



**CPDRA Founder and Honorary President Rico Maccarone**



Cranston Police Department Retiree Association  
33 Highwood Terrace  
Cranston, RI 02920

November 15, 2013

Dear Pension Recipient,

The following is an update regarding the status of the city's proposal involving our pension's Cost of Living Adjust (COLA):

1. On Wednesday, November 13, 2013, a fairness hearing was conducted in courtroom C of the Kent County Superior Court before Judge Taft-Carter. As stated earlier in the document you received from the city's law firm, the purpose of this hearing was for the court to hear arguments from the lawyers of both parties, and possibly class members, on whether the court should approve the Proposed Settlement in question. In turn, the court would also consider whether the Proposed Settlement is "**Fair, Reasonable, and Adequate.**" The only testimony presented was from Mr. Paul Valletta (IAFF) who spoke on behalf of the police/fire retirees and widows and Cranston's Finance Director Robert Strom who were both in favor of the settlement (note that Mr. Strom was representing the city and speaking for Mayor Fung). While the court did receive at least two letters who opposed this settlement and at least three individuals indicated they wished to opt out, there was no other objection from any other individual or legal counsel in attendance. Legal counsels present and participating in this hearing were James Kelleher who represented the police/fire retirees and widows and William Dolan who represented the city of Cranston.
2. On Friday, November 15, 2013 at approximately 1030am Judge Taft-Carter made her decision. After reviewing all of the testimony presented on November 13, 2013 and numerous court decisions, she found that the Proposed Settlement of the city to its police/fire retirees and widows was "**Fair, Reasonable, and Adequate.**"

So what happens now?

1. Within the next three or four days you should be receiving another document from the city's lawyers outlining what transpired in court and what is your next course of action. It is my understanding that if you are still willing to accept this proposal, retirees will receive their "3% compounded COLA every other year for the next ten years (starting July 1, 2013) and in years 11 and 12 retirees will receive a 1.5% compounded COLA. In turn, all COLAs in the future will

be compounded and capped at 3%. As for our widows, if they accept this proposal, their 3% compounded COLA will not be affective at all.

2. Since this proposal has now been approved by a Superior Court Judge, it will now have to go before the city council for approval before it can be certified. In speaking with the attorneys today, they are trying to get this accomplished ASAP before the next court date of on/or about December 13, 2013. While I do not foresee a problem with the city council signing off on this proposal and providing that a significant amount of police/fire retirees and widows accept it, our long journey involving our pension should be resolved. On/or about December 13, 2013, the Court will hold a final hearing and enter a Final and Consent Judgment approving the Proposed Settlement for **all Class Members who have not opted-out.**
3. As for our police widows, we are working very closely with our attorney (James Kelleher) to have their 3% compounded COLA for 2013 reinstated as soon as possible. As for our police retirees, you will receive your 2014 compounded 3% COLA in July 2014 (just about 7 months away).
4. As stated before, those wishing to opt out of this proposal will need to seek legal counsel (if desired) to appeal this decision and that their COLA will be **suspended for the next ten (10) years unless overturned by another court.**

As a side note, those CPD retirees that have not paid their association dues, please send your \$25.00 at your earliest convenience. Checks/money orders are to be made out to CPDRA and mailed to Mark Sepe, 33 Highwood Terrace, Cranston, RI 02920. Since we are approaching the holidays and the above issue has not been finalized, we have decided that our next meeting will be in January 2014. I strongly encourage all widows and members to attend since we will be discussing on what to do with the remaining money in the legal fund and the election of new officers. For those living out of state and cannot attend, we will keep you informed through written correspondence for soliciting your feedback or decision on the legal fund. Please note that only those individuals who contributed to our legal fund will determine the faith of the remaining funds. Please keep checking our CPDRA website for additional information. Those that have not provided us with their current email address, please forward it to [CPDRARI@YAHOO.COM](mailto:CPDRARI@YAHOO.COM).

On behalf of the officers and board members of the CPDRA, I would like to take this opportunity to personally thank all of you for your outstanding support and understanding during these difficult times. Have a happy holiday and prosperous and safe new year.

Sincerely,

Peter Sepe  
President, CPDRA