

# BROWARD COUNTY 10-13 CLUB

An organization of retired New York City Police Officers

January, 2011



## THE BLOTTER



***Next general Meeting February 1st 2011***

**Focal Point Senior Center 6009 NW 10<sup>th</sup> Street, Margate Florida 33063**

**Meeting starts at 7:00 PM Sharp**

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50/50

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### **The Presidents' Message**

As you're newly elected President, I would like to wish everybody a Happy and Healthy New Year. On Sunday, January 16<sup>th</sup> at 6:00 PM, Colony West County Club your Club is hosting our Annual Installation Dinner Dance. At this event we honor outstanding members of the law enforcement community.

We also honor an outstanding member of the Broward 10-13 Board of Directors. This year Lou Weiser was selected as the outstanding member. As president of the club,

I will change his plaque from Outstanding Board Member of the Broward 10-13 to Outstanding NYPD Retiree of the Century. Lou has done as much if not more than any other police retiree when it comes to securing, obtaining benefits for NYPD retirees. If you only attend one event a year, please make this the event. I would like to thank Steve Moses for serving the on the Board of Directors and I would like to welcome Tim Kennedy for stepping up to the plate and taking over Steve's responsibilities. As always this club will be furnishing to the membership the latest news coming out of New York. Once again,

I wish the entire membership along with their love ones a Happy and Healthy New Year!

# Telephone numbers to keep handy

## [Your Broward Board](#)

Alan Berkowitz, President	954-813-8136
Mike Borrelli, V. President	954-574-0365
Warren Ostrofsky, Secretary	954-341-5575
Frank J. Orefice, Treasurer	954-974-0373
Thomas Puglisi, Sgt-at-Arms	954-341-4095
Martin Finkelstein, Director	954-344-9159
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Tim Kennedy, Director	954-429-8524
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Joe Scimeca, Honor Guard	954-340-7967
Paul Barasch, Promotions	954-803-9819
Lou Weiser, Pensions	954-718-9739

## [Past Presidents](#)

Paul Manino	1981
Sy Silver**	1982
Bill Schilling**	1983
Ray McDonnell**	1984/5
Mike Borrelli	1986/95/96
Ron Kavanagh	1987/88/92
Paul Barasch	1989
Bill Bett**	1990
Paul Levy **	1990/91
Frank Tooley	1993/94
Richard Lapp	1997/98
Robert Izzo	1999/00
Alan Berkowitz	2001/08
Louis Weiser	2009/10
Alan Berkowitz	2011/

\*\*Deceased

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DEA NY Office	1-212-587-9120
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SBA	1-212-226-2180
LBA/CEA	1-212-964-7500
LBA-SOC	1-212-964-7500
ID card Section	1-646-610-5150
PBA Broward Satellite	954-977-3880
Social Security	1-800-772-1213
Blue Cross of New York	1-800-433-9592
NYC Health line	1-800-521-9574
Operations (Death Notice)	1-646-610-5580
VA Benefits Assistance	1-800-827-1000
Medicare	1-800-633-4227

<u><a href="#">Employee Health Benefits</a></u>	1-212-306-7600
	1-212-513-0470
	1-212-206-7300
<u><a href="#">Article 2 Pension Section</a></u>	1-866-692-7733

<u><a href="#">Health &amp; Welfare</a></u>	1-212-608-9671
	1-212-693-5100

<u><a href="#">Health Insurance &amp; Eyeglasses</a></u>	
GHI	1-800-358-5500
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Davis Vision	1-800-999-5431

## [Web Sites](#)

<u><a href="http://www.Broward10-13Club.com">www.Broward10-13Club.com</a></u>	
Medicare--	<u><a href="http://www.medicare.gov">www.medicare.gov</a></u>
Veterans Admin	<u><a href="http://www.va.gov">www.va.gov</a></u>
Social Security	<u><a href="http://www.ssa.gov">www.ssa.gov</a></u>

## Taps for departed member

Remember 911 and  
all those who gave their  
lives for their Country  
**10-13**



*Commentary*

*By Past President Lou Weiser*



First I would like to wish everyone a healthy and happy New Year. Let's hope that 2011 sees an improvement in the economy and peace throughout the world. 2010 saw an unusually high incidence of police officers killed in the United States in the line of duty. Statistics show that at least 160 officers nationwide lost their lives. Some have attributed this to budget cuts in various police departments. Hopefully 2011 will be a better year.

