

THE

# BALTIMORE FIRE OFFICER

LOCAL 964

--STAFF--

STEPHAN G. FUGATE -- TOM NOSEK

*By and For the Professional Fire Officer*

IN UNION

THERE IS STRENGTH

Volume , Issue

June/July 2009

## From the Desk of the President

*By Stephan G. Fugate*

### FY'10 MOU Arbitration

Based upon the membership votes on March 9, 2009, the joint Locals commenced the Interest Arbitration for our FY'10 MOU on May 14, 2009 and continued the process on May 15, 18, 19, 28 and 29, 2009. That's right, SIX FULL DAYS of arbitration amounting to approximately FORTY hours of testimony, cross-examination, debate, and discussion over what was, by the start of the process, a single issue! To recap, there were three issues at hand initially, but two of the non-monetary matters were resolved prior to or during the proceedings, leaving only the Union wage demand of two percent vs. the City offer of a wage freeze. To sum the entire experience up in a single word, excruciating would not be strong enough, but I can't think of a better description short of labeling it with a string of expletives that would make this the first X-Rated newsletter we've ever published.

You may recall that the Union wage demand of two percent was to be "split" with a meager one percent going to gross and the remaining one percent going to increase our pension contribution from the current six percent to seven percent. Our proposal was to make good, in part, on our commitment to increase our pension contribution to an eventual nine percent by dedicating half of any future salary increase to help bolster our beleaguered pension plan. The City's response to our final offer was to challenge

our demand of arbitration based on the premise that "pension benefits" were non-negotiable. In other words, the City attempted to impose its wage freeze based upon a claim that our unilateral concession of one percent to pension contributions that otherwise would have gone into our pockets made our offer null and void and therefore not subject to arbitration.

On Wednesday, May 13, 2009, one day before the agreed to start of the arbitration proceedings, the outside legal counsel representing the City filed a "Motion to Dismiss Unions' Final Offer and to Enter Order Implementing City's Final Offer". This preliminary motion was to be the subject of verbal debate at the outset, but was delayed several times, by mutual agreement, as the process dragged-on and though never dealt with directly in open deliberations, will apparently be resolved with the filing of written briefs for consideration by the Arbitration Panel.

That a ruling on the Motion to Dismiss as well as the ultimate ruling in the Arbitration itself (should the Motion to Dismiss be denied) is subject to a decision by "the Panel" is something of a misnomer. While the Panel does indeed consist of three members, two of those members are advocates of the separate parties by design. The Union selects a member to advocate its position and the City also selects a member to advocate its position. The third, independent member is selected from a list of professionals provided by the American Arbitration Association using an alternate striking process to narrow an original list of eleven to a final one. In this instance, Mr. Joseph M. Sharnoff

was named the independent, and it is actually his opinion that will rule in the

end. Granted, the two advocate members will have influence in the process, but the final decision will be Mr. Sharnoff's.

As alluded to previously, the six full days of arbitration ended on May 29<sup>th</sup> (5:25 p.m. to be precise) and totaled approximately forty hours of recorded testimony that will be transcribed for review. In addition, the Union presented fifty exhibits and the City presented thirty-seven exhibits all ranging from a single page to dozens of pages of information deemed relevant to making the case of each. Finally, Mr. Sharnoff himself took voluminous notes through the entire process and with the close of the formal exchange, he will now begin a review of ALL of that information for consideration and, eventually, a ruling.

What appeared at the start to be a relatively simple matter of two percent vs. a wage freeze seems to have taken on the context and content of *Roe v Wade!*

The Charter provision outlining "*arbitration for fire personnel*" does stipulate that the board "...shall make its decision, by majority vote, within 15 days after the commencement of the arbitration proceedings. For good cause the chairman may extend the time requirement set forth herein." I believe it safe to say that Mr. Sharnoff has more than "good cause to extend the time requirement", and I will be very surprised to have a final decision by July 1<sup>st</sup>. In any event, the matter is in his hands now and there's little more that we or our able legal counsel, Joel A. Smith, can do but wait and hope for the best.

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**From the President's Desk ...***...continued from page 1*

I want to sincerely thank Mr. Smith in particular as well as his partner, Mr. Francis J. Collins, Esq. who served as our advocate on the Panel, Joel's Associate, Ms. Linda D. McKeegan, Esq. who assisted during the entire six day ordeal, Joel's Legal Assistant, Linda Fitzpatrick for her tireless efforts in preparation, and everyone at Kahn, Smith & Collins who offered their support, advice, and assistance along the way. And finally, Thanks to YOUR negotiations committee that included Mike Waldner, Mike Campbell, Tom Nosek, Anita Hatoff, Steve Horshar, and Kevin Rock for hanging in to the end. Regardless of how things turn out, we've done our best and we can look forward to doing it all over again in less than SIX MONTHS!

