



The Fourword

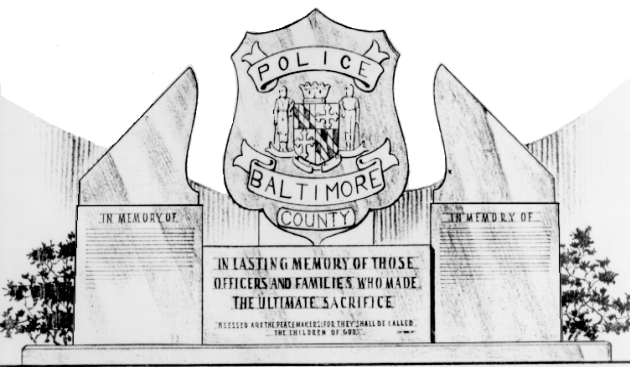
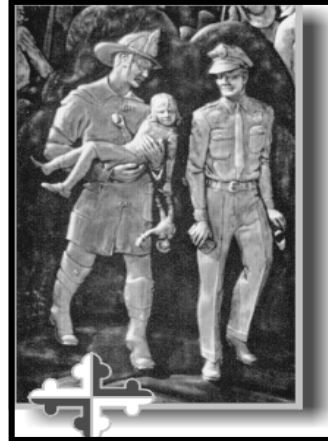
Volume 39, Number 3

March 2011

Fallen Heroes Day

May 6, 2011 at 1:00 p.m.

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



Baltimore County Police Memorial Day

May 13, 2011

10:00 a.m.

Courthouse Plaza,
401 Bosley Avenue
Towson, Maryland 21204

National Law Enforcement Officers Memorial Day

May 15, 2011

United States Capitol
Washington, D.C.



Representing the Professional Police Officers of Baltimore County





MEETING MINUTES

February 2011

Recorded by Dave Folderauer

The February 2011 General Business Meeting was held on February 28, 2011 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 Bergin was excused, Brother Tony DiCara was sick. Brother Scally was 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 January 2011 General Membership Meeting. A second was made by Brother King. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ **PRESIDENT WESTON** ~

- January 25 Met with a member concerning retirement planning.
- January 26 Addressed the In-Service training class.
- January 27 Met with the President of Howard County F.O.P.
- January 29 Attended the quarterly meeting for the Maryland State Fraternal Order of Police.
- January 31 Visited a member at

- University Hospital and attended a meeting of the Baltimore County Spending Affordability committee.
- February 2 Addressed the In-Service training class.
- February 3 Attended the Promotion Ceremony and visited the funeral home with the Richardson family.
- February 6 Assisted with the Baltimore County Police Memorial Superbowl 5-K race.
- February 8 Attended the Pension Board of Trustees meeting.
- February 9 Addressed the In-Service training class.
- February 10 Attended the Police Assistance and Relief Fund meeting and met with Colonel McCleese in reference to the tattoo policy.
- February 11 Met with County Executive Kevin Kamenetz and members of his senior staff to discuss cases in litigation left from the previous administration.
- February 15 Attended the County Council work session.
- February 16 Addressed the In-Service training class and visited the funeral home with the Graham family.
- February 17 Attended a meeting concerning Speed Cameras and Secondary Employment and visited the funeral home with the Pietro family.
- February 21 Attended the Executive Board of Directors meeting.
- February 22 Met with the Director of the Office of Human Resources concerning unresolved cases in litigation, and met with Chief Johnson.
- February 24 Attended a fundraiser for the Chairman of the

