

BROWARD 10-13 CLUB

An organization of retired New York City Police Officers

February, 2011



THE BLOTTER



Next general Meeting March 1st 2011

Focal Point Senior Center 6009 NW 10th Street, Margate Florida 33063

Meeting starts at 7:00 PM Sharp

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The President's Message

Dear Brothers and Sisters:

On Sunday, January 16th, your club hosted their 30th Annual Installation Dinner Dance at the Colony West Country Club. The room was filled to capacity with over 200 members and friends in attendance. We were honored to have several elected officials including Congressmen Allen West and Ted Deutch.

Also attending was Broward County Sheriff Al Lamberti, Miami Dade Police Director James Loftus, the entire Margate City Commission and so many Broward County Judges to mention.

The highlight of the evening came when the club presented Lou Weiser with "The Man of the Century Award." Lou, I cannot express what you have done for retirees. If you're receiving a Medicare Part "B" reimbursement check, "Thank Lou Weiser."

A lot of the benefits that Lou fought hard for, he doesn't even receive. Believe me, when Lou was born the mold was broken. Lou, on behalf of myself and all NYC retirees, I would just like to say "Thank You" for all your time and energy in obtaining and securing our benefits.

Two more honorees at the dinner dance were Police Officer Antonio Careccia of the Margate Police Department and Police Officer Carlos Castillo of the Miami Dade Police Department. PO Carlos Castillo award was presented by Miami Dade Police Director James Loftus.

The reason I am mentioning the directors' names is because on Thursday, January 20th, 2011 two Miami Dade Police Detectives were gunned down while attempting to serve an arrest warrant; Detective Amanda Haworth 44, a 23 year veteran of the Miami Dade Department and Detective Roger Castillo 41, a 21 year veteran of the Miami Dade Police Department.

Continued from previous page

I attended these officers' funerals yesterday. When Director Loftus said his farewell to these fine dedicated officers it brought tears to my eyes. He took full responsibility for what happened to these two officers on that tragic day. There must have been 10 thousand people in the audience listening to his speech. He spoke from his heart and not from a piece of paper. God bless you director, and the men and women of the Miami Dade Police Department.

While sitting in our seats waiting for the funeral service to begin, several federal agents sitting in the next row started looking at their cell phones at the same time. They were receiving either a text or an e-mail telling them that 3 more law enforcement officers were shot in St. Petersburg, Florida while also serving an arrest warrant.

Two St. Petersburg Police Officers were shot along with a US Marshall. Then the word came, both St. Pete Police Officers died from their injuries. Police Officer Jeffrey Yaslowitz and Police Officer Tom Baittinger gave the ultimate sacrifice while serving the people of St Petersburg.

Please come to the next Broward 10-13 General Membership meeting on Tuesday, February 1st at 7:00 PM. Much will be discussed.

On a Lighter Note

I have been informed by our treasurer that the 2011 dues have been steadily coming into the office. Due to the high cost of mailing our newsletter (The Blotter), we found it necessary to raise the dues. At our December meeting the entire membership voted that starting on January 1, 2011 the dues will be raised an additional \$5.00.

For our lifetime members this would just about cover the cost of this Blotter and the mailing. The dues for lifetime members is now only \$10.00

For our regular members who were paying \$35.00 a year, the dues are now \$40.00. Our Treasurer informed me that he is still receiving checks in the sum of 5.00 and \$35.00. Please make note of the new change and bring them up to date.

At our meetings and through the Blotter we will always try to keep you up to date with all the information concerning the Retirees. For those of you who have an e-mail address, please get it to me, so I can send you the Blotter in living color. A 10-13 to all of you.

Det717@AOL.com

Telephone numbers to keep handy

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Lou Weiser, Pensions	954-718-9739

[Past Presidents](#)

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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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SBA	1-212-226-2180
LBA/CEA	1-212-964-7500
LBA-SOC	1-212-964-7500
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PBA Broward Satellite	954-977-3880
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Blue Cross of New York	1-800-433-9592
NYC Health line	1-800-521-9574
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Medicare	1-800-633-4227

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	1-212-206-7300
	1-866-692-7733

[Article 2 Pension Section](#)

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[Web Sites](#)

<u>www.Broward10-13Club.com</u>	
Medicare--	<u>www.medicare.gov</u>
Veterans Admin	<u>www.va.gov</u>
Social Security	<u>www.ssa.gov</u>

Taps for departed member

Remember 911 and
all those who gave their
lives for their Country

10-13



At our Annual Dinner/Dance Lou was nominated and awarded as

The Man of The Century

Commentary

By Past President Louis Weiser



December saw a major victory for 9/11 first responders. After a 9 year battle, the James Zadroga Bill was finally passed by Congress on December 23rd. Although the bill contains some compromises, it brings peace of mind to those workers who responded to the World Trade Center on 9/11 and to those who continued working at the site in the days and weeks after. The bill covers not only firefighters and police but other workers across the spectrum who were an integral part of the rescue and recovery effort. The bill provides funding for the WTC Health Program.