**Pension Reform**

There you are, it's been said and it's time to acknowledge that the subject is on the table; **Pension Reform**. Established in its current form in 1962, the Fire & Police Employees' Retirement System has enjoyed a very long and prosperous run when every substantive change was an enhancement to one degree or another. Those who came before us were smart enough to understand that they needed to separate themselves from the non-contributory, general employee pension Plan to a contributory Plan that would provide higher benefits at a younger age and to say that they were right would be an understatement at best. Surely there were those with considerable service time who opted not to join the new Plan but, once again, our predecessors were smart enough to make participation mandatory for newly hired members. Forty-seven years later, I am not aware of any surviving members of the former Plan and for all practical purposes every single active or retired member and every widowed spouse and beneficiary is receiving or will receive benefits from the "F & P Plan".

I'll not bore you with a lengthy chronology of the Plan enhancements, but suffice it to say that virtually every single

factor has been improved over the years, most prospective, some retrospective and not a single segment of Plan membership has been overlooked. Every such enhancement, however, has come at a cost and what started as a rather simple system with a benefit structure based wholly on service credit multipliers and average final compensation has evolved to a very complex Plan that includes transfers of service credits, Military service credit, increased service credit multipliers, decreased minimum age requirements, dramatic changes to spousal benefits, post-retirement benefits, and yes, a DROP benefit for those employed in 1996 and thereafter.

I say all of that to say that while the complexity of the Plan has been handled very easily by what I believe to be one of the most competent agency staffs in the City of Baltimore, the economic burden has not been borne as well. The Plan suffered economic losses in the "dot-com" bubble burst of 2001 and while never having adequately covered from that, slammed head-first into what I've often described as a global economic meltdown beginning in October of 2007. A brief history; on October 9, 2007, the Dow Jones Industrial Average closed at an historic peak of 14,164.53. By October 9, 2008, the DJIA had plummeted more than 39% to close at 8,579.10 and on March 9, 2009, the DJIA bottomed out at 6,547.05, a nearly 54% decline in a mere seventeen months.

Granted, the entire investment port-folio of the F & P is NOT invested in large-cap US equities, but the DJIA serves as something of a barometer for most investment strategies and though some other strategies may lag in reaction to the market forces that affect the Dow, none are totally immune. Month after month, in Pension Board meetings, the Board of Trustees reviews index returns for everything from Global equities to US Treasuries and virtually everything in between to see that not a single index was in positive territory. There has been, simply stated, no place to hide and even cash positions were negative when factoring for inflation.

With the investments markets as a backdrop, the City, as the Plan Sponsor, is getting very nervous. Revenue sources for public pension funds typically

come from three areas; employee contributions, employer contributions, and returns on investments. Historically, public pension funds, including our F & P generate the bulk of their income from investments and approximately seventy cents of every dollar in benefits paid comes from investment returns. The balance comes from some split of direct contributions and it is quite normal for the employer to pay a higher portion of that split. As we do not participate in Social Security, the City's contribution to the F & P is no less "mandatory" and has always been viewed as a cost of providing Police and Fire protection for the citizens of Baltimore. That cost, however, has indeed escalated and though I do not say that in support of much of what is happening, but as a statement of fact.

The Employee contribution to the F & P is now, and has been for quite some time six percent of base salary. The employer (City) contribution varies from year to year and is determined by a fiscal year "snapshot" of the total value of the fund as compared to the outstanding liabilities. The annual "Valuation Report", which is produced by the Plan actuary, takes a static look at this "assets vs. liabilities" picture for the most recent fiscal year and determines what the City contribution will be for the subsequent fiscal year based, in large part, upon the difference between the assets and liabilities commonly referred to as the "funding level". The closer the funding level is to 100%, the less the City contribution will be.

In an open pension plan, it is difficult to imagine a scenario where liabilities will decrease substantively from year to year, and it is more likely that they will increase given normal attrition, and mortality rates. Newer retirees generally have higher benefit levels and those older retirees who may pass on have comparatively lower benefit levels so total liabilities tend to drift upward. In years with significant investment losses, total assets obviously decrease and create a higher gap to matching liabilities which has the effect of increasing the Plan Sponsor (City) contribution. Though the entire gap is not made up in any single year and, instead "smoothed-out" over much longer time periods, the net

result of a higher contribution is inevitable.

While perhaps not the only resolve, the most logical action for a Plan Sponsor to take to deflect rising contribution levels is to change the benefit structure. As I alluded in the start of this writing, it has taken more than forty-five years to arrive at the benefit level we currently enjoy, and it is highly unlikely that any reversal would come quickly, but the process has begun and taken on a sense of urgency for us all.

In October of last year, CC 08-0220 was introduced which would have eliminated the current Variable Annuity structure with a guarantee of 1.5% and ALL of the employee and retiree representative groups opposed the legislation at the public hearing on March 19, 2009. We can't claim that our opposition was the cause, but the Bill was withdrawn on May 18, 2009 and we (certainly I) believed that there would be reasonable compromise and debate toward legislation that both the Administration and the representative groups could support.

