



#### **GOLF OUTING**

On October 3rd, a beautiful sunny day, the RSA held their first ever golf outing at Peninsula Golf Club, located in Massapequa, N.Y. I would like to thank all of our generous sponsors, and a special thanks to: Barasch & McGarry, Turken Heath & McCauley and CCW Safe.

Our members enjoyed 9 holes on a well-manicured golf course, lunch/open bar and each received a RSA Logo string bag containing gifts from our sponsors. Also with the generosity of the SBA, each received a SBA rain jacket. Also members had an opportunity to win auctions for fabulous prizes. While our members were socializing they also had the opportunity to speak with our special attendees: SBA Frontline Team, Retired Detectives NYPD, NYPD 10-13, Hudson Valley 10-13 and the Fraternal Order of Police Lodge 69.

The event was a tremendous success mainly due to the hard work and dedication of Trustee/Chairperson Jeanette Dice who was responsible for planning the event. Thank you to our Board members who assisted on the day of the event.

All of your hard work was greatly appreciated!

















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# From the desk of the President

hope you all enjoyed the beautiful fall weather. As this time of year approaches I want to wish our members and their families a very Merry Christmas, Happy Chanukah, Happy Kwanza and a Happy, Healthy New Year. I would like to remind you that the SBA Holiday Luncheon is being held at Russo's on the Bay, on December 22, 2023 at 12:00PM, please look for our table set up in the main lobby.

We have started our 2024 Membership, if you have not paid your dues, please do so at your earliest convenience. Also the 50/50 raffles should also be sent in, if you need more tickets please contact us at (718) 605-0272 or by email at RSA@RSANYPD.ORG. Last year's 1st Prize winner took home \$10,400 and we issued three children and grandchildren of our members, \$4600 each in scholarship monies. Winners of the 50/50 money prizes will be drawn at our Florida General Meeting. The 2024 Florida General meeting will be held on the West Coast at the Charlotte Harbor Conference Center on January 24, 2024 @ 12:00PM. The RSA board has secured an attractive rate of \$179.00 plus breakfast, at the Four Points by Sheraton. I encourage you to **BOOK** NOW!! We have SOLD OUT once again and room blocks were added, Please see the centerfold for more information.

The RSA board has been very busy this past fall, on 9/20/23 we held Narcan training in Elmsford, NY. On 9/27/23 we held our General Membership meeting in Mineola, NY, where the SBA Frontline addressed the membership. Marianne Pizzitola. President of the NYC Organization of Public Retirees, updated us on the current law suits and the status of the Medicare Advantage Plan. All current health plans will remain in effect until further notice. Edward Scott, retired Sergeant and longtime

member who is running for North Hempstead Town Council informed us on the importance of getting involved to change this negative political climate against Law Enforcement. On 10/3/2023 we held our first ever RSA Golf Outing at Peninsula Golf Club in Massapequa, NY. I would like to thank Trustee Jeanette Dice for organizing and running an event which was enjoyed by all. I would like to remind the membership, that this is your organization, please let me know if you have any ideas that will benefit the RSA.

As I've stated in the past, the membership is growing at a rapid pace of about 20% in the last 2 years, adding about 800 new members. We are currently working hard to improve our database. It is important that we have accurate emails and mailing addresses. Those who have chosen the option of a mailed Newsletter will continue to receive it via mail and in addition an electronic Newsletter will be sent; ensuring that the information is delivered to all our members. All this will help reduce the cost of the operations of the organization. I would like to thank all members for their generous donations which we receive throughout the year. There are too many to list.

Again, I like to take this opportunity to thank those who have already renewed their 2024 membership and those who are new members. We appreciate your support, and we are always looking forward to your input, suggestions, and feedback. Hope to see you at the SBA Holiday Luncheon and hope you can make it to the Florida meeting.

Fraternally, Bobby



### 2024 MEMBERSHIP DUES

The Retired Sergeants Association, RSA, is dedicated to keeping our members informed and creating camaraderie for our members. We pride ourselves in providing current and accurate information to our members in a timely fashion. We enjoy a professional relationship with the Sergeants Benevolent Association, all Police agencies and fraternal organizations. We have started to provide an avenue for our members to socialize in our sponsored events, such as our golf outing and fishing trip. The RSA offers specific training related to the welfare of our members and their families. Our organization affords our membership the opportunity to ask relevant questions regarding our benefits and legislative policies.