Although the bill took 9 years to pass it shows that the government recognizes that it has an obligation not only to those who lost their lives but to the brave men and women who sacrificed their health responding to the greatest terrorist attack in our nation's history. In addition to treatment and health care coverage the bill establishes a community program in New York City for health screenings, treatment and the monitoring of residents who lived, worked or were present near the WTC site for a certain period. Although not perfect, the bill recognizes the need to help the first responders and give them some comfort for their future.

I would like to thank all those who helped make the dinner on January 16th a success. A special thanks to all my friends and family who attended this wonderful event. I would like to personally thank Marty Turetsky and David Rosensweig for extending their vacations in order to attend the dinner. Also, it was an honor to have Mordecai Dzikansky, author of "Terrorist Cop" in attendance. My being named "Man of the Century" was such a tremendous honor.



A packed house



Honoring Lou Weiser

When cops face guns: Harlem shootout proves one illegal weapon is too many

[EDITORIAL NY DAILY NEWS](#)

Some damned fool - of which this city has too many - brought a loaded gun into a crowd of hundreds of people who had been partying for hours, and the result early Sunday was death and bloodshed. The Wild West shootout on Lenox Ave. is but one more graphic example of the madness that inevitably follows from the widespread presence of firearms on the streets. The toll this time was one dead and six wounded, including two cops.

While the exact sequence of the mayhem is still being sorted out, the elementary facts are clear: There was a gun, a .38-caliber. It came out during a fight, apparently over a woman, between two male revelers, both of whom had felonious criminal records.

The .38 was fired during a struggle that was surrounded by scores of bystanders, as well as police officers who were on the scene to try to disperse the partiers and ward off just such violence. Four cops - one in uniform, several in plainclothes with badges displayed - who were approaching the fight from several directions responded with a volley of 46 shots, likely killing one of the fighters, wounding the second 21 times and striking three civilians and two officers.

Pending the outcome of investigations by the NYPD and the Manhattan district attorney's office, the cops are not to be second-guessed.

The questions and implied criticisms are facile and obvious: Did the cops have to shoot so much? Couldn't they have been more precise? Shouldn't they have waited for a clear shot at the man who held the gun? The fair response: You try it.

Put yourself on scene with a gun firing amid chaotic events. At close range, you have barely a split second to judge how best to protect scores of civilians and fellow officers who are immediately jeopardized by a discharging weapon. In all likelihood, as the law allows, you fire.

This is not to say that lessons cannot be learned. The NYPD will review each cop's actions and study the dynamics of the group to enhance the tactical training that has made the department one of the country's' most restrained in the use of force. The officers on Lenox Ave. were there to head off disaster, rushed toward peril and clearly believed they had no choice but to pull the trigger. All because one more damned fool had a gun.

Broward 10-13 Club Annual Dinner/dance & Installation of Officers

It was a perfect evening; every table filled packing the hall to its capacity. In attendance were many distinguished guests who honored our club by their appearance. Compliments to [US Congressman Allen West \(R\)](#) and [US Congressman Ted Deutch \(D\)](#), who together led us in the Pledge of Allegiance.

Carlos Manuel Santana brought the house down with his operatic rendition of the Star Spangled Banner and God Bless America. Kudos to the many newly elected Judges and City Commissioners who were too numerous to mention. Last, but not least, to our Honor Guard marching and being led by our Bagpiper. It was inspiring and thanks to the many members who attended. You enjoyed a marvelous and history making evening.

**US Congressmen
Allen West (R) Ted Deutch (D)**

Bagpiper & Honor Guard



Presenting the Colors

National Anthem by Carlos Manuel Santana





Pres Alan Berkowitz-Congressman Deutch



VP Mike Borrelli & Sheriff Al Lamberti



Honorable Peter Weinstein & The Directors



Honoring Police Officer Carlos Castillo







It's war!

