



The Fourword

Volume 41 Number 5

May 2013



Baltimore County Police Third Annual Reunion and Bull Roast

When: Friday August 23, 2013

Time: From 7:00 PM – 11:00 PM

Where: Columbus Gardens, Fullerton
4301 Klosterman Ave. 21236

Menu: Pit Beef, Ham & Turkey, Crab Soup, Salads, Beer, Set Ups & Open Bar, Hot Buffet – Shrimp Creole with rice, Kielbasa and Sauerkraut, Barbecue Chicken, Mashed Potatoes with Gravy, Penne Pasta, Meatballs and Sliced Carrots

Cost: \$35.00 per person

Contact: Roger Sheets at [410-836-8462/rsheets10@verizon.net](mailto:rsheets10@verizon.net)
John Cullum at [410-661-8226/jcullum@verizon.net](mailto:jcullum@verizon.net)
Paul Gilland at [410-598-5761/pjgboss302@aol.com](mailto:pjgboss302@aol.com)

Make checks payable to: Central Alarmers. Mail check for # of tickets x \$35 to FOP Lodge # 4, c/o John Cullum, 9304 Harford Rd, Baltimore, MD 21234. Please include a self addressed stamped envelope so tickets can be mailed back to help keep our costs down. Proceeds to be donated to the Central Alarmers.



Representing the Professional Police Officers of Baltimore County





**MEETING MINUTES
April 2013**

- The April 2013 General Business Meeting was held on April 22, 2013 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Brother Schubert gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

- Chaplain Merkle and Sister Kraemer were excused. 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, 2013 General Membership Meeting. A second was made by Brother King. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- March 28 Visited the funeral home with the Schubert family.
- April 4 Testified at the Baltimore County Board of Appeals in the Bradford pension case.
- April 5 Assisted a member with retirement planning.
- April 10 Addressed the In-Service training class.

- April 11 Attended the Police Assistance and Relief Fund meeting.
- April 12 Attended the motions hearing with Brother James La-board.
- April 15 Attended the County Executive's budget address, a Legal Advisory Committee meeting and the Executive Board of Directors meeting.
- April 16 Attended the Police Foundation Awards ceremony.
- April 20 Attended the quarterly State F.O.P. meeting in Ocean City.
- April 22 Chaired the General membership meeting.

~ 1st V. P. COMEGNA ~

- April 15 Worked at the Lodge office, attended the County Executive's annual budget message, attended a meeting of the Legal Advisory Committee and attended the Executive Board of Directors meeting.
- April 19 and 20 Attended the quarterly meeting of the Maryland State Lodge in Ocean City, Maryland.
- April 22 Worked at the Lodge office and attended the General Membership Meeting.

~2nd V.P. ROSE~

- March 27 Addressed in-service training.
- March 28 Attended a meeting with Colonel Evans to discuss integrity issues.
- March 30 Attended a retirement party for Warren Cooper.
- April 2 Attended the Retired Officers' Association meeting.
- April 3 Addressed in-service training.

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>PC12</i>	Anthony DiCara Sergeant at Arms <i>PC12</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>Retired</i> (410) 416-2800	Mike DiCara Vice Chairman <i>PC 4</i>
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Thomas G. Scally <i>CID - Arson</i>	Louis J. Lagna <i>Retired</i>
Donna Patterson <i>PC12</i>	Patrick Zito <i>PC 7 - Traffic</i>
James P. Rommel, Jr. <i>K9</i>	Ryan Massey <i>CID - Homicide</i>
Joe Caskey <i>CID - Homicide</i>	Kathy Kraemer <i>PC 6</i>

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

Bereavements

Retired Brother Billy Roy Baker

**Joseph Holthaus
Brother of Retired Brother
James Holthaus**

**Phillip M. Kreft
Brother-In-Law of Retired
Brother Mark Steindler**

**Lawrence J. Ches
Father of Retired Brother
Lawrence S. Ches**

**Mary Beasley
Sister-In-Law of Retired
Brother Kenneth Schubert**

- April 4 Attended a Board of Appeals hearing for Brandt Bradford.
- April 9 Attended a Pension Board of Trustees meeting.
- April 12 Attended a motions hearing in Circuit Court for James Laboard and chaired a Grievance Committee meeting.
- April 15 Attended the County Executive's Budget message, met with Baltimore County State's Attorney Scott Shellenberger and Mike Marshall to discuss an LEOBR issue, chaired a Legal Advisory Committee meeting, and attended the Executive Board of Directors meeting.
- April 16 Attended the Police Foundation Awards dinner.
- April 17 Addressed in-service training.
- April 19-20 Attended the Maryland State Lodge Board meeting in Ocean City.

