



# The Fourword

Volume 46 Number 12

December 2018

## 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.foplodge4.org](http://www.foplodge4.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.foplodge4.org](http://www.foplodge4.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 2018**

- The November General Business meeting was held on November 26, 2018 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 was on vacation. All other Officers and Legal Advisor Chaz Ball were in attendance.

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

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

**REPORTS OF OFFICERS**

**~ PRESIDENT WESTON ~**

- October 26- Met with the Chairman of the Senate Judicial Proceedings committee, Bobby Zirkin in reference to the 2019 legislative session.
- October 27- Attended the Maryland State Fraternal Order of Police meeting which was hosted by Baltimore County F.O.P. Lodge #4.
- October 29- Chaired a Negotia-

tions Committee meeting.

- October 30- Met with counsel concerning member requests of the organizations information and documents and attended a fundraiser for County Councilman Wade Kach.
- October 31- Addressed the In-Service training class.
- November 2- Attended the funeral service for Charter Member, Brother Thomas J. Ryan and attended the viewing for Retired Brother Daniel Brennan.
- November 6- Attended the meeting of the Baltimore County Retired Police Officers Association.
- November 7- Attended a Seminar hosted by the State of Maryland Commission on Civil Rights on Employment Discrimination.
- November 12- Responded to Franklin Square hospital concerning the death of Brother Joseph Comegna.
- November 13- Attended the Pension Board of Trustees meeting.
- November 14- Met with the Director of Human Resources, George Gay in reference to contractual negotiations and attended the Police Department Awards Ceremony.
- November 15- Attended the viewings for Brother Joseph Comegna.
- November 19- Attended a Political Action Committee meeting and the Executive Board of Directors meeting.
- November 20- Addressed the Effects of Critical Incidents class and met with a member concerning retirement planning.
- November 26- Chaired the General Membership meeting.

**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-Arson

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**  
Don Patterson

## The Fourword

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

- October 27– Attended the quarterly meeting of the Maryland State Fraternal Order of Police, this meeting was hosted by Lodge #4.
- October 29 – Attended a meeting of the Negotiations Committee.
- November 1 – Visited Shift # 2 rollcall at Precinct # 08, Parkville.
- November 7 – Attended the last day presentations at Baltimore County's Crisis Intervention School.
- November 19 – Attended a meeting of the Political Action Committee and attended the November 2018 Executive Board of Directors Meeting.
- November 21 – Visited Precinct #6, Towson.
- November 26 – Counted ballots as part of the Election Committee and attended the November 2018 General Membership Meeting.

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

- October 23- Met with a member to discuss retirement options.
- October 24– Addressed the In-Service training class.
- October 27- Attended the Maryland State FOP meeting hosted by Baltimore County Lodge #4.
- October 29- Met with a member to discuss a transfer and attended a negotiations committee meeting.
- October 30-Attended a ratings appeal with a member and attended a fundraiser for Councilman Wade Kach.
- November 1- Attended a ratings appeal with a member and presented a grievance at step 3 at the Office of Administrative Hearings.

- November 6-Attended the meeting of the Association of Baltimore County Retired Police.
- November 7-Addressed the In-Service training class.
- November 13-16-Attended the Advanced Course in Police Discipline seminar.
- November 19-Attended the Executive Board of Directors meeting.
- November 20-23- Vacation.
- November 26– Counted ballots with the election committee, met with a member to discuss retirement options and attended the General Membership meeting.

### SECRETARY PATTERSON

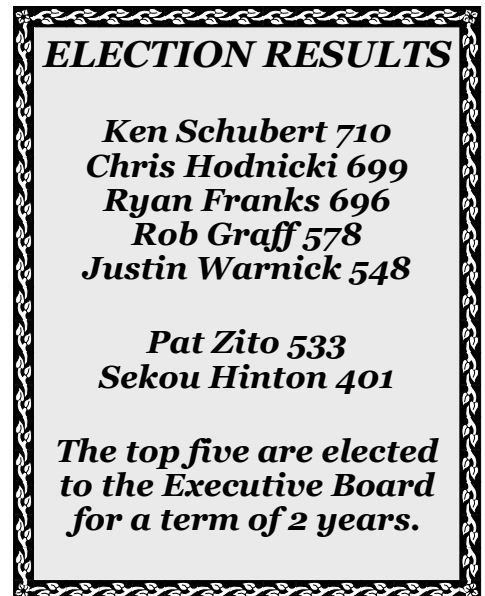
- October 27– Attended the quarterly meeting of the Maryland State FOP, which was hosted by Lodge #4.
- November 6– Attended the regular meeting of the Association of Retired Baltimore County Police Officers.
- November 15– Attended the viewings for Brother Joseph Comegna.
- November 19– Attended the Lodge #4 Executive Board of Directors meeting.
- November 26– Attended the Lodge #4 General Membership meeting.
- Prior to the General Membership meeting, the Election Committee, consisting of Secretary Patterson, President Weston, First VP Comegna, Second VP Rose and Trustee Patterson opened and counted the ballots for the Executive Board positions. The results are posted in this issue of the Fourword.