As the RSA membership continues to grow, the RSA Board continues to work harder for each and every member. We thank the membership for their continued support, input and participation in our sponsored events and meetings. We will continue to build our relationship with the SBA, other law enforcement agencies and other organizations for the betterment of our members in terms of staying informed and up-to-date.

That said, it's time to renew your membership for 2024. **PLEASE** submit your application, print clearly, include your email address. This is important to receive current updates.

Also please support our RSA Scholarship Raffle as it benefits three (3) students, entering college and two (2) lucky 50/50 winners. Last year's amounts were \$4600.00 for each scholarship and \$10,400.00 for the first prize of the 50/50. We, are committed to helping our members' children and grandchildren enter college this fall by providing them with much needed financial support. The raffle raises the monies for this campaign, which has been in existence since 2007. For those of you who have mailed in your checks for the raffles, we thank you tremendously! For those of you who have not, PLEASE consider partaking in a raffle to help us accomplish something special by surpassing last year's record numbers. You, our members, are what makes this organization so great. We offer an immense GRATITUDE!



#### MEMBERSHIP APPLICATION - RETIRED SERGEANTS ASSOCIATION POLICE DEPARTMENT, CITY OF NEW YORK

PO BOX 7466 WANTAGH, NY 11793 • (718) 605-0272
EMAIL: RSA@RSANYPD.ORG • WEBSITE: WWW.RSANYPD.ORG

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MAKE CHECKS PAYABLE TO RETIRED SERGEANTS ASSOCIATION			OFFICE USE	ONLY: DATE	/	_	
TO PAY BY PAYPAL OR CREDIT CARD, VISIT OUR WEBSITE			CHECK# AMOUNT				

# 2022 NEW YORK STATE CONCEALED CARRY IMPROVEMENT ACT

Tony Nostramo - 2ND Vice President

Commencing September 13, 2023, the New York State Police will assume control of background checks for gun purchases and ammunition sales. Rather than keep the direct FFL to ATF/NICS connection, the new process will require the FFL to contact the NYSP, who will then contact ATF/NICS for the transaction.

#### NYS BACKGROUND CHECKS:

FIREARMS PURCHASE/TRANSFER \$9.00

AMMUNITION PURCHASE/TRANSFER \$2.50

Please keep in mind that these fees are charged by NYS to the FFL. You can expect to pay a higher cost at the register.

Also the NYSP background check are very complexed and ask for specific personal information such as: Social Security Number (No longer optional), Ethnicity, Race, Profession and Email Address to list a few. The FFL also must now list Make, Model, Caliber, Serial Number and type of firearm for gun purchases and Make, Caliber, Quantity and Unique Number for ammunition purchases.

This new procedures has been running for the last month and has proven to not be working properly. We expect this trend to continue for some time. It has caused many law abiding citizens and even active law enforcement to be delayed. The process could take anywhere from 15 minutes to 3 days, forcing the customer to return to store to pick up ammunition. So, if you are heading to the range to qualify for HR218 or your CCW Course, please buy your ammo prior to the range day.

Ask yourself? Why do they need all this personal information? Is the State compiling data? Will they say you buy too many guns or too much ammunition?



#### **HEALTH & WELFARE**

By Donald Kipp, Health & Welfare Secretary

The Sergeants Benevolent Association Pharmaceutical Plan (SBA-Plan) provides credible Medicare Part D pharmaceutical coverage. This designation means that it has been determined that our plan is "actuarially" equivalent to the standard Medicare prescription drug coverage. This label allows our Medicare-qualified plan participants to comply with the Medicare Part D mandate, that demands all participants have qualified Medicare Part D coverage. Reaching this standard also allows our Medicare-qualified members, spouses, or qualified dependents to seamlessly transfer to Medicare and remain with their SBA-Plan.

Our superior plan design allows the SBA-Plan to take advantage of subsidies available from the Centers for Medicare and Medicaid Services-Retiree Drug Subsidy (CMS-RDS). This supplemental funding supports the expansive benefits provided to our Medicare participants. Detailed participant information is required to apply for and receive this funding. It is mandated that we provide CMS-RDS with:

- Participant's Name
- Social Security Number
- Date of Birth
- Medicare Unique ID
- Date of Medicare Eligibiilty

In addition, we require the following information:

- Current Health Plan
- Is the participant enrolled in an alternate Pharmaceutical Coverage Plan and the name of that plan?
- · A PDF of the plan participant's Social Security and Medicare Cards

To capture this important information, the SBA Fund forwards multiple communications to members prior to and after Medicare eligibility and enrollment. This in an ongoing effort to update Medicare status and to obtain/maintain the up-to-date eligibility information required by for annual subsidy submissions. We require a "direct" notification when a member or eligible dependent goes on Medicare. This notification is documented on an SBA MEDICARE ELIGIBLE INFORMATIONAL DATASHEET.