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 1st Vice President <i>PC3 - Traffic</i> (410) 409-0293	David M. Rose 2nd Vice President <i>F.O.P Lodge 4</i> (443) 956-2643
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David J. Folderauer, Sr. Lodge Secretary <i>PC 4 - IST</i> (410) 382-2075	Robert W. Caskey Treasurer <i>CID-Robbery</i> (443) 956-2615
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W. Donald Patterson State Trustee <i>Materials & Facilities</i>	Richard J. Bergin Sergeant at Arms <i>VNS - CDVIT</i>
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Paul A. Merkle Chaplain <i>Retired</i>	L. Timothy Caslin Past President <i>Retired</i>
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EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman <i>Employment</i> (410) 416-2800	Mike DiCara Vice Chairman <i>PC 6</i>
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Thomas G. Scally <i>CID - Arson</i>	Louis J. Lagna <i>Retired</i>
Donna Patterson <i>Planning & Research</i>	Patrick Zito <i>PC 7 - Traffic</i>
James P. Rommel, Jr. <i>K9</i>	Ryan Massey <i>Homicide</i>
Joe Caskey <i>Homicide</i>	Tony DiCara <i>PC 12</i>

LODGE STAFF

Larry Sibley—Office Manager
Juanita Bouthner—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 2

Association of
Baltimore County
Retired Police
2011 Meetings

April 5
May 3
September 6
November 1

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

Baltimore County Council, John Olszewski Sr.

- February 28 Chaired the General Membership meeting.

~ 1st V. P. COMEGNA ~

- February 21 Worked at the Lodge office and attended a meeting of the Political Action Committee and the Executive Board of Directors Meeting.
- February 24 Attended a meeting of the Maryland State Lodge's Special Investigation Committee.
- February 28 Worked at the Lodge office, attended meetings of the Negotiations Committee, the Legal Advisory Committee, the Political Action Committee and attended the General Business Meeting.

~ 2nd V. P. ROSE ~

- January 27 Met with Howard County FOP President Greg Der.
- February 3 Attended the police department promotion ceremony.

- February 4 Met with a member about a scheduling issue in Precinct 11.
- February 6 Attended and assisted at the Super Bowl 5K Race to benefit the Police Memorial Fund.
- February 10 Met with Colonel McCleese about the tattoo policy.
- February 11 Met with County Executive Kamenetz and County attorney Mike Fields.
- February 13 Attended and participated in the 3rd Annual Wing Bowl to benefit the "Signal 13 Fund."
- February 15 Attended the County Council Work session.
- February 17 Met with Major Evans about the speed camera policy; met with Major Burris about secondary employment.
- February 21 Attended the Executive Board of Directors meeting.
- February 24 Attended a fundraiser for Councilman John Olszewski.
- February 28 Attended a Negotiations Committee meeting, chaired a Legal Advisory committee meeting, attended the General Business meeting.

~SECRETARY FOLDERAUER~

- February 21 Worked at the Lodge office and attended a meeting of the Political Action Committee and the Executive Board of Directors Meeting.
- February 24 Attended a fundraiser for Councilman John Olszewski.
- February 28 Worked at the Lodge office, attended meetings of the Negotiations Committee, the Legal Advisory Committee, the Political Action Committee and attended the General Business Meeting.

ness Meeting.

~TREASURER CASKEY~

- Chaired several meetings of the Facilities Committee.
- Attended the Executive Board of Directors meeting.
- Attended Negotiations and Legal Advisory Committee meetings and the General Membership meeting.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on February 21, 2011. The meeting was called to order at 5:00 p.m. Brothers Lagna and Caslin were on vacation. Brother Scally was working. 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.

REPORTS OF COMMITTEES

BULLROAST COMMITTEE

~Ken Schubert~

- The 40th Annual FOP Lodge 4 Bull & Oyster Roast will take place on March 27, 2011 at Tall Cedars Hall in Parkville. This event is sold out.

DONATION REVIEW

~Paul Merkle~

- The Donation Review Committee met on 2/21/2011 and

ATTENTION ASSOCIATE MEMBERS:

Associate members are reminded that the dues assessment for 2011 was due and payable on January 1, 2011.

Associate members who have still not paid the 2011 assessment by March 31, 2011, including those previously sent a pro-rated assessment notice, will be dropped from the rolls.

In addition, fraternal organization license plates will be cancelled for those who have not renewed their membership for 2011.

This is the final notice for the 2011 assessment.

THANK YOU to those who have already renewed.