One of our very own NYPD police officers has written a compelling book. The book is called "Terrorist Cop: The NYPD Jewish Cop who traveled the World to Stop Terrorists." Mordecai Dzikansky is a retired NYPD Detective First Grade. He joined the department in 1983. While in the NYPD he was selected to be lead investigator in many terror related investigations.

After 9/11 Commissioner Ray Kelly added counterterrorism to the police forces' assignments. Dzikansky was the first NYPD foreign liaison to Israel. While in Israel he was able to study first hand how the Israeli's handled terrorism and relay this information back to the NYPD thus hopefully helping the NYPD in the preventing and the handling of terrorist attacks.

Dzikansky has been the subject of many articles, including a write up in Esquire Magazine. He currently lectures and consults on global security. Dzikansky credits me with helping him become a police officer. Through my efforts he was able to take the police exam on a Sunday and not on Saturday which is his Sabbath. This policy allowed religious Jews to take the exam and enter the police force. Perhaps one day we will be lucky enough to have Mordecai Dzikansky speak at one of our meetings.





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## Extort Rap in Pension Mess

by Brendan Scott- NY POST Correspondent  
Thomas P. DiNapoli



Albany County District Attorney David Soares recently abandoned a similar case against Sekhar after several charges were dismissed and the feds decided to pursue their own prosecution.

ALBANY -- The feds filed new charges in Albany yesterday against a Boston-based investor who they say targeted the state comptroller's office's top lawyer in a sex-related extortion plot for \$35 million in pension-fund business.

Federal prosecutors from New York's Northern District say Giridhar Sekhar, a former partner at F.A. Technology Ventures, threatened in e-mails to Comptroller Thomas DiNapoli's general counsel last year to disclose an alleged extramarital affair by the attorney. The general counsel, Luke Bierman, had spiked a \$35 million investment deal between F.A. Technology and the state's \$133 billion retirement fund.

# ***Reeling in public workers' pensions, insurance***

By ELIZABETH MOORE [newsday.com](http://newsday.com)

As a taxpayer, Dominic Ciaramella is strongly in favor of the 2-percent property tax cap that was a cornerstone of **Andrew Cuomo's** campaign for governor. "You've got to stop the process of taxes going higher and higher and higher - and who's giving you higher and higher and higher? Your school districts," said the retired **Hicksville** school district custodian, who sees almost half his \$18,000 disability pension eaten up by the taxes on his Levittown home.

They're called fringe benefits, but the generous health insurance and pensions of **New York's** public employees have taken center stage as Governor-elect **Andrew Cuomo** takes office with a \$9.3 billion deficit that only looks to get worse in years to come.

New York's pension system, which guarantees a steady stream of retirement income to 1.1 million state and local workers, has spiked in cost because the state's stock portfolio plummeted in 2008. And sharply rising health-care premiums are producing red ink on balance sheets at every level of government. New accounting rules have revealed the true cost of those commitments: \$56 billion for the state, and more than \$200 billion for governments statewide over 30 years, according to the Empire Center for New York policy.

**Cuomo** made his campaign a drumbeat of outrage over the job-killing effect of New York's high taxes. The business community since then has been quietly raising money for a media blitz backing his efforts to rein in costs. So when contracts for about 170,000 state workers expire at the end of March, state worker unions are bracing for an onslaught.

"We're expecting one of the most turbulent times in our history, no question about it," said Steven Madarasz, spokesman for CSEA, which represents close to 300,000 state, county and municipal workers.

Government pensions are guaranteed by the state constitution in New York, which means that they can only be made richer, and never cut back. Over the decades, the state has attempted to rein in their costs with new, less generous pension "tiers" for newly hired employees. But many of those savings were later lost when lawmakers

Continue from previous page

pushed through "sweeteners" in flush years. Still, Madarasz emphasized, his members' pensions average just \$14,000.

Retiree health insurance is not constitutionally protected, and some governments have attempted to cope with its soaring cost by requiring employees to pay a share, or a larger share, of the monthly premium. The state unions can't negotiate on behalf of retirees. But New York's powerful teachers' union won passage of a law requiring school districts to submit any retiree health premium changes to collective bargaining - a law other public employees have so far failed to win.

