaz Ball.

## APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Warnick to accept the minutes of the October General Membership Meeting. A second was made by Brother Hodnicki. There was no discussion. The motion passed.

## REPORTS OF OFFICERS

### ~ PRESIDENT WESTON ~

- October 24– Met with Baltimore County Councilman Wade Kach and attended a fundraiser for Baltimore County Councilwoman Cathy Bevins.
- October 25– Addressed the In-Service Training class.
- October 26– Attended the 11th

Annual Democratic Unity Recognition Dinner.

- October 27– Attended the Promotion Ceremony.
- November 1– Addressed the In-Service Training class and attended a fundraiser for Baltimore County Councilwoman Vicki Almond.
- November 2– Met with Baltimore County Councilman Todd Crandell.
- November 3– Attended the training session at the Maryland State FOP quarterly meeting.
- November 4– Attended the Maryland State FOP quarterly meeting.
- November 7– Attended a meeting of the Baltimore County Retired Officers Association.
- November 8– Addressed the In-Service Training class and attended a fundraiser for Senator Bobby Zirkin of the 11th Legislative District.
- November 9– Met with Baltimore County Councilwoman Cathy Bevins.
- November 14– Attended the Pension Board of Trustees meeting and addressed the Effects of Critical Incidents class.
- November 15– Addressed the In-Service Training class.
- November 16– Attended the trial board for Lt. Rice of the Baltimore City Police Department.
- November 20– Attended a Political Action Committee meeting and the Lodge #4 Executive Board of Directors meeting.
- November 27– Chaired the General Membership meeting.

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

- October 26– Met with Sgt. Chuck Hart, Officer Mussini

## 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-Property*

Robert Graff  
*PC-6*

Patrick Zito  
*Retired*

## 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**

Donna Patterson  
Don Patterson

## *The Fourword*

and Harford County Sheriff Lt. Mark Junkerman in reference to a presentation that we would be conducting at the quarterly meeting of the Maryland State FOP. Also visited Precinct #8, Parkville.

- October 30– Attended a meeting of the Election Committee.
- November 1– Attended a campaign event for Baltimore County Councilwoman Vicki Almond, where she announced her candidacy for Baltimore County Executive.
- November 2– Attended a meeting of the Police Assistance and Relief Fund's Marketing Committee.
- November 3– Took part in a presentation on Resiliency and Self Care at the quarterly meeting of the Maryland State FOP.
- November 4– Attended the quarterly meeting of the Maryland State FOP.
- November 7– Took part in a personal debriefing session for several officers that were recently involved in a critical incident.
- November 10-12– Attended the Third Annual Concerns of Police Survivors National Conference on Law Enforcement Wellness and Trauma.
- November 16– Attended the monthly board meeting of the Police Assistance and Relief Fund.
- November 20– Attended a meeting of the Political Action Committee and the Lodge #4 Executive Board of Directors meeting.
- November 21– Visited Precinct #3, Franklin.
- November 27– Counted ballots as part of the Election Committee and attended the Lodge #4 General Membership meeting.

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

- October 24– Met with Baltimore County Councilman Wade Kach and attended a fundraiser for Baltimore County Councilwoman Cathy Bevins.
- October 25– Spoke with an economist about upcoming contract negotiations and spoke with several members from Precinct #9, White Marsh.
- October 26– Attended the Democratic Unity Dinner.
- October 30– Attended an Election Committee meeting.
- November 1 – Attended a fundraiser for Baltimore County Councilwoman Vicki Almond and spoke with several members from Precinct #8, Parkville.
- November 4 – Attended the quarterly meeting of the Maryland State FOP.
- November 6 – Spoke with members from Precinct #9, White Marsh.
- November 7 – Attended a fundraiser for the Sitting Judges and the meeting of the Baltimore County Retired Police Officers Association.
- November 8– Attended a fundraiser for Senator Bobby Zirkin.
- November 9-16– Vacation.
- November 20– Attended the Executive Board of Directors meeting.
- November 27– Attended the Lodge #4 General Membership meeting.