That hope was based in large part upon the active member Unions having been very successful in reaching a compromise with the Administration over the provisions of "DROP2" which was much more complicated and potentially controversial. That hope was quickly dashed, however, and after at least two meetings with the Administration, we learned that the Variable Annuity legislation would be re-introduced as CC 09-0348 in a much more egregious form.

CC 09-0348 will simply eliminate the Variable Annuity and replace it with... nothing. Though there is a rather weak commitment to "examine" the issue in the future, but the threshold is very high and, given the atmosphere created by the introduction of CC 09-0348, there can simply be no trust whatsoever.

So, we've apparently reached the precipice of what will surely be a major attempt at Pension Reform and we're beginning the process as adversaries rather than partners and that can't be good. We've been advised that the Greater Baltimore Committee (GBC) may be engaged to review our Pension Plan and we know that there has been some discussion with another high-profile, major Baltimore presence that would

bring outside expertise to the table. In somewhat of a reaction to what has taken place, the three Unions have engaged a very prominent law firm with expertise of its own to review the history and evolution of the F & P, including funding issues, actuarial findings, and internal legal guidance. It truly pains me to report that we may be headed for a show-down over what should be a collective endeavor, but the gauntlet has been thrown down now, and it wasn't by us.

### **Thanks to Our CISM Team**

I'm pleased to end on a positive note in sincerely THANKING our Department's CISM Team and their Team Coordinator, Captain Frank Farrell for their very generous contribution to our VEBA Fund. Our CISM Team in conjunction with the International Critical Incident Street Foundation hosted a "Silent Auction" at their Bi-Annual Conference held here in Baltimore and donated the proceeds to Local 734, the ICISF Educational Fund and our Local. We do so much appreciate the work our CISM Team does on a daily basis and we look forward to supporting their efforts in the future as well.

### **From the Desk of the 1st Vice President**

*By Michael Waldner*

Congratulations to all our members who were honored at the Retiree's Dinner Dance in April. Most of the members who retired in the last year attended and had a great time with family and friends. The attendance was higher than years past and shows sign of improving for future celebrations. The food and entertainment were superb, as was the company. This was another fine job by Tom Nosek and his able Entertainment committee.

Particular congrats to Frank Reinsfelder, winner of the Capt. Thomas E. Frazier, Jr. Award, "given for many years of continuous and unselfish service rendered, and to Robert Hatoff, Sr., winner of the Deputy Chief Clarence W. Smith Award, given "to acknowledge with

sincere gratitude the long, valued and loyal service given during the past years. These two members were responsible for successfully running our "Bingo" business and raising the majority of the income for the VEBA Fund over the last 13 years. They have served this Union and its members with all their hearts and souls. Most recipients of death benefits will never realize who was responsible for our ability to continue to pay the benefit their families received.

Also that night in April, I was completely and utterly shocked by my fellow Executive Board members to be given the Capt. Francis E. Uhlhorn, III Award, given "in honor and recognition of the commitment and dedication to the health, safety, and well being of our members and, by extension, their families so exemplified by Capt. Francis E. Uhlhorn, III". At the event, I was so overwhelmed that, believe it or not, I was nearly speechless. Very unusual for me, to be so at a loss for words, but I struggled to utter a complete "thank you". Here, I would like to express my sincere gratitude to my fellow EBoard members for bestowing the great honor of receiving Frank's award. I am in good company to be honored by Frank's namesake award, conceived only last year for the first time and bestowed upon Bill Kern, another close friend of Frank. Frank nurtured both Bill and I throughout our careers and I feel (and I think Bill would agree) Frank is very responsible for the way we have conducted ourselves in service to this Union and its members. That is some pretty tall company to be associated with as far as I am concerned. Frank started me on the right path as soon as I was promoted to Lieu-tenant and became a member of Local 964. He brought me onto the Health and Safety committee. I later joined him as a Trustee and then followed him into my current position of 1st Vice President, a position that he inherited from my uncle, Phil Waldner. From these two mentor's example, my path was laid out correctly for me to follow in their Union participation and dedication. I sincerely thank them both for the guidance and deeply miss them, but this plaque will forever remind me of them and what they inspired me to become in this Union.

## 1st Vice President

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Hopefully, I can continue to emulate them both for the rest of my career and nurture and inspire someone else as they did me. And I thought all my nagging of the membership about participating in and using the Heart/Lung Program was alienating everyone. Instead, I got good credit for it, imagine that! After all, Union Memorial is doing the life saving and deserves all the credit, as does my doctor Pat Savadel, who turned me onto the program in the first place. I do thank Steve Fugate for crediting me with saving his life and others in his introduction speech about me before the award presentation, and as he has done many times before when talking about the program. My heartfelt thanks go out to Steve, Mike Campbell, Tom Nosek, Anita Hatoff, and anyone else consulted with and approving of my selection for this award.

