



The Fourword

Volume 39, Number 6

June 2011

SPECIAL RETIREMENT PLAN CONTRIBUTION PROVISIONS FOR PEOPLE NEARING RETIREMENT

If you are nearing retirement, you may want to consider taking advantage of special “catch up” provisions in our deferred compensation plan, which help people who are nearing retirement defer additional money for retirement in their last years of employment. This “catch up” program allows eligible participants to exceed the annual contribution limits to their 457 deferred compensation plan.

The first type of “catch up” is the “Age 50 Plus” catch up. If you contribute to a 457 deferred compensation plan and will be 50 years of age or older by the end of the tax year, you may use this provision to defer an additional \$5,500 in 2011 over the normal deferral limit of \$16,500.

The second type of “catch up” is the “Special 457” catch up. If you are within three years of “normal retirement age” and are making the maximum contribution to your 457 plan, you may be eligible for this provision. If you have not contributed the maximum in the past, you may be able to increase your deferral amount to two-times the maximum contribution limit. For example, in 2011, you may be able to contribute as much as \$33,000. Additionally, this provision is not permitted in the year you retire. This special catch up serves as a one time opportunity that lasts for three consecutive calendar years as long as you are employed. Even if you start late in the first year, that year is counted as one of the three years. You may change or cancel it at any time.

You can only use one of these catch up options in the same year.

If you wish to participate in either of these plans, contact a Nationwide representative:

James Pessagno 410-409-8211
Kevin McQuarrie 410-519-3416





MEETING MINUTES

May 2011

Recorded by Dave Folderauer

The May 2011 General Business Meeting was held on May 23, 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

Brothers Bergin and Caslin were excused. Brother Mike DiCara was on vacation. 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 April 2011 General Membership Meeting. A second was made by Brother Don Patterson. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ **PRESIDENT WESTON** ~

- April 27 Addressed the In-Service training class.
- April 28 Attended the Baltimore County Police Foundation Awards Ceremony.
- April 29 Attended the Maryland State FOP Executive Board Meeting.
- April 30 Attended the Annual Maryland State FOP Meeting.

- May 2 Addressed the First-Line Supervisors school and chaired a meeting of the Legal Advisory and Negotiations Committees.
- May 3 Attended a meeting of the Baltimore County Retired Officers Association.
- May 4 Addressed the In-Service training class.
- May 6 Attended the Fallen Heroes Day ceremony at Dulaney Valley Memorial Gardens.
- May 10 Attended the Pension Board of Trustees meeting.
- May 11 Addressed the In-Service training class.
- May 12 Attended the explanation and defense of the Insurance, Police, and Retirement Departments before the County Council.
- May 13 Attended the Baltimore County Police Memorial Service and the reception at FOP Lodge #4.
- May 16 Attended the Executive Board of Directors meeting.
- May 18 Addressed the In-Service training class.
- May 19 Attended the Bi-monthly meeting between Chief Johnson, the Bureau Chiefs, and members the FOP Executive Board.
- May 23 Chaired the General Membership meeting.

~ **1st V. P. COMEGNA** ~

- May 2 Attended a meeting of the Negotiations Committee.
- May 13 Attended the annual Baltimore County Police Department's Memorial Service.
- May 16 Worked at the Lodge office, completing PAC data entry.

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

The Fourword

- May 23 Worked at the Lodge office and attended the General Membership Meeting.

~ 2nd V. P. ROSE ~

- April 28 Attended the Police Foundation Awards Dinner.
- April 30 Attended the Maryland State FOP meeting in Hagerstown.
- May 16 Attended a fundraiser for the Police Unity Tour.
- May 2 Addressed First Line Supervisors school; attended a Negotiations Committee meeting.
- May 3 Attended the Retired Officers Association meeting.
- May 6 Attended the Fallen Heroes ceremony at Dulaney Valley Memorial Gardens.
- May 12 Attended the County Council hearing for the Police Department budget.
- May 13 Attended the Baltimore County Police Memorial ceremony.
- May 16 Attended the Executive Board of Directors meeting.
- May 19 Attended the Board of Directors meeting with Chief Johnson.
- May 23 Attended the General Membership meeting.