The so-far uncontrollable rise in health and pension costs are sure to drive local taxes through the 2-percent cap **Cuomo** has proposed, says the New York Conference of Mayors, which wants increased pension and health contributions by workers. The mayors conference this month asked the legislature to declare a fiscal state of emergency and freeze wages at all levels of government.

Such a freeze has rapidly gained political traction as governments watch fringe benefits drive the total cost of each employee skyward, said E.J. McMahon of the Empire Center.

"The costs are just leapfrogging upon themselves," agreed state Sen. **John Flanagan (R-East Northport)**, who has filed a freeze bill. "At some point they crowd out so much of our ability to generate programs in the public sector that the pendulum is going to swing."

**Cuomo** also has called for tighter management of the New York State Health Insurance Program, and for increased employee contributions to health insurance plans. The unions may see this as the least painful of the concessions facing them at the bargaining table this spring, said Elizabeth Lynam of the nonpartisan **Citizens Budget Commission**.

"I think they know the pressure's on them, they know this governor coming has to have a win-win, and I don't think they want to look like the only ones not ready to be part of the solution," Lynam said. "The costs have been growing so quickly . . . and we lag the private sector by five to seven years in terms of handling it."

# ***Facing the pension mess***

By STEPHEN B. MEISTER-NY Post

**AS politicians at all levels of government look to cut spending, taxpayers need to make sure that public employees don't get a free pass -- particularly when it comes to pensions.**

**Most of the nation's 107 million private-sector workers are forced to accept 401(k) plans and other defined-contribution pensions -- in which the employer makes a fixed contribution to the employee's retirement account, rather than guaranteeing a fixed payout.**

**By contrast, nearly all of the more than 22 million federal, state and local public employees enjoy defined-*benefit* pensions -- with payouts fixed at some percentage of the individual's pay for the last year or two they worked (often including overtime and payments for unused sick or vacation days).**

**But funding of public pensions has been woefully short of what's needed to make good on those promises. The shortfalls are "off balance sheet" liabilities that run into the trillions of dollars.**

**Here's the bad news as reported by Professors Robert Novy-Marx (University of Rochester) and Joshua Rauh (Northwestern's Kellogg School of Management):**

**\* Unfunded liabilities for public pensions run by the 50 states total \$3.23 trillion -- \$21,500 per household.**

**\* Under funded pensions for municipal and local government employees add another \$574 billion of hidden debt -- \$14,000 per household.**

**The data from federal sources is also grim:**

- Unfunded US military-retirement obligations now amount to \$30,000**
- per household.**

**\* Unfunded federal civilian-employee pension obligations represent another \$16,000 per household.**

**•**

**That means every US household (including the half that normally pay no taxes) would have to kick in \$81,500 today to enable federal, state and local governments to meet just their *current* pension commitments.**

Continue on next page

For residents of some big cities, the news is much worse.

For example, New York City's unfunded pension liabilities alone are nearly \$39,000 per household, second only to Chicago at \$42,000 per household.

And while many of the 107 million private workers have seen their 401(k)s decimated by investment losses, public employees haven't had a hair on their heads touched. Because their pensions are fixed, when public-pension investments go south -- they underperformed by 30 percent in the first two years of the recession -- the taxpayers have to make up the difference.

The inescapable reality: Many cities and counties are unable to pay their pension obligations and will look to their states for bailouts, and many states are broke and will look to the feds -- that is, the taxpayers.

Now, the taxpayers are already going to be making sacrifices, because there's just no way to balance the budget without reducing Social Security and Medicare benefits. Are we going to make those cutbacks even harsher in order to preserve the lavish fixed pensions enjoyed by public employees?

### ***It's hard to believe:***

Private-sector workers will struggle through their old age with small 401(k) plans and reduced Social Security and Medicare benefits, while public-sector retirees live high on the hog thanks to their fixed pensions.

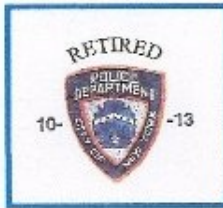
(For example, more than 3,700 retired New York state workers now collect more than \$100,000 a year for life.)

It's time to get realistic about living within our means, so Social Security and Medicare (and Medicaid) must be "on the table." But why should public workers get a free pass at the cost of the rest of us?

We've got to bring public pensions into line with the vast majority of private pensions. Apart from military pensions, they should all be defined-contribution plans. That way, governments *must* pay as they go -- so there won't be unfunded pension liabilities the rest of us have to pay for.