- considered the following items:
- Motion to donate \$2000.00 to the Dulaney Valley Memorial Gardens in support of the Fallen Heroes Day service to be held on May 6, 2011.
- Motion to donate \$500.00 to member Shelby Hughes for the police officer memorial garden at Precinct 8 that was completed and dedicated in October 2010.
- Motion to donate \$350.00 to the MD Law Hockey team for upcoming benefit tournaments supporting a Burn injury foundation and two fallen officers from Rochester .
- Motion to sponsor the Anderson – Snyder Memorial Fund Bull Roast at the White level for \$125.00. The fund supports the memory of a member’s son who was killed in action while in the Marine Corps. The sponsorship includes two tickets to the event on March 26, 2011.
- Motion to donate as a sponsor,

- \$500.00 to the Mid Atlantic Association of Women in Law Enforcement Conference to be held in Spring 2011.
- Motion to donate \$100.00 to the St. Baldrick’s Foundation in support of Kids with Cancer. The head-shaving event is being held on March 6, 2011
- These motions were approved by the Board of Directors and the General Membership.

EXPENDITURE REVIEW COMMITTEE
~Paul Merkle~

- The Expenditure Review committee met on February 7, 2011. The petty cash held by the President and that of the Office Manager were checked and found to be in an appropriate status. The bills from the months of September, October, and November of 2010 were reviewed and found to be in or-

- der.
- The Office Manager’s financial transactions for the same time frame were checked and found also to be in order.

GRIEVANCE COMMITTEE
~Dave Rose~

- In January, an officer spoke with a member from County Office of Human Resources who informed her she was not registered to take the Corporal Exam on February 5, 2011. The officer stated she registered for the exam during the open registration period and should be eligible to take the exam. The Office of Human Resources (OHR) had no record of her registration.
- The officer then contacted the Lodge for assistance. Through the initial inquiry, it was discovered that the officer did not have any printed confirmation of her registration or a copy of her registration form. These can be printed out as an applicant registers for the exam.
- Several conversations were held with the Labor Commissioner/ Director of OHR, George Gay by President Weston, Major Burris and Colonel McCleese about past exceptions to the registration deadline. George Gay empathized with the officer’s situation but had no record of any electronic filing by her. He did say there were over 300 applicants registered within the registration period and it would not be fair to grant an exception. If she could show any physical paper/printout that she in fact registered he would allow her to take the exam. The officer could not provide any

Bereavements

**Retired Brother
Peter B. Sharman, Jr.**

**Comer R. Richardson
Father of Retired Brother
Scott H. Richardson**

**James M. Graham. Sr.
Father of Retired Brother
James M. Graham, Jr.**

**Gertrude Pietro
Mother of Brother Joseph F.
Pietro**

**Bill Bullis
Father of
Sister Robin Robinson and
Father-In-Law of Retired
Brother Gary Robinson**

**Michael Miller
Father of Brother
Dennis Miller**

printout or e-mail confirmation..

- The week of the test, a grievance was filed by the officer for her exclusion from taking the Corporal promotion exam. The grievance was quickly waived through steps #1 and #2. A Step #3 hearing could not be scheduled to be heard and ruled upon before the exam on February 5, 2011. On Monday February 7, 2011, after the exam, there was no longer a remedy for the grievance because the exam date had passed. The officer withdrew her grievance at the request of the Lodge.

**LEGAL ADVISORY
COMMITTEE
~Dave Rose~**

- On February 11, 2011 a meeting was held between President Weston, Second Vice President Dave Rose, County Executive Kamenetz, Chief of Staff Don

Mohler and County Attorney Mike Fields to discuss the current litigation between FOP Lodge #4 and Baltimore County. The meeting lasted for about 45 minutes. During the meeting, County Executive Kamenetz asked questions to President Weston about each pending case and took copious notes. There was an open dialogue at the meeting and different views were discussed. After the meeting, the County Executive expressed his appreciation and stated we would hear more from his administration as we proceed forward.