~SECRETARY FOLDERAUER~

- May 2 Attended a meeting of the Negotiations Committee.
- May 23 Worked at the Lodge office and attended the General Membership meeting

~TREASURER CASKEY~

- April 30 Attended the MD State FOP meeting in Hagerstown.
- May 2 Attended a meeting of the Negotiations Committee and the

Legal Advisory Committee.

- May 13 Attended the Baltimore County Police Department's memorial service and worked at the Lodge.
- May 16 Attended the Executive Board of Directors meeting.
- May 23 Attended the General Membership meeting.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Kenny Schubert ~

- An Executive Board of Directors meeting was held on May 16, 2011. The meeting was called to order at 5:01 p.m. First Vice President Comegna was excused. Secretary Folderauer and Brother Scally were working, and Brother Bergin 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.

REPORTS OF COMMITTEES

DONATION REVIEW

~Paul Merkle~

- Two motions were made by the Donation Review Committee:
- To donate \$300.00 toward the entry fee for the RAGNAR Relay to benefit homeless people on September 23-24, 2011. The relay team consists of FOP Lodge 4 members.
- To donate \$1500 to the Annual Torch Run to benefit the Special Olympics. The run was held on June 8, 2011.

FOP Lodge 4 Annual Golf Tournament

FOP Lodge 4 will be holding it's annual golf tournament on Friday August 26, 2011. The tournament will be held at Rocky Point Golf Course in Essex. The start time is 0800 hours. There will be a continental breakfast prior to the start. Food and beverages will be available on the course, with lunch and prizes to follow. Cost is \$360 per foursome. Call Cpl. Patterson at ext. 4940 to reserve your foursome. The tournament always sells out fast so money is required to hold a spot for a foursome.



- Both motions received proper seconds and passed unanimously.

GRIEVANCE COMMITTEE

~Dave Rose~

- No grievances were filed this month.
- The two pending grievances were in settlement discussions until May 12, 2011 when the County Administration notified the FOP that settlement negotiations would not continue.
- A hearing for the same-sex spouse grievance in front of

Bereavements

Deborah A. Castagnetti
Wife of Retired Brother
Robert J. Castagnetti

Charles S. Krull, Sr.
Grandfather of Brother
Christopher C. Maher

Jean Braund Higdon
Mother of
Retired Brother
Richard "Kirk" Higdon

Elizabeth Matthews
Grandmother of Brother
Luke A. Matthews

Stephen N. Duley, Sr.
Father of Brother
Stephen N. Duly, Jr.

Ernest Eshman
Father of Brother
Kevin Eshman



the arbitrator was to be held on May 25, 2011 to determine if any facts are in dispute. If not, briefs will be submitted to the arbitrator in mid June with a possible hearing date on June 28, 2011 if needed.

LEGAL ADVISORY COMMITTEE
~Dave Rose~

- No committee meeting was held this month.
- Settlement negotiations on all of

our pending cases with the County have broken off. President Weston was notified on May 12, 2011 by Labor Commissioner George Gay that the Administration was not going to continue settlement negotiations on any of the cases.

- The attorneys handling the cases for FOP Lodge 4 have been notified and will proceed with the cases that are in various levels of appeal.
- The County Administration lost their case in Federal District Court against Det. Bill Blake. The jury found that the County Administration violated Det. Blake's rights under the Americans with Disabilities Act and he was awarded damages of \$225,000 and Lodge 4 was to be reimbursed for legal fees and expenses. The County is appealing the case to the Federal Fourth Circuit Court in Richmond, Virginia.
- The County Administration lost the Employee Relations Act case in the Circuit Court of Baltimore County. Judge Timothy Martin issued his decision on July 7, 2010 after he found that former County Executive Jim Smith violated the Employee Relations Act. The County Administration is now appealing the case to the Court of Special Appeals.
- The County Administration lost the Retiree subsidy case in arbitration on July 15, 2008. Arbitrator Richard Bloch ruled the County Administration violated the terms and conditions of the Memorandum of Understanding when it increased the retiree subsidy for health care for members who retired after February 1, 1992 and prior to July

1, 2007. The County filed a complaint to vacate the arbitration award to the Circuit Court of Baltimore County. The County Administration lost a second time, when after hearing oral arguments, Judge Finifter issued an opinion on August 10, 2010 denying the County's motion. The County Administration has filed an appeal to the Court of Special Appeals.