- April 22 Attended the General Membership meeting.

~SECRETARY FOLDERAUER~

- April 15 Worked at the Lodge office, attended a meeting of the Legal Advisory Committee and attended the Executive Board of Directors Meeting.
- April 19 & 20 Attended the Maryland State Lodge meeting in Ocean City.
- April 22 Worked at the Lodge office and attended the General Membership Meeting.

~TRESURER CASKEY~

- April 15 & 22 Worked at the Lodge.
- April 2, 16, 21, 29 Paid bills.
- April 12 Attended a Grievance Committee meeting.
- April 15 Attended meetings of the Legal Advisory Committee and the Executive Board of Directors.
- April 19 Attended training hosted by the Maryland State FOP Lodge.
- April 20 Attended the Maryland State FOP meeting.
- April 22 Attended the General Membership meeting, where I reported on the financial status of the Lodge.

**EXECUTIVE BOARD
OF DIRECTORS REPORT**

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on April 15, 2013. The meeting was called to order at 5:00 p.m. Sister Kraemer was excused. All other elected officers and Board members were present. Legal counsel Mike Marshall was also present.
- 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~

- The Donation Review committee met on April 15, 2013 and made the following motions to approve donation requests:
- To purchase 10 tickets for the 13th annual PAR Fund Awards breakfast being held on April 26, 2013. Tickets were priced at \$30 each for a donation of \$300.00.
- To donate \$200.00 to the Multiple Sclerosis Society at the request of two members for their participation in a fund raising walk.
- To become a sponsoring supporter of A Night to Remember Glenda - Bull and Oyster Roast (\$500.00). The event was sponsored by the Precinct 3 PCRC to benefit Brother Brian Peacock with expenses relating to the hospitalization and death of his wife.

GRIEVANCE COMMITTEE

~Dave Rose~

- There was one grievance filed this month.
- The grievance was filed by Brother Phil Crumbacker. His grievance states that when he returned from his ordinary disability retirement, he had over twenty-two years of creditable service with Baltimore County. He is currently getting paid as an officer with 15 years of

**Association of
Baltimore County
Retired Police
2013 Meetings**

**September 3, 2013
November 5, 2013**

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

credible service. He is seeking to have his salary accurately reflect the salary of an officer with his longevity and any back pay owed to him as a result. The grievance was waived at the step #1 level.

- On April 12, 2013 the committee members met to discuss a possible class action grievance in reference to the oral exam portion of the 2013 Corporal promotional process. We have had several calls from members who participated in the exam and they communicated problems with the way the exam was proctored. The committee reviewed documents from the Director of Human Resources, George Gay, explaining the oral exam format. In reviewing the documentation, it is clear the County did not follow the format it had set up for the oral exam. Our labor attorney was given the documents to review and advise the committee members of available options. Based on the advice of our attorney and discussion within the committee, a motion was made to not file a class action grievance in this matter. The motion passed unanimously. The committee

members did want to communicate in a document to the Director of OHR our displeasure in the way the exam was conducted and offer to meet and discuss ways to improve the process in the future.

- As a result of the grievance that was filed last month by Sister Ana Robinson over a question on the Corporal test, the Office of Human Resources determined that for question #67, all answers will receive credit.