- Members and their spouses that enroll in Medicare prior to their 65th birthday "MUST" notify the fund using the SBA MEDICARE ELIGIBLE INFORMATIONAL DATASHEET.
- Members and spouses who reach their 65th birthday must notify the SBA of their Medicare status. This includes
  "ALL" age 65 plan participants who are "actively working" and waiving Medicare Part B participation. Active
  working plan participants, age 65 and over, upon completion of the MEDICARE ELIGIBLE INFORMATIONAL
  DATASHEET, will be re-enrolled in the plan for a 12-month period, pending annual member updates of their
  continued status as "actively working."
- · Members and their dependents that are enrolled in the SBA Medicare Drug Plan and:
  - "co-enrolled" in an alternate union plan (PBA, DC 37, etc.),
  - · Medicare Advantage Health Plan (e.g., HIP- VIP, or AETNA PPO/ESA, or CIGNA, NYSHIP, Federal Drug Plan, Tricare, etc.),
  - · Independent Prescription Drug Plan (PDP), e.g., AARP,
  - · or have ANY OTHER Medicare pharmaceutical coverage plan.

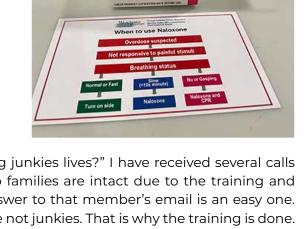
"MUST" notify the fund ASAP of the existence of the alternate coverage by preparing an updated MEDICARE ELIGIBLE INFORMATIONAL DATASHEET where necessary.

Important: Member, spouses or dependents failing to notify the Fund, in a timely manner, of their current Medicare status or any changes will be terminated from all SBA benefits pending production of the required up to date documentation.

These guidelines are necessary to allow for the orderly and accurate administration of your SBA Medicare Pharmaceutical Plan and to enable the SBA Health and Welfare Fund to access additional funding from the CMS-RDS. We appreciate your cooperation to allow for a seamless transition from non-Medicare to Medicare and to maximize all available resources to provide the highest level of benefits possible. Any questions please reach out to Retiree Representative Scott Nicholls 212-343-5654 or e-mail him at <a href="mailto:snicholls@sbanyc.org">snicholls@sbanyc.org</a>.



On September 20th, the RSA held a Special Training Class on Opioid Overdose Treatment. The class was held in Elmsford, NY and was organized by RSA Member Vince Coyne. Vince was able to organize the event and the RSA provided the location. This was our third Narcan class and we will continue to do training classes in the future. Any member, please feel free to contact us with any training ideas.



I received an email from a member asking, "Why are we saving junkies lives?" I have received several calls from our members who have attended these classes, and two families are intact due to the training and Narcan that was administered based on our classes. So the answer to that member's email is an easy one. We have saved the lives of two of our members' family, who were not junkies. That is why the training is done. The RSA has an AED difibulator, a LifeVac chocking device and Narcan at all sponsored events. We take this very seriously, as your health and well-being is important to us.

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# DEPENDENT ELIGIBILITY VERIFICATION AUDIT (DEVA)



By Donald Kipp, Health & Welfare Secretary

Since August 28, 2023, the NYC Office Of Labor Relations (NYC-OLR) has been conducting the first of an on-going series of Dependent Eligibility Verification Audit (DEVA) surveys of "randomly selected" Active and Non-Medicare Retirees whose households are comprised of a married or domestic partner family\*\*.

\*\*An inquiry into the eligibility of households inhabited by Dependent Children will not be a part of this audit.

\*\*Medicare qualified members and their dependents will not be a part of this audit.

The goal of the audit is to confirm the continuing eligibility of spouses and domestic partners and to eliminate ineligibles where a change in social status (divorce or domestic partnership termination) has occurred and OLR has not been notified. This change will create health benefits cost savings to NYC OLR by changing the employees' health plan from a family policy to a single plan. This premise is why dependent child eligibility is not being evaluated.

The DEVA audit is being conducted over a five-year period. Notices are sent in batches to a randomly selected group. Not everyone will receive a notice at any given time.