- On February 14, 2011 President Weston was contacted by the Labor Commissioner, George Gay to schedule a date to have discussion about the pending cases. That meeting was held on February 22, 2011. Discussions were held about possible resolutions in several of the cases. Additional discussion will continue in the weeks to come.
- The Stanley Siedlecki case is scheduled for March 24,2011 at the Board of Appeals.
- Briefs are due at the end of March for the Employee Relations Act case and the Retiree Subsidy case at the Court of Special Appeals.
- Briefs are due February 28, 2011 for the Blake case at the Fourth Circuit Court.
- We have received the list of arbitrators from The American Arbitrators Association for the Step #4 grievance over same-sex spousal benefits. Our attorneys will proceed through the selection process and a date will be scheduled for the hearing.
- On February 11, 2011 we re-

ceived an unfavorable decision from the Board of Appeals in the Michelle Starks case. She has requested the committee to review the case for an appeal to the Circuit Court. Committee members were each given copies of the case on February 18, 2011.

- On February 28, 2011 the committee members met to discuss the request to appeal the case to Circuit Court. Mike Marshall argued the case at the Board of Appeals and has reviewed the opinion. His advice to the committee is that this is not a good case to appeal to the Circuit Court and would not be a prudent expenditure of Lodge funds.
- The Board of Appeals decision was also given to another attorney for review and an opinion. Larry Feldman, a worker's compensation attorney was given the entire file to review. He then submitted an opinion to the committee. His opinion was that this would be an extremely difficult case to overturn on appeal. He based his opinion on the fact that the 75% rating is extremely high based on the County Code using AMA Guidelines of permanent disability for function and range of motion, coupled with the fact that the standard for a Circuit Court review is fairly high.
- After reviewing the information provided, a motion was made to not fund the appeal to Circuit Court. The motion passed unanimously. The committee recommendation was presented to the Executive Board of Directors and it was passed unanimously.

PENSION COMMITTEE

~ Cole Weston ~

- The Pension Board of Trustees met on February 8, 2011 and approved 12 service, vested, and early retirements. One accidental and three ordinary disability retirements were also approved.

POLICY REVIEW COMMITTEE

~Dave Rose~

- The committee has reviewed five (5) new policies this month. There were no bargaining issues identified.
- On February 10, 2011 President Weston and Dave Rose met with Col. McCleese in reference to the new policy for the covering of tattoos by officers while working or representing the Department. The FOP had previously agreed in 1998 that tattoos should be covered while working but additional conditions were being added that were of concern to the committee members.
- The meeting went well and a consensus was reached on most of the language changes. The wearing of the tie with the long sleeve shirt between April 1 and October 31 is still a point of disagreement.
- The Department's position is that the tie should be worn with the long sleeve shirt except during the months of July, August and any other day the management decides the temperature is too high for the ties to be worn.
- The Department's position was communicated to the Executive Board of Directors. The Policy review committee recommendation was that the long sleeve

shirt without the tie still allows for the covering of tattoos and presents a professional appearance, while allowing for comfort during the warmer months. The Board accepted the committee recommendation. I then communicated the Board's position to Col. McCleese.

- On January 24, 2011 the Mary-

land Court of Appeals ruled on the speed camera case involving the four officers from Montgomery County. In the ruling, the court stated that a government entity did not have to petition the District Court to transfer liability to an officer because the transfer of liability is an administrative review proc-

Blue Knights Maryland IX

Seventh Annual

PURPLE HEART RIDE

Sunday, June 26, 2011

11:00 AM



Proceeds from this year's Purple Heart Ride will benefit the Armed Forces Foundation.



REGISTRATION*

Rider - \$25
Passenger - \$10
Non-Rider - \$10

(available at Old Glory Harley-Davidson)

Registration includes meal ticket.

