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HOUSE OF REPRESENTATIVES
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

MEMORANDUM

By Truman Burke

Date October 31, 1973

FILE: FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

On October 26, 1973, CHARLES F. GALLAGHER, President of FOP Lodge No. 5, 1336 Spring Garden Street, Philadelphia, Pennsylvania, telephone No. 215: WA3-6960, in the presence of Lodge Counsel ANTHONY J. PIRILLO, JR., furnished the following information.

The Philadelphia Police Lodge has two separate entities, therefore, maintain two separate accounting records regarding their financial positions. The auditor is RUSSELL HAMILTON, certified public accountant, 5231 Ridge Avenue, Philadelphia, Pennsylvania. He provides annual audited reports which demonstrate the actual or true financial position of the two entities.

The entities are identified as PHILADELPHIA LODGE No. 5, F.O.P., and the PHILADELPHIA POLICE HOME ASSOCIATION. Both of these entities are non-profit corporations, and neither is registered with the Commission on Charitable Solicitations, Department of State. Both are tax-exempt through the Internal Revenue Service.

Mr. Gallagher made available xeroopies of the auditor's annual reports for 1971, 1972 and 1973 for the Philadelphia Lodge No. 5 entity, as well as xeroopies of the annual audit report for the Home Association entity for 1972 and the first six-month period of 1973. It should be noted that the Lodge No. 5 entity is on a fiscal year basis (April 1 through March 31), and the Home Association is on a calendar year basis (January 1 through December 31).

After a review of the financial statements, the following is a consolidated statement of the Lodge No. 5 entity showing assets, liabilities and surplus for the three-year period.

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

BALANCE SHEET
March 31, 1971, 1972 and 1973

	1971	1972	1973
<u>ASSETS</u>			
Current Assets:			
Cash in Bank	\$ 83,533	\$ 98,209	\$ 65,363
Petty Cash	50	50	50
Inventories	1,568	3,294	493
Advance Postage	205	205	205
Total	<u>\$ 85,356</u>	<u>\$101,759</u>	<u>\$ 66,112</u>
Investments	\$418,260	\$498,635	\$648,635
Accrued Interest	1,339	174	- 0 -
Loan to Philadelphia Police Home Association	290,843	270,843	200,843
Fixed Assets:			
Furniture and Fixtures	\$ 7,784	\$ 9,398	\$ 10,242
Less: Depreciation	-3,253	-4,193	-5,217
Automobile	7,214	7,214	8,671
Less: Depreciation	-1,803	-4,208	-3,975
Total Fixed Assets	<u>\$ 9,941</u>	<u>\$ 8,211</u>	<u>\$ 9,720</u>
TOTAL ASSETS	<u><u>\$805,741</u></u>	<u><u>\$879,623</u></u>	<u><u>\$925,311</u></u>
<u>LIABILITIES AND SURPLUS</u>			
Current Liabilities:			
Taxes	\$ 1,147	\$ - 0 -	\$ - 0 -
Pension Fund	- 0 -	- 0 -	670
Life Insurance - Ed. McCarthy	- 0 -	- 0 -	5,000
Current Surplus:			
Unappropriated - April 1	625,339	800,593	875,623
Add: Net Profit	179,253	75,030	45,017
Unappropriated Surplus - March 31	<u>\$804,593</u>	<u>\$875,623</u>	<u>\$919,640</u>
TOTAL LIABILITIES AND SURPLUS	<u><u>\$805,741</u></u>	<u><u>\$879,623</u></u>	<u><u>\$925,311</u></u>

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 3

The balance sheet is sort of self-explanatory; however, of special interest, it should be noted that under "Investments" there is an item, "Loan to Philadelphia Police Home Association," with an amount in excess of \$200,000 for each of the three years. According to Gallagher, this is a receivable due from the Home Association and is also shown as a liability on the Home Association account balance sheet. This item is connected with the building at 1336 Spring Garden Street where Lodge No. 5 maintains its headquarters.

