

IN THE MATTER OF  
THE APPLICATION OF  
DEBORAH SANDY – APPLICANT/APPELLANT  
15 Foundry Road  
Shrewsbury, PA 17361

\* BEFORE THE  
\* BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. CBA-13-003

Re: Appeal of decision of the Board of Trustees  
dated July 16, 2012 denying application for  
disability retirement due to not being a “member  
in service” at time of application

\* \* \* \* \*

**ORDER OF DISMISSAL**

This matter comes to the Board of Appeals by way of an appeal filed by Thomas Dolina, Esquire and Sharon Conners, Esquire, on behalf of Deborah Sandy, Applicant/Appellant, from a final decision of the Board of Trustees for the Employee's Retirement System dated July 16, 2012, in which the Board of Trustees denied the application for disability retirement due to not being a “member in service” at the time of application.

**WHEREAS**, the Board convened for a hearing on November 7, 2012;

**WHEREAS**, on November 14, 2012 the Board received a letter from Suzanne Berger, Assistant County Attorney on behalf of the Employee's Retirement System for Baltimore County stating that due to information gained at the hearing on November 7, 2012, Ms. Sandy’s application for disability retirement will be accepted and processed in the normal course and therefore this matter should be dismissed by the Board of Appeals; (a copy of which is attached hereto and made a part hereof); and

**WHEREAS**, on November 21, 2012 the Board received a letter from Sharon Conners, Esquire on behalf of Applicant/Appellant agreeing with Ms. Berger and requesting that the appeal taken in this matter be dismissed, (a copy of which is attached hereto and made a part hereof); therefore

**IT IS ORDERED** this 6<sup>th</sup> day of December, 2012 by the Board of Appeals of Baltimore County that the appeal taken in Case No. CBA-13-003 be and the same is hereby **DISMISSED WITH PREJUDICE**.

**BOARD OF APPEALS  
OF BALTIMORE COUNTY**



Wendell H. Grier, Chairman



KEVIN KAMENETZ  
County Executive

MICHAEL E. FIELD, *County Attorney*  
*Office of Law*

November 14, 2012

Thomas J. Dolina, Esquire  
Sharon E. Connors, Esquire  
Bodie, Dolina, Hobbs, Fridell & Grenzer, P.C.  
21 W. Susquehanna Avenue  
Towson, Maryland 21204

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NOV 14 2012

BALTIMORE COUNTY  
BOARD OF APPEALS

By Fax: (410) 296-0432

Re: In The Matter of: *Deborah Sandy*  
Case No: CBA-13-003

Dear Counsel:

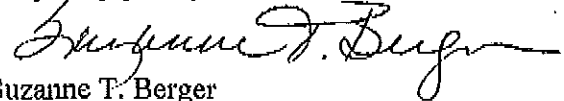
Please be advised that at yesterday's monthly meeting of the ERS' Board of Trustees, new information gained from the hearing held in the above case on November 7, 2012 was provided to the Trustees, specifically concerning the manner in which Ms. Sandy's personnel issues were handled by BCPS' Office of Human Resources. The testimony solicited from Ms. Ann Geisinger at the hearing was discussed. Based on the facts of this case and the actions/inaction of personnel at BCPS, the Trustees voted to allow the ERS to accept Ms. Sandy's application for disability retirement.

Ms. Sandy's application for disability retirement will be processed in the normal course. She will still be required to go through the normal application process, including a medical evaluation, and her eligibility for disability retirement will depend on satisfaction of the usual requirements of certification by the ERS' Medical Board and approval by the Board of Trustees. Given the length of time that has elapsed since her application was submitted in August of 2011, she will be required to resubmit a signed (updated) medical authorization and she may submit any updated medical information she desires, in support of her application. A new medical authorization form will be mailed to Ms. Sandy by the Retirement Office.

As a result of the decision by the Board of Trustees to allow the application for disability retirement to be accepted and processed, the issues involved in the above case are now moot and we trust you agree the matter is resolved. By copy of this letter to the County Board of Appeals panel members, we are advising the Board of this new development and asking that the case be dismissed.

Feel free to contact me if you have any questions or wish to discuss this matter further.

Very truly yours,



Suzanne T. Berger  
Assistant County Attorney

cc: County Board of Appeals Panel Members:  
Chairman, Wendell H. Grier, Esquire  
Maureen E. Murphy, Esquire  
Edward W. Crizer, Jr.

Administrator, Theresa R. Shelton

Kimberly Vazquez, Retirement

November 19, 2012

THOMAS J. DOLINA\*\*

CHESTER H. HOBBS, IV

WINN C. FRIDDELL

LOUIS E. GRENZER, JR.\*

REBECCA A. FLEMING

S. TODD WILLSON

ARTHUR P. CALTRIDER

CHRISTOPHER W. KEELTY

JAMES T. SMITH

CHRISTOPHER M. McNALLY

ALAINA L. STORIE-REDWINSKI

RYAN E. NAUGLE\*

SARAH D. MANN

JEFFREY P. ROGYOM\*

SARAH B. SHERMAN

SHARON E. CONNERS

CHRISTOPHER A. BURGOYNE

MARIELA C. D'ALESSIO\*\*\*

DANIEL P. STRINGER

Of Counsel:

THOMAS G. BODIE

JANET K. COLEMAN

WALLACE DANN

\*Also Admitted in DC

\*\*Also Admitted in CO

\*\*\*Also Admitted in FL

MARTIN J. SMITH  
(1938-1992)

C. ARTHUR EBY, JR.  
(1925 - 2006)

Via Facsimile

(410) 296-0931

Suzanne Berger, Esq.  
Baltimore County Office of Law  
400 Washington Avenue  
Towson, Maryland 21204

Re: In the Matter of Deborah Sandy  
Case: CBA-13-003

Dear Ms. Berger:

I am in receipt of your letter dated November 14, 2012, and have forwarded the same to my client. I understand that my client's application for disability retirement will now be accepted, and processed in the normal course.

Accordingly, at this time I agree that the issues involved in the above referenced matter have been resolved. To that end, I do not plan to submit a closing brief in this matter as originally contemplated, and do not object to this matter being dismissed. I do not foresee any additional issues in this matter, but should any arise this office will address them accordingly.

Should you have any questions or concerns, please do not hesitate to contact me. I can be reached by telephone at (410) 823-1250, or by email at [sconners@bodie-law.com](mailto:sconners@bodie-law.com).

Sincerely,

  
Sharon E. Conners

Cc: County Board of Appeals Panel Members:  
Chairman, Wendell H. Grier, Esq.  
Maureen E. Murphy, Esq.  
Edward W. Crizer, Jr.

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BALTIMORE COUNTY  
BOARD OF APPEALS