**RETIREMENTS**  
**Ralph Volk**  
**Robert Quigley**  
**Randall Carrington**  
**Elrod Covington**

### *~SECRETARY PATTERSON~*

- November 3– Attended a training session at the quarterly meeting of the Maryland State FOP.
- November 4– Attended the quarterly meeting of the Maryland State FOP.
- November 8– Attended the Baltimore County Police Department Awards Ceremony.
- November 11– Attended a fundraiser for Baltimore County Councilman Todd Crandell.
- November 18– Attended the Police Emerald Society Bull Roast.
- November 20– Attended the Executive Board of Directors meeting.

### *~TRUSTEE PATTERSON~*

- November 8– Attended the Baltimore County Police Department Awards Ceremony.
- November 11– Attended a fundraiser for Baltimore County Councilman Todd Crandell.
- November 18– Attended the Police Emerald Society Bull Roast.
- November 20– Attended the Lodge #4 Executive Board of Directors meeting.

**The Association of  
Baltimore County  
Retired Police  
will hold their 2018  
meetings at FOP  
Lodge #34,  
730 Wampler Rd.,  
Middle River, MD  
21220**

## **Bereavements**

**Hellen Imhoff, Grandmother  
of Brother Tom Dawson**  
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**Howard Lester Jones Jr.,  
Father of Brother Howard  
Jones III**  
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**Dr. Matthew Brennan,  
Father of Brother Sean  
Brennan**  
\*\*\*\*\*

**Delores Ethel Martin, Mother  
of Retired Brother Elton  
(Tom) Martin**  
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**Frederick M. Canter, Father  
of Brother Scott Canter**  
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**George William Knox, Father  
of Brother Tyrone Knox**

## **EXECUTIVE BOARD OF DIRECTORS REPORT**

**~ Ken Schubert~**

- An Executive Board of Directors meeting was held on November 20, 2017. The meeting was called to order at 1:30 pm. Treasurer Caskey was on vacation. All other board members were in attendance. No Legal Advisor was 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**

### **BY-LAWS COMMITTEE**

**~Tim Caslin~**

- The committee presented a by-law change. This change was read at the November 27, 2017 General Membership meeting. It

is posted in this issue of the Fourword. It will be read again at the December 2017 General Membership meeting and voted on at the January 2018 General Membership meeting.

### **GRIEVANCE COMMITTEE ~Dave Rose~**

- On October 5, the FOP filed a class grievance against Chief Sheridan and the Baltimore County Office of Human Resources after they posted a job opening for the position of Police Officer-Part Time on the County website. The listing also contained a salary and job description. These items have to be negotiated with the FOP. A request to bargain was sent to Chief Sheridan.
- The Memorandum of Understanding (MOU) between the Baltimore County Government and the Baltimore County Fraternal Order of Police Lodge #4 (FOP), specifically article 1 section 1.2 "Employee Defined" states "Whenever used in this MOU, the term "employee" shall mean all sworn personnel up to and including the rank of Lieutenant of the Police Department."
- Furthermore, article 1 section 1.1 "Union Recognition" states "The Administration recognizes the FOP as the exclusive representative of its employees as defined in section 1.2 of this article with respect to wages, hours and other terms and conditions of employment."
- Through the Police Officer-Part Time position, the Department and the County are altering the negotiated terms and conditions of employment. It would also cause those hired for the position of Police Officer-Part Time to be

unrepresented should they be accused of any wrongdoing or sustain any liability.