### ~TRUSTEE PATTERSON~

- October 27– Attended the quarterly meeting of the Maryland

State FOP, which was hosted by Lodge #4. Minutes to the meeting are located on page 9 of this edition.

- November 6– Attended the regular meeting of the Association of Retired Baltimore County Police Officers.
- November 15– Attended the viewings for Brother Joseph Comegna.
- November 19– Attended the Lodge #4 Executive Board of Directors meeting.
- November 26– Attended the Lodge #4 General Membership meeting.



### EXECUTIVE BOARD OF DIRECTORS REPORT ~ Ken Schubert~

- An Executive Board of Directors meeting was held on November 19, 2018. The meeting was called to order at 1:30 pm. Brother Graff was working, all other board members were in attendance as was Legal Advisor Mike Davey.
- The Executive Board received a briefing from Ezra Gollogly from Kramon and Graham and Mike Davey from SBW Law on the research conducted in reference to records review and release policies. The Board was

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provided a document to assist with the draft of either a policy or an amendment to the Constitution and By-Laws.

- 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-LAW COMMITTEE**

~Tim Caslin~

- The committee reviewed the proposed by law change submitted by Brother Jess and made a motion to the Executive Board to reject. The Executive Board voted to reject the motion with 13 votes for and 4 abstentions.
- At the General Membership meeting the by-law submitted by Brother Jess was read again and discussed. Brother Jess spoke to why he submitted the by-law change. Brothers Daffron, Bergin, Bradford, Cluster, DiCara and Bridges all spoke against the change. Brother Rommel spoke in favor.
- Three by-law changes were read by Secretary Patterson and presented to the By-Law Committee for review. They will be read and discussed at the December General Membership meeting. They are printed in this issue of the Fourword.

#### **DONATION REVIEW COMMITTEE**

~Mike DiCara~

- The Donation Review Committee met and brought forth the following motion which passed.
- To spend up to \$1,000.00 for a bus to take members interested in travelling to DC for to visit the newly opened National Law

Enforcement Memorial Museum.

- This motion was passed by both the Executive Board of Directors and the General Membership.

#### **GRIEVANCE COMMITTEE**

~Dave Rose~

- The County has filed an appeal to the Court of Special Appeals in the Section 6.1c grievance. We have filed our initial brief and the County had until October 26, 2018 to file a reply brief. Our final brief was due November 25, 2018. No hearing date has been scheduled.
- The FOP and the County have agreed on an arbitrator in the health care subsidy grievance. The hearing is scheduled for January 15, 2019.
- The step #3 grievance for the specialized assignment process was heard on August 10, 2018 at the Office of Administrative Hearings by Judge Stahl. He issued his decision on August 23, 2018 and denied the grievance. We submitted our notice of intent to arbitrate on September 19, 2018.
- We presented the POFC. McCain reschedule pay grievance on November 1, 2018 at step #3, the Office of Administrative Hearings. Judge Stahl issued a decision on November 14, 2018 denying the grievance. We have 30 days to file for arbitration.

#### **LEGAL ADVISORY COMMITTEE**

~Dave Rose~

- The show-cause hearing in the POFC. Estes case was held on September 18, 2018 in Baltimore County Circuit Court. Judge Finifter has not issued a ruling.