NOTE: Later on in this report the balance sheet for the Home Association will be listed.

The reason for the two separate entities, according to Gallagher, has no great significance, except that this is the way it was set up many years ago and they continued to carry it in this manner.

The total assets figure for Lodge No. 5 account shows a continuous growth increase year after year. In 1973, the figure is \$925,311.

The liabilities are just about nil, while the unappropriated surplus continues to grow year after year. The net profit, which is added to the unappropriated surplus of the previous year, has declined. This does not necessarily mean that the overall income intake for Lodge No. 5 or the Home Association has declined. The income statement will show that annual revenues continue to grow.

In addition to the balance sheet as previously set forth, the following is the income statement for the same period for the Lodge No. 5 entity, which is being consolidated for the three-year period and is self-explanatory.

NOTE: The income statement appears as Page 4 of this report.

The income statement for the Lodge No. 5 entity shows two sources of income. The "Dues," which come from approximately 11,000 active members, is listed for each year. You will note that there is a substantial increase year after year, with the 1973 figure being \$360,501. These revenues come from active policemen and retired policemen. Active members must pay \$3.00 per month. The dues for retired policemen are \$2.00 per month.

The other source of income is in the form of Associate Members. Associate memberships are sold by active policemen to businesses and other individuals outside the Lodge. The annual cost for a new member is \$12.50, while the annual cost for a renewal is \$10.00. Shown on the income statement is the

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

INCOME STATEMENT
For Period April 1 - March 31, 1971, 1972 and 1973


	1971	1972	1973
INCOME:			
Dues - Active Members (\$3.00 per month-active) (\$2.00 per month-retired)	\$337,935	\$353,235	\$360,501
Associate Members:			
New:	1971	1972	1973
	\$11,728	\$11,181	\$10,156
(\$12.50 cost per member)			
Renewals:	1971	1972	1973
	\$66,500	\$66,075	\$66,210
(\$10.00 cost per member)			
Total Associate Memberships	<u>78,228</u>	<u>77,257</u>	<u>76,366</u>
Total Income from Dues	<u>\$416,163</u>	<u>\$430,492</u>	<u>\$436,867</u>
Miscellaneous Income:			
Show and Dance	\$ 59,541	\$ 83,663	\$ 55,000
Income on Investment	16,004	19,848	33,002
Emblems and other Lodge Paraphernalia	979	893	841
Death Benefit Certificates	22	20	30
Overs and Shorts	- 0 -	10	12
Miscellaneous Income	824	321	1,529
Advertising - Peace Officer	- 0 -	- 0 -	330
Total Miscellaneous Income	<u>\$ 77,371</u>	<u>\$104,758</u>	<u>\$ 90,746</u>
TOTAL INCOME	<u><u>\$493,534</u></u>	<u><u>\$535,251</u></u>	<u><u>\$527,613</u></u>
EXPENSES:			
Salaries	\$ 50,727	\$ 59,701	\$ 94,734
Officers Expenses	2,174	2,243	1,836
Committees Expenses	40,541	75,644	158,785
Taxes	1,573	2,409	4,868
Depreciation	3,206	3,344	3,372
Miscellaneous Expenses	<u>98,315</u>	<u>182,843</u>	<u>112,390</u>
TOTAL EXPENSES	<u>\$198,539</u>	<u>\$326,187</u>	<u>\$375,987</u>
Net Income before Transfers	<u><u>\$296,994</u></u>	<u><u>\$209,064</u></u>	<u><u>\$151,626</u></u>
Deduct Provision for Transfers: -			
Death Benefit	\$ 96,338	\$110,801	\$ 82,395
Dues to Home Association	21,759	23,233	24,214
Transfer to Surplus	\$178,896	\$ 75,030	\$ 45,017

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 5

total dollar figure they realized from the associate memberships. Since 1971, there appears to be a slight decline in this source of revenue. At any rate, for 1973, there were 8124 new associate members and 6621 renewals, for a total revenue to the Lodge of \$76,366.

