

Retired cops fight for benefits

WHITE PLAINS — Since retiring from the Police Department in 1988 after 21 years, Robert Kulls has had double-bypass surgery and a heart-valve replacement.

“I have to take different medications and go see doctors all the time,” the 67-year-old said.

With an annual pension of less than \$20,000 plus his Social Security, Kulls said that to make ends meet he relies on what he considers the most important benefit he receives as a retired cop: free health insurance.

Kulls and other retirees are now in federal court, trying to save that benefit after the White Plains Common Council in 2010 quietly approved a measure introduced by Mayor Thomas Roach, who was council president at the time, to charge retired police officers, firefighters and civil service workers 15 percent of their health insurance costs.

All three groups, totaling about 640 former employees, have since filed lawsuits.

“I was just out of the Air Force and I saw an ad in the newspaper in 1966 that White Plains was looking for police officers and that they would get free health benefits,” Kulls said. “I joined the following year because of that. I think it stinks, what they’

re trying to do now. I lived up to my part of the deal, and now they’re trying to renege on their end. There are other ways for the city to save money. They don’t have to go after senior citizens who gave their lives to White Plains. They should be ashamed.”

In July 2010, soon after the retirees were informed by the city that if they did not make their first health-care installment payment they would risk losing their insurance, U.S. District Judge Stephen Robinson issued a temporary injunction preventing the city from collecting. The case was transferred to U.S. District Judge Cathy Seibel after Robinson’s retirement and, in September, she lifted the stay, ruling that the retired officers would have to make the payments unless they proved financial hardship.

Three retired officers were granted another stay after submitting hardship affidavits to Seibel; about 200 others received bills earlier this month from the city, for insurance covering July 1, 2010, through Dec. 31 of this year. They were also told in

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a letter that their health-care contribution for Jan. 1 to March 31, 2012, would be sent soon. All the premiums are due by Jan. 10.

"I really can't believe they're doing this," Kulls said. "They've made it a not really good Christmas for all of us."

"Most of us have to come up with \$2,000 to \$3,000 by Jan. 10," said Bill Bertram, president of the Police Retirees of White Plains Association. "A lot of our older members, who retired years ago, are running into health problems now and really need this. Their pensions aren't big. We've always been one of the lowest-paid departments in Westchester. So they're really hurting. We took lower pay in exchange for the free health care."

Bertram, who retired as a lieutenant in 2003 after 35 years, says he'll have to pay \$2,880 for benefits from 2010 to now and expects to be billed another \$500 for the first three months of next year.

"We feel betrayed by this," he said. "It's a broken promise."

Many of the cops say they're angered at the way the city has gone about this, noting that the change was voted on as part of the "consent agenda," with no public discussion. Until now, City Hall has had little to say about the cost-cutting measure, with officials saying they don't discuss matters under litigation.

Karen Pasquale, Roach's senior adviser,

broke the silence on Friday, saying "There is no provision in the contracts for health insurance for police officers who started before 1995."

She said many of the older retirees are eligible for free Medicare coverage, and the city is offering younger retirees an HMO option that is also free. The retirees say the HMO does not provide coverage as comprehensive as the plan most are enrolled in.

Pasquale said the benefits change was made because "the cost of health care for public employees has become so significant. The point wasn't to target retired police officers or other city employees, but municipalities all over the country are under such budgetary pressures (so) we've been forced to consider all possible options."

Albert Pirro, the lawyer for the retired police officers, said Seibel, the judge, recently denied a motion from the city that the retirees' lawsuit be dismissed.

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“She found that the city made a clear promise to retirees and that it was reasonable for them to rely on that promise, and allowed the case to proceed,” Pirro said. “I think she’s been extremely thorough and fair in this case, and I’m looking forward to taking it to trial.”

Pirro said that additional motions in the case are to be filed by Jan. 9 and he expects it to go to trial sometime in 2012.

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