- POFC. Bordner's attorney, Clarke Ahlers, has filed a Notice of Collateral Estoppel. His argument is essentially that the department is attempting to "relitigate" an issue on which the court has already ruled. The case was tentatively set for December 10 and 11 but the County requested a postponement. No new date has been set.
- The attorneys for Ericka Barnes have filed a complaint for a Writ of Mandamus on her behalf. Generally, a writ of mandamus is an order from a court to an inferior government official ordering the government official to properly fulfill their official duties or correct an abuse of discretion. No hearing date has been set.
- A writ of mandamus was filed in Baltimore County Circuit Court on August 20, 2018 for the Marvin Haw case. No date has been set.
- A motion was made by the Legal Advisory Committee to pay \$300.00 to the wife of a deceased retired member to have her will adjusted. The motion passed at the Executive Board meeting and was not opposed at the General Membership meeting.

#### **PENSION COMMITTEE**

~Dave Rose~

- At the November 13, 2018 Pension Board of Trustees meeting, the trustees approved nineteen (19) total retirements, one (1) was from the Police Department.

#### **POLICY REVIEW COMMITTEE**

~Dave Rose~

- The committee members reviewed five (5) new/revised policies this month. No bargaining

issues were identified.

**POLITICAL ACTION  
COMMITTEE**  
~Steve Comegna~

- The Political Action Committee met on November 19, 2018. The committee presented the following motion to the Executive Board of Directors in November of 2018.
- To purchase one (1) ticket for \$125.00 to an event for State Delegate Adrienne Jones (District #10) on Thursday, January 3, 2019.
- This report was approved by the Executive Board of Directors on November 19, 2018. The General Membership approved this report at the November General Membership meeting on November 26, 2018.

**BEREAVEMENTS**

*Retired Brother Eugene Zeisloft*  
\*\*\*\*\*

*Retired Brother Eric Harris*  
\*\*\*\*\*

*Sandra V. Matthews, Mother of  
Brother Luke Matthews*  
\*\*\*\*\*

*Jennifer Elizabeth Najdowski,  
Sister of Brother Jason Eaton*  
\*\*\*\*\*

*Ena M. Larcamp, Mother-in-  
Law of Brother Rob Graff*  
\*\*\*\*\*

*Lamont Reese Riley, Brother of  
Sister Brenda Binns-Clarke*  
\*\*\*\*\*

*Victoria Ozarowski, Mother-in-  
Law of Retired Brother Barry  
Koch*  
\*\*\*\*\*

**NEW BUSINESS**

- President Weston advised he has had a good conversations with County Executive elect Johnny Olszewski, Jr. He advised County Administrative Officer, Fred Homan is retiring on December 3, 2018.

- President Weston advised there was a reverse waiver hearing for the suspect in the death of Sister Caprio. The waiver was denied.
- President Weston gave a history of the by-law in reference to Spending Authority as it refers to a complaint by Brother Jess. He also advised that two different attorneys looked at under what conditions we should allow anyone to review our records.
- President Weston gave an explanation of the spending and billing procedures. He explained that all bills go from the Office Manager to the treasurer for review and payment. They then go to the CPA where three financial reports are prepared and returned to the lodge. Once returned there is an additional review conducted by the Expenditure Review Committee who then reports to the Board and general membership.
- First Vice President Comegna thanked everyone for their support during the tough time with the loss of his brother.
- First Vice President Comegna made a motion to credential three (3) additional delegates to the 2019 National Conference. The motion was passed by the Executive Board unanimously and was not opposed at the General Membership meeting.
- First Vice President Comegna made a motion to send three (3) members to the National FOP's Leadership Matters seminar, February 14-16, 2019 in Nashville. The motion was passed by the Executive Board unanimously and was not opposed by the membership.
- First Vice President Comegna made a motion to purchase a \$5,000.00 Silver Sponsorship to the 2018 Inaugural Celebration for John Olszewski, December 8, 2018. The motion was passed unanimously by the Executive

Board and not opposed by the general membership.

- Past President Caslin advised that the lodge water heater has been in the building since the building was built and looking at its condition felt that it should be replaced. Chaplain DiCara made a motion to spend up to \$3,000.00 to replace the water heater. The motion was passed unanimously by the Executive Board and was not opposed by the general membership.
- Sister Kraemer made a motion to spend \$236.65 to pay for room nights for Brother Mussini to attend a training that will be beneficial to the Peer to Peer Group. The training registration has been waived by the presenters. The motion passed unanimously at the Executive Board meeting and was not opposed by the general membership.
- A letter was sent to the Director of the Office of Human Resources George Gay in reference to opening contract negotiations with the County.