As previously mentioned, associate memberships are sold exclusively by active Philadelphia policemen. There is an incentive program whereby prizes are awarded to the active policeman when he sells a certain number of memberships. For example: if a policeman sells 25 memberships, he will be entitled to get a watch as a reward.

The following is a copy of a membership card which is given to the associate member.

PHILADELPHIA LODGE No. 5, FRATERNAL ORDER OF POLICE AND PHILADELPHIA POLICE HOME ASSOCIATION 1386 SPRING GARDEN STREET, PHILADELPHIA, PA. 19123		
APPLICATION FOR ASSOCIATE MEMBERSHIP (To be sponsored by Active or Associate Member)		
I, the undersigned, certifying that I am an American citizen of full age and good moral character, and have never been convicted for a felony or a serious misdemeanor, do hereby apply for admission as an ASSOCIATE MEMBER OF PHILADELPHIA LODGE No. 5, FRATERNAL ORDER OF POLICE AND PHILADELPHIA POLICE HOME ASSOCIATION.		
If elected to membership, I promise to abide by the By-Laws and all rules and regulations; to pay all annual dues regularly fixed by this Lodge, and to conduct myself at all times in such manner as not to bring reproach upon the Fraternal Order of Police, its Philadelphia Lodge No. 5, or upon myself. I also agree that violation of this pledge shall result in forfeiture of membership and all its privileges.		
If my membership shall be revoked for any cause, I do hereby agree to return to said Lodge the auto emblems and Membership card signifying my Associate Membership with the Lodge.		
Please Remit \$12.50 by Check or Money Order With This Application (Includes Initial Emblem)		
PLEASE TYPE OR PRINT		Dues \$10.00 per Year Thereafter
Name	Age	
Address	City	Zone
Employed by:	Address	
Signature	Sponsored by and Date	
Approved—Board of Directors	DO NOT FOLD	 34

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 6

It should be noted that there is a substantial income realized and shown in the "Miscellaneous Income" section. The bulk of the income listed in this section is that realized from the sale of show and dance tickets.

The show and dance ticket solicitation program is handled from within the Lodge. It is by a professional solicitor whose name is DONALD SLOANE. He supposedly is from Pittsburgh; but while working in the Philadelphia area, he resides at [REDACTED] Philadelphia, Penna. According to Gallagher, he did not know his exact location at the present time as he does move about the state. Gallagher stated that there is no formal written contract between the Lodge and Sloane, however, there is an agreement by word of mouth whereby Sloane will get 55% commission and the Lodge 45% commission on all of the tickets sold by Sloane.

According to Gallagher, all checks and revenues realized from the sale of show and dance tickets come directly to the Lodge. Gallagher makes the deposits in the bank account and thereafter pays to Sloane the commission that he is due. Mr. Sloane does not control the monies coming in on the sale of these tickets. Sloane merely coordinates the program, solicits and utilizes the facilities of the Lodge.

The following is a detailed accountability for the sale, expenses and profits realized during 1973 for the show and dance program:

SHOW AND DANCE

Tickets Sold	\$140,276.00	
Less Commission Paid	<u>77,152.00</u>	
Net Receipts to F.O.P.		\$63,124.00

EXPENSES

Printing	\$ 2,820.00	
Civic Center	2,294.25	
Entertainment	<u>4,866.36</u>	<u>9,980.61</u>
Profit to Lodge		\$53,143.39
Interest on Savings Account		<u>887.05</u>
Total Profit to Lodge		\$54,030.44

July 19, 1973

FRATERNAL ORDER OF POLICE

Lodge No. 5

Philadelphia, Pennsylvania

October 31, 1973 - Page 7

When reviewing the foregoing statement, it should be noted that a total of \$140,276 was derived from the show and dance program. At the same time, it should be noted that the commission paid to Sloane totalled \$77,152. This caused a net receipt to the Lodge of \$53,143, which will be shown in the 1974 Lodge No. 5 income statement under miscellaneous income.