Mayor **Bloomberg** went to the mattresses yesterday against the city's municipal unions, demanding a sweeping series of pension givebacks under threat of withholding all future raises. "That is not a negotiating stance. It is reality," the mayor declared in his 10th State of the City speech, delivered before an audience that filled Staten Island's renovated St. George Theatre.

"And so today, I will make this commitment: I will not sign a contract with salary increases unless they are accompanied by reforms in benefit packages that produce the savings we need."

Bloomberg also called for increasing the retirement age of all future non-uniformed employees from as low as 55 to 65 and demanded the return of a \$12,000-a-year pension supplement granted years ago to retirees in the NYPD, Fire Department and **Correction Department** to save \$200 million annually.

If that weren't enough to inflame union leaders -- who promised to fight them all the way -- Bloomberg proceeded to renew previous requests for the right to lay off teachers without regard to seniority and to negotiate pension benefits at the bargaining table.

He called pension reform "our No. 1 priority in Albany." And he said former Mayor **Ed Koch** will help lead the fight over pensions. All the initiatives require approval from the state, where the municipal unions have significant clout. "He's setting a tough tone," said one union official. "What does it mean? It doesn't necessarily mean anything."

None of the city's other top elected officials -- Comptroller John Liu, Public Advocate Bill de Blasio or City Council Speaker Christine Quinn -- were willing to immediately endorse the mayor's call to arms.

"There aren't any new ideas that haven't been talked about in the past," observed Liu. Gov. Cuomo issued a statement describing the mayor's agenda as "innovative and realistic." "During these difficult times, tough choices and sacrifice are required," Cuomo said. It appeared the two were headed in the same direction.

A top aide to the governor said Cuomo "in the near future" would propose a less generous pension tier for new state workers -- just as Bloomberg was asking for a similar lower tier for new city workers.

Cuomo adviser Larry Schwartz also told those who attended the first meeting of the governor's Mandate Relief Redesign Team that a push would be made to suspend a law that continues public-sector union contracts after they expire, which critics view as giving the unions leverage in negotiations.

While the audience included the top ranks of his administration, the mayor received only a mild response when he began talking about the pension system. But there was applause when he promised: "We will not raise taxes to balance the budget."

Current Cops, Firefighters Threatened by VSF Push

By RICHARD STEIER | [0 comments](#)

Mayor Bloomberg's call in his State of the City speech to discontinue providing Variable Supplements Fund payments to cops, firefighters and correction officers once they retire would have provoked anger among the unions representing those workers even if it applied only to future hires.

The fact that it would affect those already on the job who do not yet have 20 years service triggered expressions of outrage by several key uniformed union leaders that was tempered only by their belief that the measure has little chance of succeeding in Albany.

"It completely contradicts everything he has previously said about having a commitment to people already on the job," Uniformed Firefighters Association President Steve Cassidy said, referring to past statements Mr. Bloomberg had made in the context of contract negotiations that implemented reduced pay scales for those not yet hired as Police Officers and Firefighters.

Detectives Endowment Association President Michael J. Palladino, who attended the Mayor's speech, was under the impression that his plan to cut short the VSF payments would affect only those not yet on the job, as was City Council Member Peter F. Vallone, who chairs that body's Public Safety Committee.

But the Mayor in his address referred to eliminating the \$12,000 annual payment to "future uniformed retirees," and an aide, who spoke conditioned on anonymity, said the legislation he is seeking would cover anyone who has not yet completed 20 years of service, the point at which cops and firefighters are guaranteed the VSF payment. (Those who retire because of disabilities prior to that point are not eligible, and 20-year correction officers and retirees, who won the VSF right a dozen years ago, are currently not receiving payments because a condition of their bill allows suspension when stock profits from their pension fund are insufficient. They will see those payments permanently implemented in 2019, however.) The Mayor said the legislation would save the city \$200 million a year if enacted.

Mr. Palladino accused Mr. Bloomberg of having taken a "disingenuous and misleading" position to make the case for restricting the VSF, starting with his characterization of it as a "holiday bonus" because it is paid in December. He noted that the current structure for cops and firefighters is based on a 1988 agreement with the Patrolmen's Benevolent Association that was later replicated with the other police and fire unions that allowed the Koch administration to withdraw \$100 million from the police VSF fund once it was converted from a payment linked to stock-market profits to a defined benefit.

As part of that deal, the DEA leader continued, the unions were also required to accept a reduced pay scale for future hires under which it took them five years rather than the traditional three to advance to maximum salary.