**GOOD OF THE ORDER**

- During the month of November, FOP Lodge #4 received five (5) thank you cards. Seven (7) flower arrangements were sent to bereaving members. One (1) fruit basket was sent to a grieving member. Five (5) memorial donations were made in lieu of flowers.

**BIRTHS**

*Kash Tanner Sullivan, Son of  
Brother John Sullivan*  
\*\*\*\*\*

*Aubrey Renee Ellers, Daughter  
of Brother Tony Ellers*  
\*\*\*\*\*

*Savannah Jade Boyles,  
Granddaughter of Retired  
Brother Johnny Boyles*

## *The Fourword*

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

WHEREAS: The duties of the Secretary have evolved over time and,

WHEREAS: The Lodge has employed professionals to review business records on a regular basis and,

WHEREAS: The procedures storing records and communications electronically have been created and,

WHEREAS: The Lodge employs a professional staff to process incoming bills to go to the Treasurer for timely payment,

NOW THEREFORE BE IT RESOLVED:

Article VI, Section 4 of the Constitution be revised to read:

#### SECTION 4:

LODGE SECRETARY ... The Lodge Secretary shall receive all dues and assessments from the members of the Lodge from payments as outlined in Article I of the Bylaws: Dues, etc., or otherwise owed to the Lodge. He/She shall be keeper of all records, of all transactions of the Lodge, general business meetings and Executive Board Meetings, and shall maintain a proper filing system together with minutes of general business meetings which are recorded **and published** in the monthly publication of the Newsletter (THE FOURWORD). He/She shall keep another file and record therein, all amendments to the Constitution and Bylaws. The same shall be known as the Amendments File. It shall be given to the proper committee for reference when revising the Constitution and Bylaws, as deemed necessary. ~~He/She shall read all communications sent and received by the Lodge or its officers, and shall keep a record of same. Correspondence shall be categorized as Incoming, Outgoing and Internal Correspondence.~~ He/She shall keep a complete and up to date record of all names and addresses of members of the Lodge. He/She shall disseminate notifications via **email or other electronic communications** Station Bulletin and/or Department teletype of meetings one (1) week prior to each regular business meeting, and as soon as possible for special meetings. He/She will bring to the attention of the Legal Advisory Committee any delinquencies in dues, assessments or loans for their action. The Lodge Secretary will also **email mail**, or otherwise shall notify the members of the Executive Board of Directors, a notice one (1) week prior to each Executive Board of Directors meeting. Said notice shall be sent in the name of the Chairperson of the Executive Board of Directors. He/She shall maintain a separate Attendance Roster of the Executive Board of Directors to facilitate compliance with the provision of **Article 5 Section II, V and VI Section 7 of Article III** of the Constitution: Officers. He/She shall also be responsible for computing the bi-annual Per Capita Tax due to the National and State Lodges, and for completing Losses and Gains in Membership and Address Change forms for the National Lodge. ~~He/She shall, in addition to reading correspondence, read all bills to be paid for the month at each general business meeting. He/She shall provide the Treasurer with a copy of the tally sheet containing the bills that require payment. The tally sheet shall contain the name of the payee, reason for payment and the amount due. Bills and receipts approved for payment will be retained in the Lodge files along with correspondence.~~

The Lodge Secretary shall have possession of the Seal of the Lodge and shall use same as his/her duties require. He/She shall deliver to his/her successor in office, all records, files, equipment, stationery, Seal of the Lodge, and other property of the Lodge in his/her custody or possession as Lodge Secretary. ~~He/She shall countersign all checks and/or vouchers with the President and/or Treasurer.~~ The Lodge Secretary shall be a delegate to the State and National Biennial Conferences, with his/her expenses paid by the Lodge. ~~He/She shall also be responsible for management of the Lodge Office and personnel, with the advice and consent of the President and Chairperson of the Executive Board of Directors.~~

Submitted by Secretary Patterson and Second Vice President Rose on November 19, 2018.