**LEGAL ADVISORY
COMMITTEE
~Dave Rose~**

- On April 5, 2013 the FOP filed a "Motion to Enforce" against Baltimore County in Baltimore County Circuit Court. The County has thus far ignored the Court of Special Appeals order in the Retiree Subsidy case and has not cooperated with our counsel to return the affected employees to their proper subsidies and to reimburse those who were affected. The case was set to be heard by Judge Finifter in Circuit Court on May 17, 2013. In addition, the FOP has filed a fee petition to recover legal fees in this case. The County has until April 30, 2013 to respond to the fee petition.
- Motions in the James Laboard case were argued in Circuit Court on April 12, 2013. Judge Alexander granted Laboard's motion to exclude all evidence that was obtained without his waiver of his attorney/client privilege. A hearing was held and the judge granted the motion. The State cannot use any evidence or statements it obtained through Laboard's attorney



**Memorial
Day**
*Never Forget
Ever Honor*

ney nor can it use any of those statements to form any expert opinions. The trial is scheduled for June 17, 2013 in Baltimore County Circuit.

- The Brandt Bradford case was argued on April 4, 2013 at the Board of Appeals. Closing briefs were due to be submitted on May 6, 2013.
- The record of the Ryan Massey trial board was delivered to a company to be transcribed. There is a delay because the recording of the three days of testimony was delivered by the County in five minute increments and that format has hampered the process. We did receive the transcripts for day 1.
- On June 28, 2012 the County filed an appeal to the Court of Special Appeals of Judge Cox's Circuit Court decision on our Writ of Mandamus on the Employee Relations Act regarding changes to the Absence Control Policy. No hearing date has been set.
- The Employee Relations Act (County Executive Jim Smith, Binding Arbitration) case was heard on September 9, 2011 at the Court of Special Appeals. We are still waiting for a decision.
- We currently have five (5) trial boards pending. That number is

down from seven (7) because two cases were recently settled with the officers and their trial board hearings were canceled.

- We have filed a Complaint and Petition to Show Cause in Circuit Court in one case for violations of several sections of the LEOBR. No hearing date is scheduled. The trial board in that case was originally scheduled for April 18, 2013 but was postponed pending the Circuit Court hearing. The Legal Advisory Committee members met to discuss the funding of the Petition to Show Cause and the committee approved the funding unanimously. On April 15, 2013 the Executive Board of Directors approved the committee recommendation with (1) one abstention.
- The committee members met On April 15, 2013 to review a request from Brother Mike Adamczyk. He is requesting funding from the Lodge in his appeal of a disapproval by the Maryland State Police for a concealed carry permit. Brother Adamczyk made his request to the committee members and responded to several questions. The committee members then deliberated and a motion was made to not fund his request. There was a proper second and the motion passed unanimously. The committee recommendation was presented to the Executive Board of Directors and the committee recommendation was approved unanimously.

PENSION COMMITTEE

~Dave Rose~

- At the Baltimore County Employees' retirement System

Board of Trustees' Meeting on April 9, 2013, we approved 20 (20) total retirements. Seven (7) of those were from the Police Department.

POLITICAL ACTION

COMMITTEE

~Steve Comegna~

- The PAC deposit for March 2013 was completed and that information was added to the Campaign Finance Report.

POLICY REVIEW

COMMITTEE

~Dave Rose~

- The committee received five (5) policies to review this month. There were no issues with any of them.
- On April 10, 2013 I spoke to Chief Johnson about the status of the letter we gave to him on March 12, 2013. He stated he delivered the letter to the County Administration and expressed our concerns. He is waiting for a reply.

GOOD OF THE ORDER

Members were advised of the upcoming Night to Remember Glenda - Bull and Oyster Roast. The event is being sponsored by the Precinct 3 PCRC to benefit Brother Brian Peacock with expenses relating to the hospitalization and death of his wife.

- President Weston advised members that the PAR Fund is well funded and available for the purpose of providing grants to officers in need. They recently provided a sizable grant to a member for assistance with expenses related to his child, who was diagnosed with multiple sclerosis. Any member in financial need may call FOP Lodge 4 for more information about how to apply for a grant from the PAR Fund.
- During the month of April, FOP Lodge #4 sent three (3) cards and flower arrangements to bereaving members. Two (2) donations were sent in lieu of flowers at the families' request. One (1) fruit basket was sent to a member recovering from hospitalization. Seven (7) "thank you" cards were received.
- The meeting was adjourned at 8:04 pm.



The June

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
June 24, 2013
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The July

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
July 22, 2013
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road