Yes, many current public workers have vested legal rights to their fixed pensions -- but the feds can and should tie any bailouts of state and local governments to the public unions agreeing to reduced benefits and conversion to defined-contribution plans for younger and new workers.

That way, public employees can choose between not getting paid an over-the-top pension and getting paid a more reasonable one.



# **THE BROWARD 10-13 CLUB**



PRESENTS THE

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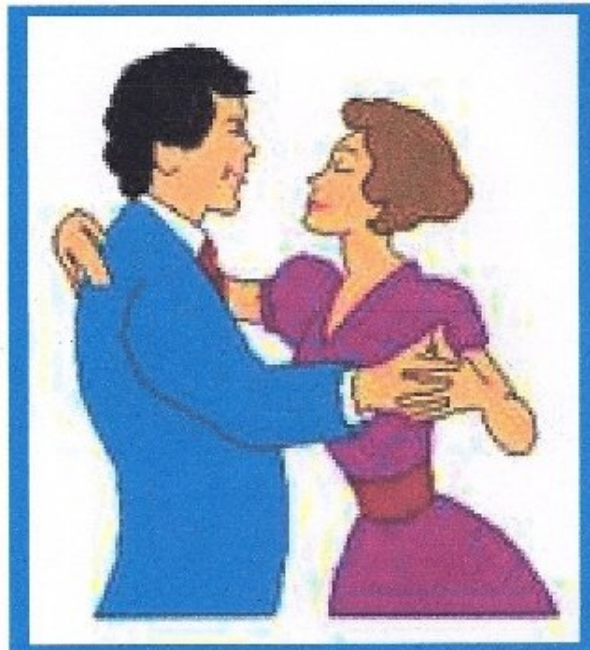
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***Unwise to Borrow from Your Retirement Funds***



I recently took a call from a very sad and desperate member of the Teachers' Retirement System of the City of New York. His desperation is caused by using credit cards; taking out pension loans and a loan from his Tax Deferred Annuity account. He has used his pension and TDA loans to pay off his credit-card debt. He has also made a \$10,000 hardship withdrawal from his TDA account.

He is still behind the eight ball because of his monthly loan payments to the TRS Qualified Pension Plan and the TRS TDA Plan.

He wants to take out another \$25,000 as a hardship withdrawal from the TRS TDA Plan and use that money to pay off his combined debt to the TRS. I related to him that it was a long shot that the TRS would permit this but he should definitely apply for an additional \$25,000 withdrawal based on hardship. I asked him to keep me informed.

He was very frustrated inasmuch as his TDA funds belong to him and he believes he should have access to his money. I reminded him that the law gave him his full tax deferral on his TDA contributions and earnings in return for substantial restrictions on gaining access to the money while still working prior to the age of 59½ (he is 51). (Comment: If you do not like these terms, then do not participate in a pre-tax savings plan. You may be more comfortable with the venerable IRA where you enjoy unbridled access to your funds).

Such personal stories are constantly being played out across America. We must learn the difference between wants and needs. If you want to give your child piano lessons, do you need a new piano? If your child needs a car, do you need to buy him or her new one? The answers are obvious. We must know the difference between money saved at the local savings bank and money saved on a tax-deferred basis with a retirement system. I will go as far as to say that Congress should repeal the law that allows for loans from pre-tax plans (TDA, 457(b), 401(k)). It defeats the very essence of saving for retirement. The amount withdrawn reduces the account balance and even if paid back, the account balance at retirement is lower than it would be if the loan was never applied for. Depending on the amount and frequency of such loans, the account balance at retirement can be shockingly lower. Please do not wait for Congress to change the law. Make a New Year's resolution not to take out a loan against your pre-tax retirement funds. To understand how detrimental this could be, check out the illustration at:

[www.nyc.gov/html/olr/html/deferred/dcp\\_withdrawals\\_loans.shtml](http://www.nyc.gov/html/olr/html/deferred/dcp_withdrawals_loans.shtml)

*Mr. Frank is a fee-only Retirement Financial Planner and a retired city high school Teacher of Accounting. He can be reached by telephone at (732) 536-9472, or via e-mail at [rollover@optonline.net](mailto:rollover@optonline.net).*

# ***Court Tells Police Board***

## ***Must Review Pension Plea Based on Mental Condition***

By MARK TOOR –The Chief

The Police Pension Fund Board of Trustees was wrong when it denied a disability pension to an officer with a psychological disorder that caused her to feel pain that was out of proportion to her injuries, a State Supreme Court Justice ruled.