- On October 19, 2017, Chief Sheridan issued a correspondence denying the grievance.
- Our appeal to step #3 was promptly filed with the Office of Administrative Hearings. The hearing was scheduled for November 1, 2017 at 1:30pm.
- On October 30, 2017, Chief Sheridan issued a correspondence rescinding the position of Police Officer-Part Time. The job posting was also removed from the County website.
- On October 31, 2017, President Weston responded in a correspondence to Chief Sheridan and the Office of Administrative Hearings stating, in light of the Department's decision to rescind the position of Police Officer-Part Time, the FOP is withdrawing its request to bargain and the class grievance.
- In the Section 6.1c grievance, the County did not file any petition to vacate, modify or correct the arbitration award in Baltimore County Circuit Court within thirty days of receiving the decision on August 30, 2017. The FOP filed a motion to enforce the award on October 16, 2017. On October 24, 2017 the court issued an order confirming the arbitration award.
- On November 3, 2017, the County filed a motion to alter or amend the award in Circuit Court stating the FOP should have filed a motion to compel the County to participate in the arbitration hearing. The FOP has filed a motion in opposition to the County's motion. We are waiting for a ruling or hearing date.
- On March 9, 2016, we filed a notice of intent to arbitrate as per

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Article 8, Section 8.3, step #4 paragraph (b) of the MOU in our Healthcare Subsidy Grievance. The County has notified us that they will participate in the arbitration. However, they do not mutually agree to the selected arbitrator. We are in the process of selecting another arbitrator from the AAA. The hearing was scheduled for December 4, 2017.

### **LEGAL ADVISORY COMMITTEE**

**~Dave Rose~**

- We currently have two (2) hearing boards scheduled. Major Wilson has scheduled the Calvin Edwards hearing board for December 11, 2017. Captain Kelly has scheduled the Bordner hearing board for January 29-31, 2018.
- Mike Marshall and his staff are working on the Marvin Haw pension appeal to the Office of Administrative Hearings. At this time, there is no date set.
- John Beverungen, from the Office of Administrative Hearings (OAH) issued a ruling on the County's and Brandon Schneider's motion to dismiss in the Ericka Barnes appeal of her spousal pension benefits. He granted the motions to dismiss. However, his reasoning was because the venue should not be the OAH, but it should be at the County Board of Appeals (CBA). The OAH may hear appeals of the Employee Retirement System (ERS) from a "member" of the system which is defined under the code. Ericka Barnes is a "beneficiary" receiving a "retirement allowance or other benefit." Therefore, the correct venue for the case should be the CBA. He then allowed the case to be transferred to the CBA for further proceedings.

- We signed the tolling agreement with Ericka Barnes.
- We received a copy of a letter from Chief Sheridan and the Office of Human Resources. The letter stated that the County has received a letter from Officer Flanary's doctor stating she was released to full duty. The Department and OHR are satisfied and no further action is necessary.

### **MEMBERSHIP COMMITTEE**

**~Tom Scally~**

- The committee received calls from two retirees who would like to become members of the FOP. The committee recommended that we allow them to become members.
- The Executive Board approved the recommendation as did the general membership.
- The two (2) members are Glenn Calhoun and Gerald Holden.

### **PENSION COMMITTEE**

**~Dave Rose~**

- At the November 14, 2017 Pension Board of Trustees meeting, the Trustees approved twenty-five (25) retirements, one (1) from the police department.
- The ordinary death benefit for Office Kevin Loss was also approved.

### **POLICY REVIEW COMMITTEE**

**~Dave Rose~**

- The committee members reviewed twelve (12) new/revised policies this month.
- There were no bargaining issues at this time.
- There was a BWC meeting scheduled for August 31, 2017 to

discuss possible adjustments to the policy. The committee has been directed to discuss limiting an officer's ability to review body worn camera video before making statements. The work group is charged with considering all points and making recommendations to the Chief of Police. These recommendations are to be made in the best interest of all affected parties and dissenting information will also be presented to the Chief for his consideration.

- It is the position of the FOP that this is a mandatory subject of bargaining and that no changes can be made to the policy without bargaining.
- The County has submitted a policy change for the court liaison, which permits officers to place themselves "on call" with the court liaison officer if they can respond to court within 30 minutes. We have communicated that there is no provision for officers placing themselves "on call." We have an extensive court summons process and if officers are not excused for court when off duty they should go to court as scheduled.