“Every guy who is still on the job is still paying for that holiday bonus,” Mr. Palladino said. The reduction in the pay scale effected more than two decades ago still “gives the city a recurring cash value for every police officer who comes on the job, and any police officer who gets promoted,” since the same elongated scale is applied for each rung on the NYPD ladder. “Every single benefit we gained in which we gave up something, now the administration’s looking to take them away in one fell swoop. [PBA: ‘City Reneging on Deal’](#)”

Patrolmen’s Benevolent Association President Patrick J. Lynch made similar points, asserting, “Having realized billions in benefits, the city now wants to renege on the agreement. We intend to hold them to it.”

He was referring to the fact that in the late 1990s, when the stock market was booming, it was estimated that the Giuliani administration reaped \$4 billion in additional funds for its operating budget that it would have had to pay into the VSF if not for the conversion of the benefit a decade earlier. Mayor Koch had sought the change because he thought it unfair that the city had to contribute money into the VSF any time the Police Pension Fund’s stock investments produced yearly earnings above 6 percent, but could not withdraw money in years when returns were subpar. Those terms had been extracted by the police and fire unions in the late 1960s in return for their pension representatives consenting to allow the funds to invest in the stock market.

Mr. Palladino said he was encouraged that Mr. Bloomberg had appointed former Mayor Ed Koch to lead his effort to secure broad-based pension reforms in Albany, saying that his knowledge of the VSF’s history would lead him to discourage the current occupant of City Hall from trying to revamp the eligibility standards.

Mr. Koch, however, was noncommittal when asked specifically about the VSF proposal, saying in a phone interview that he wanted to examine the Mayor’s entire package of proposals and then determine “what the city can afford, what the city can’t afford. [‘City Can’t Be Trusted’](#)”

Mr. Lynch called it ironic that Mr. Bloomberg was seeking to overturn the deal Mr. Koch made 23 years ago, which included the provision that the VSF payments would be provided to all future cops at the current level, at the same time that he is asking the State Legislature to transfer its authority to approve all pension changes to his administration. He said the Mayor’s push on the VSF showed “why pensions have to be the subject of legislation: because the city can’t be trusted to honor a negotiated deal when it becomes inconvenient for them.”

The practical impact of discontinuing VSF payments—which begin only after a retiree or employee has compiled 20 years on the job—would be to make “service for the city a résumé-builder rather than a career,” according to Captains Endowment Association President Roy Richter.

The VSF payments, while derived from pension-fund earnings, are not considered to be pension benefits, which by state law cannot be reduced once an employee joins the retirement system. Mr. Bloomberg has crusaded against them for the past couple of years, aided by both the New York Post and the business-funded Citizens Budget Commission, which have referred to them as **“Christmas bonuses.”**

The Mayor had told his audience in Staten Island, “City taxpayers just cannot be expected to give substantial holiday bonuses when so many of them are out of work or having their own wages frozen or cut.”

‘Won’t Settle for Chocolate Bars’

Correction Officers Benevolent Association President Norman Seabrook remarked, “The Mayor has to come to grips with the fact that he’s in a municipality rather than the private sector. At his private-sector company, he gives the employees chocolate bars and fruit so they won’t take a lunch break, but all workers deserve a lunch break and we’re not going to settle for chocolate bars. Balancing the budget does not mean balancing it on the backs of blue-collar workers.”

To take effect, the proposal would have to be approved by both the City Council and the Legislature. Mr. Vallone, whose father during his tenure as City Council Speaker was a prime mover in getting VSF coverage for correction officers, said he was scheduled to meet with police-union leaders and wasn’t ready to commit to specific elements of the Mayor’s pension overhaul plan, but “the basics are necessary. If we don’t take action now, the whole pension system collapses, and nobody benefits from that.”

Peter J. Abbate Jr., who chairs the Assembly Committee on Governmental Employees, said he was not familiar with the details of the Mayor’s plan but that he was not happy that no one from the administration had briefed him on its elements or a series of extensive civil-service reforms the city is seeking in Albany.

Problems with His Style

“Most of the problems the Mayor faces is the way he presents things,” Assemblyman Abbate said, citing the process by which Mr. Bloomberg appointed Cathie Black as Schools Chancellor as another example.

Mr. Palladino—who said the Mayor had made it seem as if the VSF came about because “the unions put some flim-flam over on the city”—and Mr. Cassidy agreed but contended that he used that style because he couldn’t make the case if he relied strictly on the facts.

“I’m gonna do everything in my power,” the Firefighter union leader said, “to make the Legislature aware of the history of the Variable Supplements Fund. This was negotiated, it has reaped the city hundreds of millions of dollars, and now they want to pretend none of that ever happened.”