Justice Judith J. Gische sent the case back to the pension fund for reconsideration. She found the trustees had “failed to articulate any rational basis” for not accepting the findings of their Medical Board, which determined that Police Officer Jill Rosenthal’s somatization disorder was disabling.

### ***Medical Board’s Discovery***

Ms. Rosenthal’s attorney, Chet Lukaszewski, said that she had cited orthopedic problems when she applied for the pension and that it was the Medical Board that diagnosed her with somatization disorder and recommended her for the three-quarters line-of-duty disability pension. The doctors felt her orthopedic condition was not disabling but her somatization disorder was, he said.

“It was the Medical Board who introduced this and the Board of Trustees who decided not to accept it,” he said.

Ms. Rosenthal joined the NYPD in 2002. She was injured in 2005, while arresting a suspect. She reported injuries to the right hand and middle finger, the neck and right shoulder, right elbow, right wrist and right hand and a cut to her middle finger, according to Justice Gische’s decision.

In February 2007, shortly after the department recommended a medical review of her case, she slipped and fell down the stairs in a Police Department building. She reported injuries to her right shoulder, right wrist, neck, lower back, right ankle, both knees and buttocks. In May 2007, she filed an application for accidental-disability retirement. The Medical Board reported “no significant orthopedic findings precluding [her] from performing the full duties” of a Police Officer.

### ***Injured by Drunk Driver***

On Jan. 1, 2008, she became involved in a struggle with a drunk-driving suspect, hurting her lower back and aggravating her previous injuries, according to the decision. Eleven months later, the medical board reversed its earlier findings and diagnosed her with somatization disorder related to multiple line-of-duty injuries, triggered by the injury incurred when making the arrest in 2005.

Continued from previous page

The Board of Trustees asked the Medical Board twice for additional information. In September 2009, the board declared that its decision was in line with the definition provided by the American Psychiatric Association.

“The pain and other symptoms people with this disorder feel are real, and are not created or faked on purpose,” according to MedlinePlus, which is affiliated with the National Institutes of Health. “...As researchers study the connections between the brain and body, there is more evidence that emotional well-being affects the way in which people perceive pain and other symptoms...Stress often worsens the symptoms.”

MedlinePlus continued: “A thorough physical examination and diagnostic tests are performed to identify physical causes. The types of tests that are done depend on what symptoms you have. A psychological evaluation is performed to identify related disorders. If, after you have a thorough evaluation, no physical cause is found to explain the symptoms, somatization disorder may be diagnosed...You should not be told that your symptoms are imaginary.”

### ***Didn't Cite Evidence for Findings***

A pension fund staff member told Ms. Rosenthal that the Medical Board has “a limited history of [granting benefits for] brain and psychological disabilities.” Also, the staffer said, “we looked for a nexus between the psychological disability and the first injuries that the officer may have sustained. In this case it’s very difficult for us to find a nexus.” On that basis, the trustees voted no on a line-of-duty disability.

Justice Gische found that “the Board of Trustees’ denial was made summarily, without any indication of what evidence, if any, the board relied upon on reaching its conclusion.”

If the trustees reach a different decision than the Medical Board, she wrote, “the Board of Trustees should articulate what is the basis for their decision.” The two reasons cited by the pension-fund staff member were not sufficient, she said. She determined that the trustees’ decision “was not based upon objective medical evidence.”

The Police Pension Fund said it could not comment on the case because the judge’s decision to send the case back for reconsideration means that it is technically still in litigation.