Any NYC employee having a spouse/Domestic Partner removed as ineligible during this process will be given amnesty and not encounter any penalties for their delay in reporting the change regardless of how long the change in social status has been in effect.

There will be three communications forwarded to members, as necessary. The second being sent October 1, 2023, and the final letter/termination notice will go out to those non-responsive employees November 1, 2023. Dependent spouse/domestic partners that are not verified will no longer be covered by the City of New York effective December 1, 2023.

Members who are selected for participation in the survey are strongly encouraged to respond in a timely fashion with the required documentation to avoid any break in coverage for questioned dependents.

#### **FUTURE SCHEDULED DEVA SURVEYS:**

There is a scheduled second survey, mailing of 2,000 letters, expected to be released December 1, 2023, with a follow-up letter January 1, 2024, and the final letter- notice of termination of spousal/domestic partner coverage being forwarded to non-responsive employees February 1, 2024. Unverified dependents will be terminated effective March 1, 2024.

Members can communicate with OLR via e-mail at <a href="mailto:healthbenefits@olr.nyc.gov">healthbenefits@olr.nyc.gov</a> or DEVA hotline at (212) 306-7256







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#### Retired NYPD Sergeant

Office visits by appointment only. This is an attorney advertisement. Not intended to create an attorney-client relationship. Information herein does not constitute legal advice. \* Not for Service of Process

## FLORIDA GENERAL MEMBERSHIP MEETING

WEDNESDAY – JANUARY 24, 2024 AT 12:00 PM CHARLOTTE HARBOR CONFERENCE CENTER 75 TAYLOR ST, PUNTA GORDA, FL 33950

OUR MEETING WILL BE A LUNCHEON, WE URGE ALL TO ATTEND. **OUR RSA WIDOWS/WIDOWERS ARE REMINDED THAT THEY ARE WELCOME AS OUR SPECIAL GUESTS.** AT THE CONCLUSION OF OUR MEETING, LUNCH
AND DRINKS WILL BE SERVED.

For those members looking to stay over, Four Points by Sheraton has offered our RSA membership a discounted rate of \$179.00/night which includes breakfast.

FOR HOTEL RESERVATIONS CALL (941) 637-6770 AND STATE THAT YOU ARE BOOKING FOR **"RETIRED SERGEANTS ASSN"** OR SAY CODE **RE1683**. BE SURE TO BOOK NO LATER THAN SATURDAY - JANUARY 20, 2024.

Once again, we will draw the two (2) winners for our 50/50 SCHOLARSHIP RAFFLE. It would be fantastic if our winners were present!

1st prize = 75% of winners portion

2nd Prize = 25% of winners portion

Last year, 1st prize winner received \$10,400.00

RSA general meetings are open to dues paid members, RSA widows/widowers, and guests approved by the board.

Non-member retired Sergeants are welcome to join the RSA at the reception desk outside the meeting room. During the meeting, no video, recordings or photography except those authorized by the Board. There shall be no written materials or promotional items distributed before, during, or after the meeting without prior permission granted by the Board.



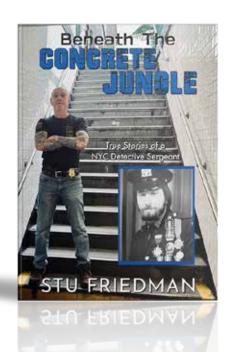
Well here's your chance! JetBlue Airlines has generously donated two (2) Round-trip vouchers to anywhere they fly. Tickets are one (1) for \$10.00 or three (3) for \$25.00. If you wish to participate, cut out and return the below tickets with a check/money order made out to the **Retired Sergeants Association** and mail to: P.O. BOX 2507 Riverview, FL 33569

For additional raffles, copy this page and follow the above directions. Drawing will be held in June of 2024.

RAFFLE TICKETS	1 FOR \$10 3 FOR \$25
jetBlue	
NAME:	
ADDRESS:	
PHONE:	
Winner need no	e: JUNE 2024 t be present to win. nated by JetBlue

RAFFLE   1 FOR \$10 TICKETS   3 FOR \$25
jetBlue
NAME:
ADDRESS:
PHONE:
DRAWING: JUNE 2024 Winner need not be present to win. Vouchers donated by JetBlue
PHONE:  DRAWING: JUNE 2024 Winner need not be present to win.





