Please join us all and keep the prayers going out for Pat Fout, wife of Don Sr., for a full recovery from her health issues and Kelly and I hope that she will rejoin us for the next trip with the Thompson Travelers. Also, I wish to continue my best wishes for continued successful recuperation to Ed "Porky" Heckrotte as he recovers from more heart adjustments. My family wishes the best to both of you and your families.

Arbitration hearings have concluded for the contract beginning July 1, 2009. If "Seinfeld" was a show about nothing, than Arbitration was a hearing about nothing that was pertinent to our case. There was much testimony about the financial crisis nationally and worldwide and how it will affect our chance for a raise. The price tag for our raise was inflated to include money that would be given to the FOP and any other sector of the city work force, all of whom we do not negotiate for or collect dues from to pay for these expensive hearings. By the time the City was done, our raise was going to cost the City three to four times what we were seeking. During the double talk/lawyereese, they made a case that we didn't have any legal claim to a matching 2% because we had no parity clause covering AFSCME and CUB. Yet, if we were to get the increase it would

have to be given to the FOP and any other group, even though they have no legal parity with us. Unfortunately, we didn't hammer home the point that every year we are held hostage by the claim that we can only get so much because they have to give it to the other agencies and that would be such a total sum that the City couldn't afford any more. Ultimately, whatever we negotiate is always given to the other agencies even though they have no legal parity with us.

At the same time, we are apparently being held responsible for the payment of the cost that the City/FD Administration has voluntarily decided to make to settle an FLSA lawsuit. This is a lawsuit that neither Local was party to or responsible for initiating. It will consume half of next year's total overtime budget just for EMS people covered by FLSA. This settlement is also in direct violation of a previously settled Union grievance that saw EMS people choose not to take FLSA overtime in exchange for inclusion in the F&P retirement system. You can't have it both ways. I predict this to be a future nightmare for both Locals to figure out which ruling we want or will support. This could also inadvertently endanger our current EMS members' benefits and standing with their fellow Union members.

The season is under way for the Firehouse Softball team, and we have even won a couple of games. Thanks to all who are participating and best of luck and health throughout the rest of the schedule. Our spot in the "forty and over division" of the IAFF / MDA tournament in September in PG County is secure and all members who turn forty this year or past years are eligible to participate. Contact me if you are interested in playing this year.

### Heart/Lung Scans and Physical Assessments

The number of participants has held through the Spring months, but they always decrease over the Summer. Try and sign up in between vacation plans and keep the ball rolling so we don't discourage Union Memorial and lose our Program. Do not wait to avail yourself of this important preventative medical procedure as the handwriting is on the wall

of its future termination. If you haven't done the scans since the beginning of this program (4-5 years ago) check with your cardiologist or principle health care provider about refreshing your profile and participating again. This will allow you to also take part in the physical assessment portion of the program that was not offered in the initial start up of the program.

### New hours are in place for our pro gram due to the declining usage and creation of another outpatient pro gram.

The Heart/Lung scan program is now being offered on Tuesdays and Thursdays from 1100 – 1200 hours for scans only.

Our ful testing program is now only offered on Tuesdays between 1200 – 1400 hours at the Fitness/Rehab Center. This will include a wellness background questionnaire screening and blood test panel. There is also a cardio evaluation performed on a stationary bike. These programs (Assessments and heart/lung scans) at Union Memorial are offered to **ALL** interested members, **active and retired of both Locals (734 & 964) and their spouses and widows.** The results will be available only to you or a doctor you designate. **There will still be a fee of approximately \$150 for the scans but the assessment is free.** The entire program including the heart/lung scan will take less than 1 hour of your time. Please take advantage of it. You are never too young or too old to monitor your health. **Again, these are open to active and retired members of both Locals (734 & 964), their spouses and widows.** Please take advantage of these appointments while they last.

Below are the directions, instructions and contact information to schedule appointments for the Assessment and heart/lung scans. You will have to contact the heart/lung phone # to coordinate your appointments for the same Tuesday or Thursday that you do the assessment.

### FITNESS ASSESSMENT PRETEST INSTRUCTIONS

Guidelines recommended for the most accurate test results:

- Wear comfortable, loose-fitting clothing. Sneakers preferred.
- Avoid food, tobacco, and caffeine for at least 3-4 hours before testing.
- Abstain from alcohol consumption within 48 hours of the assessment.
- Avoid moderate or vigorous physical activity within 12 hours of the assessment.
- Ingest no diuretic agents, including caffeine, prior to the assessment.
- Get an adequate amount of sleep (6 to 8 hours) the night before the test.
- Drink plenty of fluids over the 24-hour period preceding the test to ensure normal hydration prior to the testing.

### **Directions to Fitness Center**

Park in garageA (1<sup>st</sup> garage on your left) and take elevator to main lobby. Walk across bridge to security desk. Sign-in at desk. Go to 33<sup>rd</sup> Street Building which is straight ahead down the hallway past the pharmacy and to your left. Walk down the ramp past the Conference Center. Elevators will be on your left. Take elevator to 2<sup>nd</sup> Floor and turn left and proceed down the hallway to the Fitness Center. You will receive a voucher to cover the parking fee.