# **Your Social Security**

By David Brown-Chief



**Social Security reaches almost every family in the United States, and at some point touches the lives of nearly all Americans. It not only helps older Americans, but also workers who become disabled and families in which a spouse or parent dies. Today, about 159 million people work and pay Social Security taxes. More than 53 million people receive monthly Social Security benefits. In 2009 alone, those benefits came to about \$675 billion.**

**In addition to the national impact Social Security has on the U.S. economy, there's no denying the difference it makes in communities all across America. In neighborhoods around the nation, the benefits paid help more than just individual beneficiaries. These people spend their benefit payments at the local grocery store, the local clothing store, department stores, and mom-and-pop shops.**

**Benefits are used to pay for goods and services that sustain the local economy, keep local farmers farming, local retailers retailing, and local contractors contracting. In some counties, as much as 30 percent of the population receives benefits and those benefits make up as much as 20 percent of the local economy.**

**Both at the national and local level, Social Security make a difference. The average payment for a retired individual is \$1,169 a month, which represents 40 percent of income for an average retired person. The monthly payment for a disabled person averages \$1,065. For the widow or widower of a working family member, the average payment is \$1,104. These are real numbers that help many individuals make ends meet.**

**The payments made to beneficiaries help individuals and families to stay afloat. But the byproduct is that these individuals are using their benefits to help keep the economy going.**

**It's clear that Social Security makes a difference on a national, local, and individual level.**

## ***Pension Funds Press 5 Cos. on ‘Orientation’ Bias in Workplaces***

By FLORA FAIR – The Chief



City Comptroller John C. Liu has joined the city’s five pension funds—which he advises on investments—in a renewed call to wipe out workplace bias, sending shareholder resolutions to five Fortune 1000 companies requesting they adopt written policies that prohibit “discrimination based on sexual orientation and gender identity or expression.” The five funds have more than \$148 million invested in the companies: KBR Inc., TECO Energy, Leggett & Platt Inc., Crosstex Energy, and Anadarko Petrol.

This is not the first time some of these firms have faced off with the city over workplace discrimination. Former Comptroller William C. Thompson, Jr. sent a similar request to companies on behalf of the pension fund in 2008, asking them to ban discrimination based on orientation and gender identity. Among those on his list were Leggett & Platt and Anadarko. In its 2008 annual stockholders meeting notice, Anadarko’s board recommended a vote against the request, saying that “in response to this proposal we recently updated our written policy to reflect this principle.”

Its code of ethics states that the company doesn’t discriminate in its hiring based on sexual orientation, and it also calls workplace jokes based on sexual orientation “inappropriate conduct,” but there is nothing concerning gender identity or expression.

### **‘Limits Their Talent Pool’**

“They don’t have a policy and most of these other companies do,” said Michael Garland, the Comptroller’s Executive Director for Corporate Governance, of the five holdouts. “It limits their talent pool. It allows discrimination to exclude candidates that are equally or more qualified.” More than 88 percent of Fortune 500 companies have policies that bar harassment and discrimination based on sexual orientation.

The pension funds hold a total of more than 3.7 million shares in the five companies.

“Given strong expression of shareholder support at last year’s annual meeting, we hope the boards will do the right thing,” Mr. Garland said.

## **NYPD Ends Program Paying Cops Extra To Work on Vacation**



Citing budget problems, the NYPD has canceled a program that allows officers to spend one week of their vacations working for extra pay. Officers in the program—2,634 in 2010, the department said—receive their regular salary plus straight time for hours worked on vacation. They can be assigned anywhere in the city, depending on the needs of the department. Eliminating the program, which was instituted during the fiscal crisis of the mid-1970s, is expected to save \$4 million a year.

### **PBA: 'Common-Sense Program'**

“At a time when the NYPD is being cut by another 1,100 police officers, the city is eliminating a program that provides police protection to the city in a cost-effective manner,” said Patrick J. Lynch, president of the Patrolmen’s Benevolent Association. “The results will be that the city will have to staff these positions on overtime, resulting in more, rather than less, costs to the city. It seems foolish to eliminate a common-sense program.”

“The sentiment among my membership is disappointment, to say the least,” Michael J. Palladino, president of the Detectives Endowment Association, told the New York Post. “We’re trying to determine if we have any legal, contractual recourse to challenge this.”

The decision results from Mayor Bloomberg’s order that every agency reduce its spending to trim the deficit. “The department needed to meet budget reductions without resorting to layoffs,” NYPD spokesman Paul J. Browne said in an e-mail.

### **PBA: No Notification**

Mr. Lynch raised another point: “Not only does the elimination of the program make no sense financially, or in terms of public safety, but the city, which purports to want to work with city unions to address financial issues, unilaterally violated a provision of a collective-bargaining agreement and the union had to find out about it by reading details buried in a voluminous budget document. Such actions do not foster cooperative labor relationships.”