* All participants MUST register

DIRECTIONS TO FREEDOM PARK

From Route 32 Columbia / Fort Meade:

- Head north on Route 32 into Carroll County
- Make a right at the light onto Raincliffe Road
- Proceed approx. ¼ miles to Freedom Park on the right

From the intersection of Liberty Road and Route 32:

- Head south on 32
- Make a left at the light onto Raincliffe Road
- Proceed approx. ¼ miles to Freedom Park on the right

SCHEDULE

- 9:00 am Registration opens at Freedom Park, Sykesville, MD
- 11:00 am Kickstands up!
Police Escorted Ride to Old Glory Harley-Davidson 11800 Laurel Bowie Road Laurel, MD
- 11:30 am Arrive at Old Glory Harley-Davidson
ENJOY lunch, music and participate in a rider "challenge" while we celebrate and honor our wounded warriors and veterans.

INFORMATION

www.bkmdix.org

Facebook: Blue-Knights-Maryland-IX

Blue Knights, Maryland IX
P.O. Box 1714
Sykesville, MD 21784

ess that will enable the court to identify the driver of a vehicle if the driver is someone other than the owner. In the case of a police officer, the Police Department cannot be the operator of the vehicle because the agency is a government entity. The Police Department has meticulous records that will identify the driver of the vehicle, so the administrative process through the District Court is not necessary. The Court went on to rule that the Department having the officer either pay the ticket or contest it in court is not a violation of the officer's due process.

- On February 17, 2011 a meeting was held to discuss the speed camera policy. After discussion, it looks as though an agreement has been reached. Once it is written, the final draft of the policy must go through the administrative review process including the FOP before it is signed by the Chief and implemented.
- We also met to discuss the secondary employment policy. The original policy was written in 1995 and needs to be updated to be compliant with the current laws and the Memorandum of Understanding. The committee received a draft of the proposed changes to review. Once it is written, the final draft of the policy must go through the administrative review process and including the FOP before it is signed by the Chief and implemented.

POLITICAL ACTION COMMITTEE

~Steve Comegna~

- The Political Action Committee met on Monday February 21,

2011. The following motion was presented to the Executive Board of Directors:

- To purchase a one thousand dollar (\$1000.00) sponsorship to a fundraiser being held by Baltimore County Councilman David Marks (District # 5) on Wednesday March 23, 2011. The event is being held at the Bowman Restaurant 9306 Harford Road 21234 from 5:30 pm until 7:30 pm. The total PAC expenditure is one thousand dollars (\$1000.00).

- This motion was presented to the Executive Board of Directors on Monday February 21, 2011, where it was approved.

- The Political Action Committee met again on Monday February 28, 2011. The following motions were presented to the Executive Board of Directors:

- To purchase a one thousand dollar (\$1000.00) sponsorship to a fundraiser being held by Baltimore County Councilwoman Vicki Almond (District # 2) on Wednesday March 02, 2011. The event is being held at Linwood's 25 Crossroads Drive Owings Mills, Maryland 21117 from 7:30 am until 9:00 am. The total PAC expenditure is one thousand dollars (\$1000.00).

- To purchase a one thousand dollar (\$1000.00) sponsorship to a fundraiser being held by Baltimore County Councilman Tom Quirk (District # 1) on Wednesday March 23, 2011. The event is being held at the Overhills Mansion 916 South Rolling Road 21228 from 8:00 am until 10:00 am. The total PAC expenditure is one thousand dollars (\$1000.00).

- The General Membership ap-



proved these motions on Monday February 28, 2011 at the General Membership Meeting.

SCHOLARSHIP COMMITTEE

~Tim Caslin~

- Thirty-seven scholarship applications were received. There are 13 finalists. Interviews are scheduled for March 26, 2011.

GOOD OF THE ORDER

- A reunion of retired Baltimore County Police Officers will be held on August 19, 2011 at the Knights of Columbus hall on Klosterman Ave. Details will be forthcoming.
- During the month of February, the Lodge sent four (4) flower arrangements and six (6) sympathy cards to bereaving members. Five (5) fruit baskets were sent to members for hospitalizations. Six (6) "Thank You" cards were received.
- The meeting was adjourned at 8:17 pm.

The April

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
April 25, 2011
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The May

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
May 23, 2011
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road