**For questions regarding the assessment test and scheduling contact: Rebecca Winch at 410-554-2167** (Please note that this is a new number) **She will refer you to 1-877-744-3278 to set up the coordinated heart/lung scan. Let them know you are a Firefighter and need a Tuesday/Thursday appointment to coincide with your assessment.**

As always, I will mention again about the Community Outreach Program (parents/siblings, friends etc.) conducted by Union Memorial Hospital offering the heart/lung scans to the general public only on Saturdays at **the rate of \$75 each**. The phone # is **1-877-744-3278**. Getting both for a combined \$150 is a great bargain. If Union Memorial is not convenient for you, contact Franklin Square Hospital (sister hospital to Union

Memorial in the same Health group). They have a scan machine and are doing heart scans through its own Community Outreach Program. Check with them on pricing, but it should be similar. **The number for Franklin Square is 443-777-7900. These are also open to the general public.**

***Remember, if I am your second due Chief (and I usually am), I am your Safety Officer and I will have your back. I will look out for you, but most importantly, you look out for you. Remember too, this is your Union. I can be contacted to answer any questions or try to help with any problems at (C) 410-908-2179, (H) 410-879-4545, or (W) 443-984-1737, and I promise to return your call ASAP or email at [captal@aol.com](mailto:captal@aol.com).***

### **From the Desk of the 2nd Vice President**

*By Mike Campbell*

A quick update on my health issue. I am feeling much better since my stroke and have been given a clean bill of health along with clearance to return to work with no restrictions by the Neurologists at the University of Maryland hospital. With that said, PSI has deemed me unable to return to my Suppression duties. I have requested, according to MOP 302-1 that a Physical Standards Review Board reviews my case and over-turn the Medical Directors decision. The Board will convene on 6/4/09. It is my belief that Dr. Levy has misapplied the NFPA 1582 Standard. I would push for every one of you to look over this MOP. The following language from the MOP is extremely important! *The individual re-requesting a case review will notify the Chief of Fire Department within fifteen (15) working days of notification of the Medical Director's evaluation that the candidate or employee is unable to perform the duties of the respective job classification due to medical disability or impairment.* I've heard from many of you

that you didn't want to disturb me during this time. Perish the thought! I will continue to serve you, the membership, because it is what I believe in. As I have stated in the past. It truly is and will always be a passion of mine! **Thanks!**

Contract Arbitration wrapped up on May 29<sup>th</sup>. I know Steve will go into more depth in his article so I'll leave it at that. Mayor Dixon is still slated to close Engine 36 and Truck 2. The Unions are vehemently against **any** closings. There have been community meetings along with rallies at City Hall to oppose these. Both Locals also did a radio spot informing the public of the closings. I am very concerned for our members after July 1<sup>st</sup>. We are a dedicated and proud bunch of professionals who take their jobs extremely serious and will do anything to see that the job at hand is accomplished sometimes to the injury or death of our own! I am pleading to each and every one of you to take that extra second before you run into the building to make sure you have enough resources to accomplish the task. The number 1 person out there on the streets is **you** and your family needs you to come home safely at the end of each shift! The City is trying once again to wring one last ounce of blood from our dried up stone. **DO NOT GIVE THEM ANY HELP!** I made a mistake in the last Newsletter concerning the Department no longer projecting promotions at the end of a list. The first list that will be affected will be the current BC EMS list. The practice will expire through the attrition of the other remaining promotional lists. Since our last Newsletter the Fire Department has now double filled two Captain's spots for the Donald Wilson grievance and the reinstatement of Barry Broyles. This means that whoever tops the forthcoming Fire Captain's list will have to wait for **three** Captain vacancies before we see the first promotion from the new Captain's list. As much as this may not be palatable to some, this has been done in similar situations in the past! The Memorial Service/Medals Day will

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**2nd V.P.***...continued from page 5*

be on 10/10/09 beginning at 1100 hrs. in the War Memorial building. Light refreshments will be provided by Box 414 in between the two events.

Please keep Darrin Catts and his family in your prayers for their loss. We also have some of our members who are off-duty either injured or sick. Get well soon!

I attended the Deferred Comp. meeting on 5/20. The Stable Value Fund and PIMCO were the largest in asset transfers. On 6/3/09, Legg Mason Partners Large Cap Growth Fund will be replaced with American Funds AMCAP Fund. Your assets will automatically transfer over. Fidelity Balance Fund and Brown Capital International Equity Fund continue to be on the Committee's Watchlist of underperforming funds. A reminder that if you are less than fifty years of age, you can contribute up to \$1 6,500/annually and if you are over fifty it is \$22,000/annually to your Deferred Comp. account. If you have questions or concerns contact the Deferred Compensation Plan Office at 201 E. Baltimore Street, Suite 120 or call 410-332-0809. Their hours are Monday thru Fri-day from 0800 to 1700 hrs. I am handling the Fire Officer organizational automobile/motorcycle tag applications. If you need applications for either auto or motorcycle, drop me a line. When you receive your tags please remember to send back the letter that is provided and include your tag number. The 964 store is up and running and will be open at Union meetings in the future along with other Social Affairs. Items available: shirts, decals, patches, license tags etc. Please keep abreast by logging on the Fire Officers website at [www.iafflocal964.org](http://www.iafflocal964.org).