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

WHEREAS: The duties of the Chairperson have evolved over time and,

WHEREAS: The Lodge has employed professionals to review business records on a regular basis and,

WHEREAS: The Lodge has two exempt positions which are now present daily to administer, maintain and control the Lodge grounds, building and contents and,

WHEREAS: The Chairperson maintains control of the records of the Executive Board of Directors meeting,

NOW THEREFORE BE IT RESOLVED:

Article VI, Section 9 of the Constitution be revised to read:

SECTION 9:

CHAIRPERSON OF THE EXECUTIVE BOARD OF DIRECTORS ... The Chairperson of the Executive Board of Directors shall preside at all Executive Board of Directors meetings both regular and special. **He/She shall also be the keeper of all records and motions at those meetings and deliver to his/her successor in office all records, files, equipment within 30 days.** He/She shall enforce and uphold the Constitution and Bylaws of the Lodge. ~~It shall be the duty of the Chairperson of the Executive Board of Directors to administer, maintain, and control the Lodge buildings, contents, grounds, purchased or leased by the Lodge.~~ The Chairperson of the Executive Board of Directors shall be a delegate to the State and National Biennial Conferences, with his/her expenses paid by the Lodge

Submitted by Chairperson Schubert and Second Vice President Rose on November 19, 2018.



## *The Fourword*

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

WHEREAS: The financial responsibilities of the Lodge have evolved over time and,

WHEREAS: The Lodge has employed professionals to review business records on a regular basis and,

WHEREAS: The Lodge has more members authorized to make expenditures of Lodge funds and,

WHEREAS: The Lodge has checks and balances to manage the oversight of these expenditures and,

WHEREAS: While the Lodge has instituted the Expenditure Review Committee as a “special committee” for many years, it is time to make this committee a “standing committee” in the bylaws with duties and responsibilities,

NOW THEREFORE BE IT RESOLVED:

A new Article VI, Section 10 of the Bylaws be inserted to read:

#### SECTION 10

EXPENDATURE REVIEW COMMITTEE: Members of the committee will be active and in good standing with Lodge #4. There shall be a minimum of 3 not more than 5 members, including the Chairperson, who is designated by the President. No member of the committee shall have authorized individual spending authority.

The committee shall meet at least once per quarter of a calendar year to review expenditures of the Lodge. The committee will ensure expenditures are consistent with the Constitution and Bylaws and/or existing policy.

Minutes shall be maintained by the Chairperson of the Committee and shall be reported to the Executive Board and General Membership. They shall be passed on to his/her successor as part of the Lodge Records.

Submitted by Second Vice President Rose on November 19, 2018.



## *The Fourword*

### TRUSTEE REPORT STATE FOP MEETING OCTOBER 27, 2018

On Saturday, October 27, 2018, Lodge #4 hosted the October State FOP Board meeting at the Tall Cedars Lodge. The meeting was well attended by Lodge #4 members. In attendance was President Weston, First Vice President Comegna, Second Vice President Rose, Past President Marc Fiedler, Rob Graff, Pat Zito, Kathryn Greenbeck, Ryan Franks as well as State Trustee Patterson, State Recording Secretary Schubert, State Corresponding Secretary Patterson and State Chaplain DiCara.

President Canales talked about possible election races at the National Conference. He also stated at this time there are three cities vying for the 2023 National Conference. They are Philadelphia, Dallas and Las Vegas.

Second VP Young made motions to make PAC donations of \$1,000.00 each to the campaigns of Governor Hogan, Comptroller Franchot and Attorney General Candidate Wolf. These motions passed. Discussion was made about the endorsement process, the April meeting for primary elections and the conference for general elections.

Recording Secretary Schubert discussed the new by-laws that were passed at the conference. He also talked about refunds from the hotel that lodges did not stay at due to poor conditions. He is still waiting on the refund.

Corresponding Secretary Patterson advised she is working on updating the State website.

Conductor Jones apologized for missing the conference and thanked Mike Davey for providing the training.

Legal Advisor Herb Weiner advised the City Pension litigation was about to begin.

Frank Boston talked about the tax credit for city school police who live in the city, the collective bargaining bill for the University of Maryland System and the exempt position of President of Lodge #34.

2019 National Conference will be held on August 12-15, 2019 in New Orleans.

Lodge #4 asked the State Lodge for an endorsement for Buddy Staigerwald for State Senate. The motion was passed.

Next State meeting will be held on Saturday, January 26, 2019 at Lodge #34.

The January

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
January 28, 2019  
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 25, 2019  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road