“That’s the way they do business,” PBA spokesman Al O’Leary said of mayoral officials. “They like to present that they have a very open labor-management relationship, but they don’t.”

## **Unions: Don't Believe Hype About Pensions**

By FLORA FAIR |



Recent reports about generous Fire Department pensions make the benefits sound outrageous, but unions say that the numbers don't tell the whole story. According to the city's Independent Budget Office, FDNY pensions are costing the city \$1.05 billion annually. An article in the New York Post stated that nearly 1,300 FDNY retirees collect more than \$100,000 annually.

But Alexander Hagan, president of the Uniformed Fire Officers Association, says that the high pension costs stem from the attacks of Sept. 11, 2001 and their aftermath.

### **Rise in Disability Pensions**

A total of 340 firefighters died on 9/11, and their surviving families were given a full line-of-duty death pension, as opposed to the 50-percent of final average salary service pension firefighters would receive for a regular retirement. Since 9/11, more than 2,000 Firefighters and officers have been forced into retirement with permanent disabilities. These retirees receive a pension worth three-quarters of their final average pay.

“While there may be some who look at this in terms of money streaming from the pension fund, I look at it in terms of pain and agony for individuals and families,” Mr. Hagan said. “I don't begrudge any of them their pension because many of them aren't going to collect that pension too long.”

When it comes to the high pensions that some officers receive, Mr. Hagan thinks the compensation may not be enough. “Officers lead the way into the building, every building. We lead The Bravest,” he said. “Sadly, that may be an indication that the officer’s job is far more dangerous than anyone ever realized, and perhaps the compensation needs to be looked at and adjusted accordingly

### **'Fiscally Unsustainable'**

Charles Brecher, executive vice president and director of research for the Citizens Budget Commission, said that it’s not about a single catastrophic event, but legislation that predated 9/11. “Our concern is the general set of policy decisions that have been made in the State Legislature that make the benefits fiscally unsustainable,” he said.

Those decisions include a definition of disability that CBC feels is too broad, the inclusion of overtime in calculating benefits, and no minimum age requirement for retirement.

But he doesn’t think it’s firefighters who are to blame. “Nobody is suggesting that people’s existing pensions be reduced,” he said. Instead, the business-funded CBC is focusing on changes to legislation to curb future costs.

There’s also concern about city pension funds, which have suffered a 6-percent earnings shortfall over the last decade. But the City Comptroller’s Office says that the funds have seen improved earnings in Fiscal Year 2010, at a combined rate of about 14 percent, with FDNY-specific funds performing slightly better. This is 6 percent above the assumed 8-percent earning used by the funds.

Uniformed Firefighter Association President Steve Cassidy noted that Firefighters contribute 2.85 percent of salary to the cost of those pensions. “Firefighters pay into their pensions for the 20 years that they’re on the job,” he said. “That’s left out of many of the stories.”

He also insists that 9/11 had an impact on those funds. “And those in the CBC seem to forget that that [WTC] site was cleaned up a year ahead of schedule and saved the city over a billion dollars,” he said. “So their whole analysis of the firefighters’ pension fund is wrong. Firefighters risk their lives every day.”

Mr. Hagan agreed that firefighters earn their pension in a dangerous and demanding job. “The risk to life, limb and health should also be taken into account,” he said.

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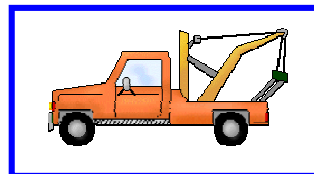
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## **POLICEMAN'S STORY**

In 1974 when I first joined the police department, I knew there would be special occasions my family would spend without me.

Knowing that fact didn't make the task any easier. The celebrations I missed that first year's depressed me and sometimes made me feel bitter. Working on Christmas Eve was always the worst. On Christmas Eve in 1977, I learned that a blessing can come disguised as misfortune, and honor is more than just a word. I was riding a one man patrol on the 4x12 shift.

The night was cold. Everywhere I looked I saw reminders of the holiday: families packing their cars with presents, beautifully decorated trees in living room windows and roofs adorned with tiny sleighs. It all added to my holiday funk.

The evening had been relatively quiet; there were calls for barking dogs and a residential false burglar alarm. There was nothing to make the night pass any quicker. I thought of my own family and sunk further into depression.