Give Back New York City

(The N.Y. Times on Your So Called "Christmas Bonus")

In the mid-1970s, New York City was in such deep financial trouble that the state basically took charge. Albany's lawmakers mandated important reforms, including modernizing the city budget system so that it is clear, transparent and professional. They decided against such changes for their own operations, which helps explain why the state is now the one in big trouble.

Mayor Michael Bloomberg wants Albany to return control to the city. In Wednesday's State of the City address, he told lawmakers that it was time to "let us manage ourselves."

Given the city's clear progress, and Albany's clear failings, that makes sense to us. Mr. Bloomberg's No. 1 priority this year is pension reform, including restoring the mayor's power to negotiate pensions for city workers.

The way it works now, the mayor negotiates with a union on salaries, health benefits and work rules. But the State Legislature — ever willing to pander to powerful union leaders — negotiates pensions, one of the city's biggest long-term obligations.

The city's pension costs have jumped from \$1.5 billion in 2001 to \$7 billion this year. Mr. Bloomberg rightly argues that the city can't afford to go on this way.

The mayor cannot renegotiate current pension deals, but he wants to stop paying **holiday bonuses of \$12,000** each year to **police** and fire retirees at a cost of \$200 million per year. He is mainly focusing on pensions for new, non-uniformed employees.

Mainly, he wants to push the retirement age from 55 or 57 years to 65 as a first step. The unions are already pushing back. But the mayor's proposal is closer to what happens in the private sector and counts as a good start on future savings.

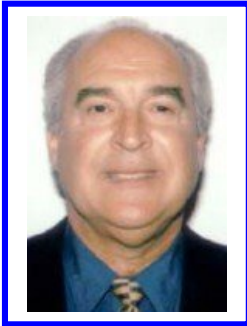
Mr. Bloomberg has made clear that he won't wait for Albany. He has threatened layoffs. And, in the speech, he vowed that "I will not sign a contract with salary increases unless they are accompanied by reforms in benefit packages that produce the savings we need."

That has a better chance of working if Gov. Andrew Cuomo vows to veto any sweeteners passed by the Legislature after those negotiations.

The mayor also wants the city to administer its own tax collection. Right now it pays the state more than \$80 million annually to do it. He wants to be freed of state procurement rules and shed some of the state's costly and Byzantine civil service rules. Albany has demonstrated time and again that it can't run its own business.

It is time to let New York City take care of itself.

Defined Benefit Plans A Tender Trap for All



Please, in your own best interests, do not take a loan against your pre-tax retirement savings/investment account. If you do, you are shooting yourself in the foot. An excellent article on this topic recently appeared in plansponsor.com. It can be downloaded at:

[www.plansponsor.com/Robbing Peter to Pay Paul .aspx](http://www.plansponsor.com/Robbing_Peter_to_Pay_Paul.aspx).

Spokespeople for the public-employee unions (nationwide) keep telling us that a switch to Defined Contribution plans in place of the venerable Defined Benefit plan will discourage people from making a career in civil service. Such assertions are factually wrong.

Not only is it wrong, but it is not in the best interests of the taxpayer and employee to use the Defined Benefit pension plan as a way to keep an employee with one public employer for an entire career. If the taxpayer's motive, however, is to retain unhappy people, then the use of the Defined Benefit plan may be helpful in keeping such employees for an entire career.

How many people do we all know who would have quit years ago if not for the lure of the Defined Benefit pension? How sad!

Here are the facts: A person who moves among several employers having identical Defined Contribution plans will reach retirement with the same level of retirement income that would have been produced staying at one of the employers for an entire career. On the other hand, a person who moves among several employers having identical Defined Benefit plans will reach retirement with substantially less retirement income than by staying at one of these employers for an entire career. This occurs because when the employee leaves an employer, the defined benefits earned at that employer are related to the participant's Final Average Salary just before leaving, not to the Final Average Salary just before retirement. The "cold storage" vesting of Defined Benefit plans provides no way for vested benefits to increase between termination of employment and retirement.

The main advantage of a Defined Benefit plan is that it assures retiring employees with equal periods of service at a given employer a consistent ratio (fraction) of retirement income to Final Average Salary. And this ratio (although not the amount of retirement income) is predictable, if it can be assumed that the employee will stay with a given employer until retirement.