**Health Care**

The Emergency Room Rebates can be found on your pay stub as an adjustment. This should not be taxed. Call me if you have any issues with this or other Health Care problems.

**Safety and Health**

I attended the Safety/Health meeting on 5/21/2009. A requisition has been sent for E55/T23 to have their ceiling painted. E30, E36 and E53 had their water tested. I have been told that the results were negative for contaminants, but E36 is still having issues with the brown color of their water. The system will be flushed because of the location of E36 on the main. Capt. James Matz spoke of the Fire Dept's. response to the Swine Flu. He stated that the department has ordered additional masks and hand sanitizers. They are also looking to put additional hand sanitizers throughout the stations. Our current flu shot will not combat this flu. Money has been approved and 4 proposals have been sent for the highway safety vests. Steadman is having a problem with their air compressors. The department will purchase new compressors. The Committee agreed that Communications is in need of new chairs. I'm told that the Finance Dept. has approved the funding for the chairs and it has moved to the Purchasing Dept. Ward Diesel systems are being installed at a quicker pace now and we have been given assurance that all 1<sup>st</sup> line apparatus will have the system by years end. Kudos to Chief Clack and Chief Trimper for following through on this important issue. E21 has asked for their ceiling paint be tested for lead. E31 had to be temporarily transferred to E33 for pigeon infestation removal. The IAFC and the IAFF are using the week of June 14-20, 2009 as FIRE/EMS SAFETY, HEALTH and SURVIVAL WEEK. The Safety Office is recommending that during Battalion and Company training that the following subjects be discussed: **Safety** – Emergency Driving, **Health** – FF Heart Disease and Cancer Education and Prevention, **Survival** – Structural Size-Up and Situational Awareness. Materials should be provided. A committee was formed to address our SCBA's and for further purchases. I'll keep you informed.

**I am encouraging our members to complete an exposure form daily if you are being exposed to Diesel Exhaust! This is for you and your family's protection!!!!**

Make sure that you e-mail the Safety Office at ([FDSO@baltimorecity.gov](mailto:FDSO@baltimorecity.gov)) if you have any safety-related issues along with contacting me. If you are e-mailing Health and Safety Officer Bill Jones, you must e-mail William H. Jones, not William Jones! You must also continue sending in Special Reports as is policy. The next meeting is scheduled for 6/18/09. Contact me with any issues. **BE SAFE!**

**President's Club**

I am in the process of distributing the President's Club shirts. I have heard nothing but positive remarks for this year's choice. This is a 511 Tactical Gear windshirt that can be found at Elliott's Sportswear. Retirees cannot contribute to the President's Club by way of dues deduction, but can still donate the full amount of \$100.00 by way of cash or check! Please make checks out to: Local 964 PAC Fund! The PAC Fund is our most important tool to have the **local** politicians listens to our concerns. The Fund can **only** be used for Local and State politicians and **cannot and will never be used** for Federal politicians, (President, Senator, etc.) If you contribute \$4.00 or more a pay you are automatically included in the President's Club. Thanks to those who have contributed and to those who haven't, contact me if you need a dues deduction card.

**As always, keep your Beneficiaries up to date and don't hesitate to call or e-mail me at any time.**

Cell 443-629-0216  
Work 410-396-5773  
[E-mail: captain16@hotmail.com](mailto:captain16@hotmail.com)

**Worlds to twirl by...**

Old man look at my life,  
I'm a lot like you were.  
Old man look at my life,  
I'm a lot like you were.

I've been first and last  
Look at how the time goes  
past.  
But I'm all alone at last.  
Rolling home to you!

**Neil Young**

**From the Desk of  
the Recording Secretary**

*By Tom Nosek*

**State of the BCFD:** Both Locals have rallied at City Hall, we have lobbied each and every councilperson to try to find dollars to keep both E36 and T2 opened. We won't know if we are successful until sometime later this month. The decision is now in the Mayor's hands!!!! **SAFETY, SAFETY, SAFETY** that is all I heard from the Mayor after the tragic death of Recruit Rachel Wilson. The same **SAFETY** message was echoed by Chief Clack at the press conference in February 2008 announcing him as the new Chief of the Baltimore City Fire Department. The Locals have worked with Chief Clack on numerous issues to better this department, many of us attended the IAFF Safety class last spring at our FA. **SAFETY** just appears to be a sound bite for the cameras. Chief Clack, his assistant Chiefs and staff are okay come July 1 with closing two companies and if staffing is be-low 292 members per shift to start rotating closures. Mayor Dixon, Chief Clack and his staff are not worried about our **SAFETY**. That my fellow **Union brother and sisters** is a slap in the face to us and our families.