Shortly after 2200 hours I got a radio call to the home of an elderly, terminally ill man. I parked my patrol car in front of a simple cape cod style home. First aid kit in hand, I walked up the short path to the front door. As I approached, a woman who seemed to be about 80 years old opened the door. He's in here she said, leading me to a back bedroom.

We passed through a living room that was furnished in a style I had come to associate with older people. The sofa has an afghan blanket draped over it's back and a dark, solid queen Anne chair sat next to an unused fireplace. The mantle was cluttered with an eccentric mix of several photos, some ceramic figurines and an antique clock. A floor lamp provided soft lighting.

We entered a small bedroom where a frail looking man lay in bed with a blanket pulled up to his chin. He wore a blank stare on his ashen, skeletal face. His breathing was shallow and labored. He was barely alive. The trappings of illness all around his bed, the nightstand was littered with a large number of pill vials. An oxygen bottle stood nearby. Its plastic hose, with face mask attached rested on the blanket. I asked the old woman why she called the police. She simply shrugged and nodded sadly toward her husband, indicating it was his request. I looked at him and he stared intently into my eyes. He seemed relaxed now. I didn't understand the suddenly calm expression on his face.

I looked around the room again. A dresser stood along the wall to the left of the bed. On it was the usual memorabilia: ornate perfume bottles, a white porcelain pin case, and a wooden jewelry case. There were also several photos in simple frames. One caught my eye and I walked closer to the dresser for a closer look. The picture showed a young man dressed in a police uniform. It was unmistakably a photo of the man in bed. I knew then why I was there.

I looked at the old man and he motioned with his hand toward the side of the bed. I walked over and stood beside him. He slid a thin arm from under the covers and took my hand. Soon, I felt his hand go limp, I looked at his face. There was no fear there. I saw only peace. He knew he was dying; he was aware his time was very near. I know now that he was afraid of what was about to happen and he wanted the protection of a fellow cop on his journey. A caring God had seen to it that his child would be delivered safely to him. The honor of being his escort fell to me.

When I left at the end of my tour that night, the temperature had seemed to have risen considerably, and all the holiday displays I saw on the way home made me smile.

I no longer feel sorry for myself for having to work on Christmas Eve. I have chosen an honorable profession. I pray that when it's my turn to leave this world there will be a cop there to hold my hand and remind me that I have nothing to fear.

Author unknown

## *Liu kills a messenger*

NY Post---- There's no doubt as to who calls the tune in city Comptroller John Liu's shop: the unions who elected him. It was reported Wednesday that Liu -- whose office manages the assets of five New York City pension funds -- canceled a scheduled meeting this week between fund trustees and the Blackstone Group, an investment firm with whom the funds have had a harmonious relationship for 25 years.

It seems that Blackstone chief strategist Byron Wien included in his annual forecast last January the rather reasonable observation that taxpayers "literally can't afford the benefits we have given our retirees in state and local governments and we have to change that." Now, this is no great secret.

And, over the next year, the pension funds deposited \$225 million into a Blackstone private-equity fund. Now, trustees from three of the five funds -- representing cops, firefighters and civilian employees -- are refusing to meet with Blackstone to discuss new investment strategies until Wien retracts his statement.

Asked by The Post to confirm this, Liu's office would say only, "There is no meeting scheduled. We have no further comment at this time."

Sure, the union trustees are free to be as irresponsible as they wish. However, you'd think that Liu -- rather than canceling the meeting -- would push to base investment decisions on which firm can provide the biggest bang for the buck. Don't be silly. Liu, again, owes his election to the public-employee unions.

When they're unhappy, Liu listens.

## *Officer shoots window of burning car for rescue*

**By: (The Associated Press) — Friday, December 3rd, 2010**

BOCA RATON, Fla. -- A video shows a South Florida police officer shooting out a side window of a burning car to rescue a woman.

Boca Raton police officer Jimmy Jalil says he and another man who stopped to help tried to break the window. But after nearly a dozen attempts, the 32-year-old Jalil decided to use his gun.

Jalil said Friday on CBS' "Early Show" that he knew the bullet would be able to penetrate the window. Jalil ordered everyone back and fired two shots into the rear passenger window. The dash-mounted police camera captured Jalil clearing the window of glass, then pulling the woman out. Authorities say the driver of the car lost control on Interstate 95 on Wednesday night, slamming into a utility pole. The car then burst into flames. The driver was ejected and died.