A major advantage of the Defined Contribution plan is that it adds a consistent and visible percentage of salary to each employee's total compensation at the time the compensation is earned. If one person's salary is more than another's, the deferred compensation is greater by the same percentage, not warped out of proportion by age or length of service. This pattern of funding, unlike a pattern that defers most of the employer's commitment to the final years of long service, helps keep the pension plan a neutral factor when the person is deciding about joining or leaving an employer (also when the employer is making the decision). Shouldn't the individual have a full measure of retirement income whether staying at one employer or moving among several?

The Defined Contribution plan also has budgeting advantages for the employer. Pension costs are a consistent percentage of salary each year. And the employer's pension obligation for each person is fully and permanently funded at the time the obligation is incurred, not left as an open-ended liability tied to whatever salary levels the future brings.

In 1968, a Defined Contribution plan was started as an alternative to the Defined Benefit plan. This choice or alternative plan, however, was only made available to the higher education crowd at the State and City Universities of New York. For the last 42 years I have been fighting for the right of all public-sector employees to have a choice of retirement plans. If you agree with me when I say one size does not fit all, write or e-mail Mayor Bloomberg and demand parity with the higher-education crowd.



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Cuomo Settles Cases With 2 Firms in Pension Probe

MARK TOOR | [0 comments](#)

Bearing further fruit from his investigation into corruption involving state pension funds, Attorney General Andrew Cuomo announced agreements Dec. 8 with a top Albany lobbyist and a company that advises public pension funds around the country. The lobbying firm, Patricia Lynch Associates, will pay the state \$500,000 and agreed not to appear before the State Comptroller's Office for five years. The Comptroller is the sole trustee of the state Common Retirement Fund.

Aldus Equity, a Dallas-based financial firm that advises pension funds on investments, will pay \$1 million in cash and forfeit its interest in the Aldus. NY Emerging Fund, which it managed for the CRF. Mr. Cuomo's Office said that interest was worth millions of dollars. The firm's clients include the New York City pension funds. The investigation by Mr. Cuomo and a concurrent probe by the U.S. Securities and Exchange Commission focused on "pay-for-play" deals in which companies gave money to politicians and their operatives in return for investments from the pension funds.

Mr. Cuomo's Office said Patricia Lynch, a former top aide to Assembly Speaker Sheldon Silver and founder of the lobbying firm, "sought to curry favor" at then-Comptroller Alan G. Hevesi's office by arranging contributions to his campaign, a \$12,000-a-month consulting contract for the daughter of his Chief of Staff's girlfriend, and gifts worth thousands of dollars for the daughter. Mr. Hevesi recently pleaded guilty to taking bribes for investing CRF money with the paying companies.

Ms. Lynch repeatedly but unsuccessfully sought to persuade the Comptroller to approve investments proposed by her lobbying clients, Mr. Cuomo's Office said. "Top staff at the CRF entertained these proposals at meetings with Lynch, where she had preferred access," according to the Attorney General. \$300,000 to Hank Morris In addition, she improperly obtained \$52,000 in placement fees involving a city pension fund investment without having the necessary securities license, the office said.

Aldus obtained an investment from the pension fund by agreeing to pay Mr. Hevesi's political adviser, Hank Morris, more than \$300,000 in fees, Mr. Cuomo's office said. Mr. Morris recently pleaded guilty to violating state securities laws and agreed to return \$19 million to the CRF, the approximate amount of money he cleared from his dealings with the pension fund. Saul Meyer, a former Aldus executive, pleaded guilty 14 months ago to violating state securities laws.

Ms. Lynch's company and Aldus will comply with the Attorney General's Public Pension Fund Reform Code of Conduct, which, among other things, bans the use of placement agents to solicit investments from public pension funds. The 18 companies that have subscribed to the code have agreed to return more than \$100 million associated with pension-fund investments. Eight individuals have pleaded guilty to criminal charges. One big fish remains off the line in Mr. Cuomo's probe: financier and former Obama Administration auto czar Steven L. Rattner. Mr. Cuomo, who said Mr. Rattner paid more than \$1 million in kickbacks to obtain \$150 million in pension-fund investments, sued him seeking more than \$26 million. Mr. Rattner responded that Mr. Cuomo was "bullying" him with a "politically motivated lawsuit."

Public Advocate de Blasio calls for NYPD Glock boycott

By BOB FREDERICKS and CHUCK BENNETT NY Post

Law-enforcement agencies, including the NYPD, should boycott gun manufacturers who produce high-capacity magazines like the one used to shoot Rep. Gabrielle Giffords and 19 others, a top city official said yesterday.

"If Glock will not stop selling these magazines to consumers, then the New York City Police Department should start buying the firearms they need from a different company," Public Advocate Bill de Blasio said.