Stu Friedman is a highly decorated Detective Sergeant who worked in the NYC Transit Police and NYPD. He worked plainclothes, undercover, was a detective and detective supervisor in numerous units. In his 23 years of service, he was shot, stabbed and had broken bones. A bullet remains lodged in his chest to this day. At age 22, he was the youngest member of the department to ever receive the prestigious Police Combat Cross. He was also the recipient of the Medal for Valor on two occasions, in addition to other department awards and citations. In 1986 he was recognized as the Jewish Cop of the Year, received the Military Order of the Purple Heart Law Enforcement Citation, and the PBA Cop of the Month three times. The DEA has recognized him for his support and leadership of detectives and, most recently, by the Transit Police Black Patch Group for career accomplishments.

# RSA LEGAL UPDATE WHY YOU MAY NEED A TRUST

Leo G. Callaghan, Esq. | CALLAGHAN PARENTE LLP | 516.200.6900 | lc@cplawny.com

In this edition of our RSA Legal Update series, we'll address the topic of Trusts; what they are and reasons you might need or want them. As we've discussed previously, everyone over the age of eighteen should have a basic estate plan, which includes a Last Will and Testament, Power of Attorney, Health Care Proxy, and a Living Will. Many of us may also need – or choose – some additional planning, which usually involves the creation of one or more trusts.

So, what exactly is a Trust? A trust is a separate legal entity – sort of like a business – that is created for you by a qualified elder law attorney. Trusts have the legal ability to do almost anything an individual person can do, including buying, managing, and selling assets, including real estate. They get their own tax ID number, and, when necessary, file their own tax returns. They appoint a person called a Trustee that you select to manage the Trust, following the terms and provisions that you and your attorney include to achieve the Trust goals. In many cases, the person creating the Trust can be the Trustee, but in other cases, another trusted person must be appointed. Depending on the purpose of the Trust, they may be either revocable or irrevocable, and, they can be created during our lives (a living or inter vivos trust) or within the provisions of our Last Will and Testament (a testamentary trust).

As we've discussed previously, Trusts are created for many reasons. Some of the more common reasons are: to qualify a person for Medicaid benefits; to create tailored succession plans for the Grantor's property; to help a person with special needs maintain their government benefits; and, to avoid the need to have your estate go through the court probate process. Trusts may be the best or only means to accomplish some of your most important planning goals.

How do you know if you need or should have a Trust? First, you need to work with a qualified elder law or trusts and estates attorney, who will analyze your situation and goals to determine if a Trust is necessary, or helpful, to address a particular problem or to achieve your particular goals. Some of the main reasons to create a trust that we see in our practice are discussed below.

#### **MEDICAID PLANNING**

As we have discussed in prior articles, some of us do not have Long Term Care Insurance or millions of dollars to pay out of pocket for a nursing home, assisted living facility, or for home health care (aides, etc.). Those people have only one other alternative - trying to qualify for Medicaid to pay for those very costly expenses. Medicaid rules allow individuals who have assets to qualify for Medicaid coverage by protecting some of their assets by transferring those assets out of our names. The strategy approved by Medicaid involves creating one or more special Medicaid approved trusts to accept those asset transfers, protecting them for the next generation, and making it easier for the individual to qualify for benefits. This planning is very complex and meticulous, and should not be attempted without an Elder Law attorney who has substantial experience in this area.

#### **SPECIAL NEEDS PLANNING**

We've also talked before about planning for family members with special needs. Individuals with special needs who are receiving or who hope to receive certain government benefits (like SSI and Medicaid) require special planning to protect their eligibility for those important benefits programs. A special type of trust called a Supplemental Needs Trust or Special Needs Trust can be created to permit the benefit recipient to receive and enjoy the use of funds they may receive from inheritances, gifts, or lawsuit settlements or awards, that would make them ineligible without the Trust. Ideally these trusts will be created in advance by the parents, grandparents, or other family members in their own estate planning documents to plan to protect the funds they wish to make available for their loved ones with special needs.

#### SUCCESSION PLANNING

Trusts are extremely useful in planning for the succession of ownership of assets including real property. Many clients tell us they wish to leave a house or vacation home or some other asset to their children for all of them to enjoy into the future. In other words, to "keep it in the family." Less than ideal efforts to accomplish that goal involved transferring the deed to one or more of the family members. One of the problems with that strategy is that it puts the burden on the named partners to shoulder all of the legal responsibilities and expenses. It also subjects the asset to attack or waste due to divorce, legal judgments, substance abuse, gambling, poor decision making, you name it. Another major problem is that it also puts that family member's share of the house into their own estate when they die, which only compounds the problem. And, when the property is outside New York State, a separate ancillary probate proceeding in that state is required to gain control of the asset. That proceeding requires the hiring of an attorney in that state, and the costs of the court proceeding there. All of that can be avoided by placing the title to the house into a "family" trust, making it far easier and less costly to manage into the future.