### ***Births***

***Elena Marie Higgins, Daughter of Brother Jason Higgins***

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***Ava Grace Lamb, Daughter of Brother Jeff Lamb***

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***Xavier Damari and Xander Dia Lawrence, Twins of Brother Dia Lawrence***

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***Callie Rose Kummerlowe, Daughter of Brother Ben Kummerlowe***

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## POLITICAL ACTION COMMITTEE

~Steve Comegna~

- The Political Action Committee met on Monday, November 20, 2017. The committee brought forth one (1) recommendation for expenditure. That motion is as follows:
- To purchase a \$1,000.00 sponsorship to an event for Baltimore County Councilman Wade Kach (District #3) on Tuesday, December 5, 2017.
- There were three (3) requests for expenditures that the committee did not take any action on.
- The Executive Board of Directors approved these expenditures on Monday, November 20, 2017. The expenditures were approved by the membership on Monday, November 27, 2017.

## GOOD OF THE ORDER

- During the month of October, FOP Lodge #4 sent three (3) cards and flower arrangements to bereaving members. Five (5) thank you cards were received. One (1) donation was made in lieu of flowers. Three (3) fruit baskets were sent to members recovering from illness or injury.
- 1st Vice President Comegna made a motion at the Executive Board meeting to send up to three (3) people to Leadership Matters Training in Nashville in February 2018. The motion was seconded and passed. It also passed at the General membership meeting.
- At the November 20, 2017 Executive Board of Directors

meeting, John Stierhoff, our lobbyist in Annapolis spoke about the upcoming legislative session and the 2018 elections. Dave Schmelz from RBC was also present and spoke about Lodge #4's investments and financial status.

- The Lodge held elections for five (5) Executive Board positions and Line Officers. The only Line Officer Position contested was for President. A total of 1292 ballots were received. 1283 ran through the machine, 4 were handcounted and 5 were deemed invalid for a total of 1287 counted ballots. The results are posted in this issue of the Fourword.



**Lodge #4 Chaplain Tony DiCara was sworn in as Maryland State FOP Chaplain at the State meeting November 4, 2017. Congratulations from the Lodge #4 Executive Board of Directors and the General Membership. Tony will fulfill the remainder of Paul Merkle's term. Paul was also a previous Lodge#4 Chaplain.**

## Election Results

### President

<b>Cole Weston</b>	<b>959</b>	<b>*</b>
<b>Doug Jess</b>	<b>301</b>	

### Executive Board of Directors

<b>Mike DiCara</b>	<b>950</b>	<b>*</b>
<b>Kathy Kraemer</b>	<b>908</b>	<b>*</b>
<b>Tom Scally</b>	<b>878</b>	<b>*</b>
<b>Dave Sweren</b>	<b>874</b>	<b>*</b>
<b>Jim Rommel</b>	<b>870</b>	<b>*</b>
<b>Justin Warnick</b>	<b>573</b>	
<b>Sekou Hinton</b>	<b>441</b>	

**\* denotes winners**



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

WHEREAS: The National Constitution and By-laws was amended at the 63rd Biennial Conference in Nashville by 2/3 of the delegates in attendance;

WHEREAS: A local lodge's Constitution and By-laws cannot be in conflict with the National Constitution and By-laws;

Therefore be it resolved:

Article IV, Section 1 Membership, be revised to read:

SECTION 1:

- A. The membership in this Lodge shall consist of full-time law enforcement officers who are employed by Baltimore County, Maryland Police Department, or persons who have been honorably retired from such employment because of length of service or disability, but not to include persons who have ceased to perform police work for any other reason. No person shall be denied membership because of race, religion, sex, creed, age, sexual orientation, color or national origin.
- B. "Full-time shall mean law enforcement officers that are engaged in such employment as their full-time occupation as to hours worked and income derived as determined by their lodge. The term may also include law enforcement officers that are employed with multiple law enforcement agencies and are engaged in such employment as their full-time occupation on average of at least 30 hours per week.

Submitted on 10/26/17 by  
Dave Rose  
2<sup>nd</sup> Vice President

The January

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
January 22, 2018  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road

The February

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
February 26, 2018  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road