"The New York Post editorial board has rightly argued that the Glock-manufactured 30-round magazines, like the one used by clearly disturbed Jared Loughner, present an unacceptable risk to human life and at the same time no justifiable civilian purpose."

The issue came to light after Loughner, 22, killed six people, including a federal judge and 9-year-old girl, in a fusillade of bullets Saturday in Tucson, Ariz., with his legally purchased Glock and 33-round magazine.

His brutal assault, which left Giffords and 13 others hospitalized, was stopped only when he was tackled after pausing to reload.

The Post's editorial board yesterday demanded the NYPD use its substantial purchasing power to influence gun companies to stop selling the high-capacity magazines to civilians.

Bridgeport, Conn., Mayor Bill Finch, a member of Mayor Bloomberg's Mayors against Illegal Guns Coalition, told The Post a boycott is "an excellent idea."

"To me, these are weapons of mass destruction. You have guns that can fire off a large number of rounds almost instantly up against the police, who have popguns in comparison," said Finch, a Democrat.

He added that Joe Gaudette, chief of Bridgeport's 410-officer police department, would not make any future firearms purchases from companies that make the extended magazines, including two Connecticut-based manufacturers, Sturm Ruger and Colt.

The NYPD, however, said a boycott wouldn't work.

"Were the department to boycott manufacturers based on their sale and marketing of high-capacity magazines, there would be no source of reliable weapons for any newly hired officers going forward, making a federal ban the practical solution,"

said spokesman Deputy Commissioner Paul Browne.

In 2010, the NYPD spent \$656,599 on 1,337 weapons for new recruits, with \$283,292 to Smith & Wesson, \$215,280 to Glock, and \$157,927 to Sig Sauer.

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None of the gun manufacturers responded to requests for comment, but an industry spokesman said, "We will not participate in politicizing this tragedy."

Nationally, the private handgun market generates about \$800 million in sales a year, according to Rommel Dionisio, a vice president at Wedbush Securities who tracks firearm manufacturers.

By comparison, he estimated law-enforcement sales totaled \$80 million to \$90 million a year, with Glock, a private Austrian company, commanding about two-thirds of the market.

Meanwhile on Capitol Hill, Rep. [Carolyn McCarthy](#) (D-Nassau) circulated legislation to ban sales of magazines that hold more than 10 bullets.

Her legislation, with a companion bill sponsored by Sen. [Frank Lautenberg](#) (D-NJ) in the Senate, closes a loophole that allowed the high-capacity magazines despite their ban in six states, including New York and New Jersey.

Between 1994 and 2004, the magazines were illegal under the Federal Assault Rifle Ban, but those made prior to the assault were grandfathered in, making prosecution of offenders difficult.

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PBA REACTS TO STATE OF THE CITY PENSION CHANGES

In response to the Mayor's call for an end to the VSF benefit that he erroneously calls a "holiday bonus," PBA president Patrick J. Lynch said: "The Variable Supplement Fund benefit — what the Mayor refers to as a holiday bonus — was bought and paid for by New York City Police Officers, having been derived from a collective bargaining agreement that benefited both the City and our members. Police officers gave over \$75 million up front and in excess of a billion dollars of surplus pension earnings over the years to the City's coffers while a small portion was shared with our members in a defined benefit. Having realized billions in benefits, the City now wants to renege on the agreement. We intend to hold them to it."

From the Desk of:

Jack Coughlin, Director and Newsletter
Editor
NYPD Superior Officers Association
Retired

NYPD Captains/Lieutenants
Rip Empire Blue Cross

Ever since HIP/GHI announced it planned to merge and convert from a non-profit to a for-profit corporation under Emblem Health, the NYPD Superior Officers Association Retired (SOAR) not only actively opposed the proposed conversion as not being in the best interest of NYPD retirees and taxpayers, but has been asking New York State officials to investigate Mayor Bloomberg's complaint that the \$20 million in stock options promised HIP's CEO, Anthony Watson, likely violated New York State Insurance Law.

In addition to Mayor Bloomberg's allegations of possible violations of New York State Insurance Law, Bloomberg also wrote that the conversion of HIP and GHI into a for profit corporation would not only increase New York City taxes, but "could increase health care costs by hundreds of millions of dollars, and threatens the health and financial well-being of City workers and retirees."