#### PLANNING TO AVOID PROBATE

As noted, the Probate process incurs expenses including attorney's fees, court fees, accountant's fees, fees for process service, and also creates opportunities for disgruntled family members to obstruct and prolong the process and increase costs. More recently, the process of probating a Will in court has become far more complicated and costly since Covid. The NYS Surrogates Courts have experienced a dramatic loss of qualified and motivated personnel to handle the tremendous backlog of estates that have come into the system during the last three years. And they courts have imposed new procedures complicating the filing and approval processes. As a result, some courts are not even looking at estates until 4-6 months after they are filed, and then taking several more months before they act on them. Compared to the normal processing time of only 6-8 weeks from a few years ago, this problem has created a disgraceful situation for those estate beneficiaries who are depending on quickly receiving the inheritances left for them in order to survive. While enduring these long delays caused by the court, those individuals are forced to either watch those assets deteriorate, or spend their own money to keep up with the expenses of houses waiting to be sold and other assets waiting to be disbursed to them. These delays and expenses can be avoided by creating a Trust into which an individual's assets are transferred while they are alive, so that when they die, the Trust already exists, including provisions for distributing the assets, and can thus distribute the assets inside it to the beneficiaries quickly, without any court intervention, and with none of the costs of probate.

This problem has become so serious that our firm is now proactively recommending that clients create a Trust to avoid probate as part of our routine planning discussions. It is that serious a problem, with no end in sight.

These are just a few of the reasons that you may need or want to include a Trust in your estate plan. Other reasons may be discovered during a comprehensive estate planning consultation with one of our attorneys. We at Callaghan Parente LLP are experienced elder law attorneys, and are standing by to assist you with your elder law planning. Please let me know if I can be of assistance. Stay safe!



The RSA is pleased to offer three (3) \$1,000.00+ scholarship awards to graduating high school students who are furthering their education in 2024. As in every year, the awards are enhanced by our 50/50 Scholarship Raffle and on occasion, generous donations from RSA members.

Please note that in 2023 we awarded three (3) \$4600.00 scholarship awards. To be eligible, candidate must be a child, stepchild, or grandchild, of an RSA member in good standing for 2022, 2023, 2024. Candidate must be a 2024 High School graduate who is enrolled in an institution of further education (i.e. College, University, Trade School). The course of study must be for a minimum of one (1) year. Sergeants who retire in 2023 and 2024 and join the RSA in the same year are also eligible.

Please complete the application below and forward it with a copy of the letter of acceptance from the school to: **Second VP Anthony T. Nostramo - 6 Redwood Drive, Dix Hills, N.Y. 11746**. Please do not send certified, we will not pick it up at the Post Office. Regular U.S. mail reaches us.

Winners drawn by lot in June 2024. Questions should be directed to Second VP Anthony T. Nostramo at 917-750-6486.

Member's Name:							
Student's Name:							
Student's Address:							
City/State/Zip:							
DOB: Student's Phone #:	Student's Email:						
College/School:							
Freshman Yr Starts:	Member's Phone #:						
Student Relationship (circle one) FATHER MOTHER	STEP-PARENT GRAND-PARENT						
APPLICANT MUST ATTACH ACCEPTANCE LETTER FROM COLLEGE/SCHOOL IN ORDER TO BE CONSIDERED.							
Phone: 516.868.0023 RH1040(@aol.com Fax: 516.377.7712							
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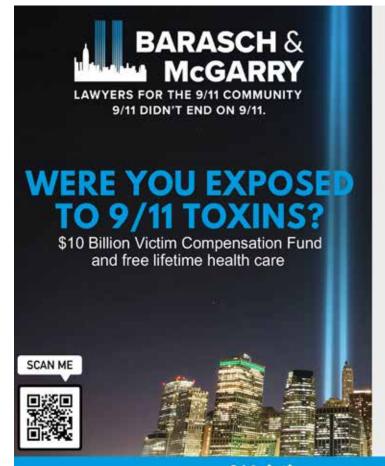
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