**Contract arbitration:** The contract arbitration for our 2010 contract ended last Friday, we will not know the arbitrator results for a few weeks. The process works, this year much was passed over the table about the economy, demographics, work hours, etc.. The City again cried poor mouth even though they have a \$100 million rainy day fund, found \$37.5 million and had extra money to bail out the Senator theatre!! The City, however, has decided to give any member of EMS working shift work overtime for any hour over 40!!! I will let President Fugate speak to such, but this appears to be in violation to the 'Nalley agreement'. Clarence Nalley ( now deceased) was a Paramedic in this department, Clarence fought long and hard with other EMS members to get the Paramedics into the F&P. I truly hope the actions of the Fire Department's legal counsel does

not harm our EMS personnel and the efforts of past members like Clarence!!

**2009 Dinner/Dance:** On April 17, 2009, the Local honored twelve retirees from 2008. Over 150 people ate, drank, danced then honored the members for their dedicated years of service to the BCFD, City and Local 964. This is an emotional night for families, friends and colleagues as we express our thanks to these men. Many of the honorees children attended and many get a first-hand glimpse of what their dad's did for many years in protecting the citizens of Baltimore. Many of these men's wives know first hand what commitment they gave over the years, the children -- most adults themselves now -- seem to cherish and appreciate their dad's when they hear the stories of these dedicated members. The night was extremely emotional for members of Local 964 and Dianne Hubbel as we honored her husband Captain Donald Hubbel of Rescue I who died in February of 2008. Donnie was way too young to leave us, but he left us with many memories and friendship. Donnie's son Nick was there, Nick is carrying on tradition as a member of Engine Company 33. The Local also took the time to honor three members for their extraordinary efforts, retiree Frank Reisenfelder received the Captain Thomas Frazier, Jr. award for his work with our bingo operations and his colleague Robert Hatoff Sr. received the Deputy Clarence Smith award also for his efforts with bingo. The bingo operation ended this year after many years of raising funds for VEBA fund, these two gentlemen over the years raised upwards to \$250,000 to benefit our widows and orphans. **THANK YOU FRANK AND BOB.** The final award went to our own First Vice President Mike Waldner, Mike received the Captain Frank Uhlhorn, III award. This award goes to a member who emphasizes health and safety to the membership. Mike's efforts in bringing and running the heart and lung scan program from Union Memorial hospital to members and families of both Local 964 and 734 emphasizes such. **THANK YOU MIKE.** The winner of the VEBA raffle was Lt. Jerome Epps of Engine Company 50, congrats Jerome. Speaking of VEBA, Capt Frank Farrell and the members of the CISM

team donated \$1,795 from a silent auction they held at their annual conference meeting, thanks Frank.

**Pension Issues:** I reported in the last newsletter that DROP II was introduced as legislation to the City Council on 3/16/2009. It appears such will be signed into law and take affect July 1, 2009. Legislation concerning post retirement benefits (variable benefit) has been pulled. This should concern all members both active and retired, will the variable benefit still be a benefit or will the City propose an alternate??? I am sure President Fugate will elaborate in his newsletter article.

**Dates to remember:**

**-both Locals cooking dinner on June 24 for the children at MDA ( Muscular Dystrophy Assoc. ) camp at Camp Maria in Leonardtown ,Md., we could use some help!!**

**-annual Local 964 Family Picnic , Sunday July 12 @ Cascade Lake in Hampstead, Md. (see flyer)**

**-annual John Seiss Benefit Golf Tournament July 12, 2009( see the flyers )**

**-Aberdeen Ironbird game July 17, call Tom Nosek for tickets**

To all members both active and retired enjoy the summer, watch the Orioles, eat some crabs, visit Ocean City "hon", hug the kids and grandkids, kiss the wife and stay safe, especially us active members.

**Announcing  
Nominations for  
Union Office**

*Nominations will be held the first two meetings in September 2009. The following offices are up election for a three-year term starting in January 2010.*

**First Vice President**

**Recording Secretary Trustee**

**Trustee**

BAL TIMORE FIRE OFFICERS LOCAL 964  
JOHN L. SEISS BENEFIT GOLF TOURNAMENT  
TO BENEFIT THE VEBA FUND

AT THE PRESTIGIOUS  
Compass Pointe Golf Course  
Pasadena, Maryland

FRIDAY, July 10, 2009

Registration 7:30AM: Shotgun Start: 8:30 AM

Featuring: Continental Breakfast, Food on the course and a  
Gourmet Buffet Dinner after golf. Beverages on the course.