In the latest issue of the Superior Officers Council (SOC) "Update" newsletter, NYPD Captains Endowment Association (CEA) president Roy Richter, and NYPD Lieutenants Benevolent Association (LBA) president Tom Sullivan, inform their active NYPD members that the Superior Officers Council initiated a lawsuit against Empire Blue Cross to recover millions of dollars in prescription drug rebates that major pharmaceutical manufacturers apparently gave Empire Blue Cross that were not disclosed to the SOC.

For more than 20 years, Empire Blue Cross managed the SOC's prescription drug benefits until 2008 when, under Captain Roy

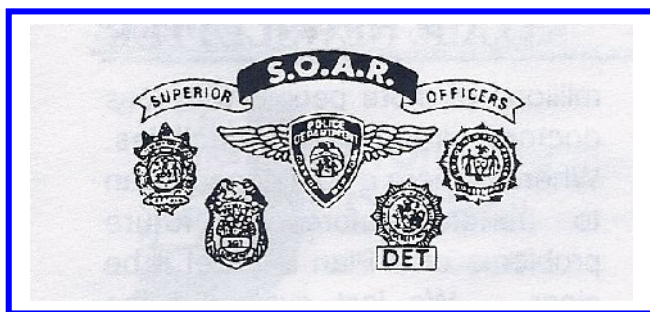
Richter and Lieutenant Tom Sullivan, the SOC put out for competitive bid their prescription drug benefit and were made aware of this valuable pharmaceutical manufacturers rebate worth millions of dollars.

According to the SOC, in fiscal year 2008, the SOC's Health and Welfare Fund received no rebate money. However, after the SOC terminated Empire Blue Cross as their Prescription Benefit Manager on December 31, 2008, which by the way, New York State allowed to convert to a for-profit corporation in 2004, in fiscal year 2009, the SOC received \$772,200 in rebate dollars, and in fiscal year 2010, received \$1,121,148 in rebate dollars.

Since the SOC's auditors said the Health and Welfare Fund had been "insolvent" for the past three years, and now has a \$3 million surplus, needless to say, both Captain Rictner and Lieutenant Sullivan are outraged at Empire Blue Cross' failure to disclose these prescription drug rebates.

In addition, the SOC also discovered that more than \$400 thousand was missing in Welfare Fund contributions from New York City. The City agreed with this discovery and is currently processing the appropriate payment.

Given the fact that the NYPD Superior Officers Association Retired has asked our Albany representatives to conduct an audit of HIP/GHI books before allowing HIP/GHI to convert to a for-profit corporation under EmblemHealth, based upon the experience of the NYPD Superior Officers Council with Empire Blue Cross after it became a for-profit corporation, such an audit is not only appropriate, but should be required given Mayor Bloomberg's allegations of likely violations of New York State Insurance Law and HIP's purchase of the "insolvent" ConnectiCare in 2005 from private equity investors for \$350 million.



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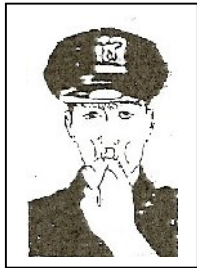
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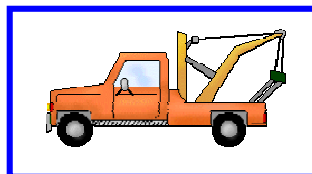
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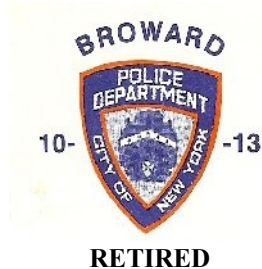
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Mike: Pension \$lash before union pacts

By DAVID SEIFMAN — 'The New York Post'
(Edited for NYPD pertinence)

It's war!

Mayor Bloomberg went to the mattresses yesterday against the city's municipal unions, demanding a sweeping series of pension givebacks under threat of withholding all future raises.

"That is not a negotiating stance. It is reality," the mayor declared in his 10th State of the City speech, delivered before an audience that filled Staten Island's renovated St. George Theatre.

"And so today, I will make this commitment: I will not sign a contract with salary increases unless they are accompanied by reforms in benefit packages that produce the savings we need."

Bloomberg also called for increasing the retirement age of all future non-uniformed employees from as low as 55 to 65 and demanded the return of a \$12,000-a-year pension supplement granted years ago to retirees in the NYPD, Fire Department and Correction Department to save \$200 million annually.

None of the city's other top elected officials -- Comptroller John Liu, Public Advocate Bill de Blasio or City Council Speaker Christine Quinn -- was willing to immediately endorse the mayor's call to arms.

[\(Read the full article on page 8\)](#)