- The County Administration lost the Stanley Siedlecki case in the Court of Special Appeals on July 30, 2010. The decision of the court was that if Stan Siedlecki could not be brought back to work as a police officer, he must be given his disability retirement, not another job in county government. After the decision by the court, the County Administration again retired Stanley Siedlecki, but did not adjust his pension for the additional years of pension credit he has earned since he was brought back to work by the Administration. The FOP has filed an appeal to the County Board of Appeals.

PENSION COMMITTEE
~ Cole Weston ~

- The Pension Board of Trustees met on May 10, 2011 and approved 18 service, drop, vested, and accidental death in service retirement benefits. One accidental disability was approved. One honorable and faithful service was reviewed and the individual was denied the ability to remain vested in the system.

**Congratulations to
our June Promotees!**

Sergeant to Lieutenant

William R. Isenhart

Corporal to Sergeant

Robert A. Campbell, Jr.

Officer to Corporal

Kimberly A. Rodriguez

**POLICY REVIEW
COMMITTEE**

~Dave Rose~

- The committee reviewed two (2) new policies this month.
- The secondary employment changes were approved by the committee and will be coming out in the next general order. There were modifications to the policy that clarify how an officer is treated when he or she takes "police action" while working secondary employment.

**POLITICAL ACTION
COMMITTEE**

~Steve Comegna~

- The Political Action Committee met on Monday May 16, 2011. The following motions were presented to the Executive Board of Directors:
- To purchase up to four (4) tickets to a fundraiser being held by Baltimore County Councilwoman Vicki Almond (District # 2) on Thursday June 2, 2011. The ticket cost was \$50.00 each for a total PAC expenditure of

\$200.00.

- To purchase a \$250.00 Sponsorship to a fundraiser being held by State Delegate and FOP Brother Steve DeBoy (District # 12A) on Monday June 13, 2011. The total PAC expenditure was \$250.00.
- To purchase a two hundred and fifty (\$250.00) "Lemon" sponsorship to a fundraiser being held by State Delegate and FOP Brother John Cluster (District # 8) on Friday June 24, 2011. The total PAC expenditure would be \$250.00.
- These motions were presented to the Executive Board of Directors on Monday May 16, 2011 at the Executive Board of Directors Meeting. All motions received a proper seconds. The motions were discussed and voted upon. The Executive Board of Directors approved these motions.
- The General Membership approved these motions on Monday May 23, 2011 at the General Membership meeting.

GOOD OF THE ORDER

- Chairman of the Products and Services Committee, Brother Tony DiCara, informed members that he has discount tickets for Poconos Getaways. Contact him for additional information.
- Brother Schubert announced his retirement, effective June 1, 2011 after 38 years of service to the Baltimore County Police Department.
- Brother Kenny Schubert's retirement celebration will be held on Saturday, September 24, 2011 at Tall Cedars hall in Parkville from 7:00 pm until

*Association of
Baltimore County
Retired Police
2011 Meetings*

*September 6
November 1*

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

- 11:00 pm. Tickets are \$35, and include open bar, hors d'oeuvres, buffet, music, and gift. Contact Rick Page at (410)887-5521 or by email at: rpage@baltimorecountymd.gov for tickets or information.
- Brother John Cluster thanked everyone who wished him well during his hospitalization in March.
- During the month of May, the Lodge sent two (2) flower arrangements, six (6) sympathy cards to bereaving members. The Lodge also made four (4) donations in lieu of flowers at the members' request. Four (4) fruit baskets were sent to members for hospitalizations. Eleven (11) "Thank You" cards were received.
- The meeting was adjourned at 8:01 pm.



The July

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

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

at
FOP Lodge 4
9304 Harford Road

The August

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
August 28, 2011
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road