Special prizes: A weeks stay in St. Croix, Hole in One prizes

Great door prizes, consisting of weekend stays at Inner Harbor  
Hotels, and dinner gift certificates at Baltimore restaurants.  
Prizes for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Place teams, closest to pins, long drive

COST : \$100 PER PLAYER

Send Team Registration Form to: Baltimore Fire Officer's Local 964  
1030 S. Linwood Avenue  
Baltimore, Maryland 21224

For more information, contact: Bob Jordan 410-908-2434 or Tom Nosek : 410-499-5441

***Annual Picnic***  
***Baltimore Fire Officers IAFF local 964***

***Sunday July 12, 2009 11am -7 pm***  
***Location: Cascade Lake, Hampstead, Md.***

***Covered pavilion, private pool with lifeguards, six acre lake with paddle boats,  
games, prizes, arcade on site and second annual " Iron Man contest",  
no pets allowed, catch and release fishing only.***

***Hot dogs, hamburgers, Italian sausage, corn on the cob, watermelon, ice cream,  
snow balls, soda, beer and more***

***Cost \$10 @ person for over age 13***

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**ANNUAL JOHN L. SEISS BENEFIT  
GOLF TOURNAMENT  
BALTIMORE FIRE OFFICERS, LOCAL 964**

***COMPASS POINTE GOLF COURSE  
July 10, 2009***

**TEAM REGISTRATION FORM**

**Captain:** \_\_\_\_\_

**Player:** \_\_\_\_\_

**Player:** \_\_\_\_\_

**Player:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_  
**(If not Captain)**

**Contact number:** \_\_\_\_\_

**Cost is \$100.00 per player  
Make checks payable to: "Local 964, VEBA Fund" and mail to:**

**Baltimore Fire Officers, Local 964  
1030 South Linwood Avenue  
Baltimore, Maryland 21224**

**For information, call  
Bob Jordan: 410-908-2434 or Tom Nosek: 410-499-5441**

**THEBALTIMOREFIREOFFICERS****Local No. 964**

*Meetings -- 1st & 3rd Monday*  
 1030 S. Linwood Avenue  
 Baltimore, MD. 21224  
 PHONE: 410-276-6964

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 Baltimore, MD

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Change of Address -- Cut out and return to the Secretary, Local #964

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

ZIP \_\_\_\_\_

PHONE No. \_\_\_\_\_

## Tired and Retired

*by Bob Hatoff*

At the local's retirement dinner in April, in addition to the retirees, 3 of the greatest members of the union were honored. Mike Waldner received the Captain Frank Uhlhorn award for his years of work setting up and maintaining the heart and lung testing program at Union Memorial Hospital. One of the examples of his efforts was our president, Steve Fugate, finding out and receiving needed leg bypass surgery. Frank Reinsfelder received the Captain Thomas Frazier award for his years of work on the local's bingo which netted the union \$250,000.00. Bob Hatoff received the Deputy Chief Clarence Smith award for his work with Frank on the bingo. This was the greatest award because Mike and Frank got awards named after mere Captains, while Bob got one named after a Deputy Chief. One of the best things is all 3 of us were totally surprised. This was accomplished by the dishonesty, deceitfulness and devious efforts of one of my daughters, who will remain anonymous. After all, I would never say or do anything to embarrass Anita.

While running the bingo Frank was very business like. He kept copies of all the required forms and he could quote the periods that were most or least profitable. On the other hand, I filled out the forms, but kept no copies. I was not business like and spent most of my time telling dirty jokes and flirting with the women. Actually I think I should have given the union an award for letting me have all this fun!

I got a postcard from Bucky Muth. He was visiting Williamsburg with Marian. He could not find a listing for Chuck Nolte in the phone book. He remembers Mr. Unknown because he introduced him and Herb Golder to Richters Tavern while they were at the Fire Academy.

I also got a nice letter from Buck Armiger. He and his wife are living the good life down in Solomons and she naturally is a big fan. He also said some nice things about Mr. Unknown. Chuck Nolte is one of his good friends and they go fishing every year. He's got nothing but excuses from Chuck this year and now Chuck won't even respond to his emails. I'm getting tired of Chuck's uncivil behavior. Buck let me know if he doesn't call you and I'll pay for the contract on him. After all what are good friends for.

I saw Mary Lesser and Barb Hemberger at the Box 414 dinner in May. They both had pictures of their brand new granddaughters. Both the babies were beautiful and cute. However, I topped them both with pictures of my great granddaughter. This surprised them because they're both older than me.

Now I'm putting you on notice. This year's Retreat will be on Sept. 16th & 17<sup>th</sup>. All attendees are guaranteed 24 hours of fire stories that get bigger every year, and some really great Christian fellowship. Our female fire fighters are also invited! If you need anymore info, contact Chief Devilbiss. If you don't want to talk to him, call me, I'm much nicer.

On that note I'll wrap this up. As always I can be reached at 1805 Greencastle Dr., Baltimore, MD 21237 or 410-866-3235. Fan mail and donations are always welcome. Have a happy and healthy summer. Be good to each other and hug your kids. They're a gift from God.