It should be noted that the figures listed in the foregoing Lodge No. 5 income statement are for the show and dance account for 1971, 1972 and 1973. The detailed breakdown of the show and dance figures are to be included in the 1974 annual report.

The foregoing consolidated income statement only summarizes the expenses which have been consolidated from the master income statement. The master income statement is being attached and may be reviewed for complete details.

It should be noted that 1973 salary expenses amount to \$94,734. This represents monies paid to 11 employees who are connected with Lodge No. 5. Gallagher's expense is \$16,946.04; however, according to him, this has been increased recently to \$17,500. The detailed income statement will show precisely the name and the amount paid to each employee.

Another item of interest in the "Expenses" section is that of Committees Expenses for 1973 in the amount of \$158,785. Again, the detailed income statement will show the exact accountability for Committees Expenses.

The two largest items are that of legal fees paid to Attorney Anthony J. Pirillo, Jr., which total \$44,891, and A. CHARLES PERUTO who realized \$31,098.80. According to Gallagher, the monies listed for Peruto were back expenses due him when he represented the Lodge. Pirillo now is the counsel for the Lodge.

Appearing in the foregoing consolidated income statement is an item referred to as "Miscellaneous Expenses," which is actually shown on the detailed income statement as "Miscellaneous Deductions." For the years 1971, 1972 and 1973, this figure is substantially high. In 1973, the amount was \$112,390. Again, when reviewing the detailed income statement, it will be noted that the largest item is for "Conference Expense - State," which totals \$37,230.

As shown on the foregoing consolidated income statement, net profits for 1971, 1972 and 1973 are shown as \$296,994, \$209,064, and \$151,626 respectively. These amounts were transferred to the retained earnings for surplus amounts, which of course are part of the unappropriated surplus amounts at year end.

FRATERNAL ORDER OF POLICE

Lodge No. 5

Philadelphia, Pennsylvania

October 31, 1973 - Page 8

Because of the set-up with the Lodge No. 5 entity and the Home Association, they frequently juggle or transfer funds from one account to the other in order that each one will show a favorable balance. This is clearly evident when reviewing both financial statements.

In addition to the Lodge No. 5 and Home Association entities, there is a separate and distinct accountability for an account called "Death Beneficiary Fund." The attached consolidated statement (Page 9) shows the assets, liability and surplus, as well as incomes and expenses relating to the Death Beneficiary Fund. These statements are self-explanatory.

No effort was made to get prior years' audit reports regarding the Home Association for comparative purposes. It was felt that the latest accountability, principally 1972, would be sufficient to clearly show the financial position of the Home Association. Therefore, the balance sheet (Page 10), taken directly from the annual audit report, is being listed in its entirety.

As a matter of interest, the investment account (Schedule C), which is being attached as supplementary data at the end of this report, shows deposits in three separate savings and loan associations in the form of certificates. These investments total \$60,000, on which they realized \$3,600 in interest income. That, of course, is shown on the profit and loss statement.

Also of interest on this balance sheet is the "Fixed Assets" section which shows the land and building valuation at 1336 Spring Garden Street, less depreciation in excess of one-half million dollars (\$543,157.43).

Total assets for the Home Association are \$639,174.84. There are no liabilities listed, except for the "Loan Due Philadelphia Lodge No. 5" in the amount of \$200,843.63.

The retained earnings, as of December 31, 1972, for the Home Association account are shown as \$438,331.21.

For the same reason as previously stated regarding the balance sheet, the income statement for the Home Association for 1972 is being set forth in its entirety - Page 10 (a).

For the most part, the items listed as "Sales" and "Cost of Goods Sold," which provides a gross profit on sales of \$28,173.13, pertains to the running of the bar located in the basement of Lodge No. 5 headquarters. The wages, supplies and expense items, which are deducted from the gross sales figure, are expenses relating directly to the bar.

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

Statement of Assets, Liability and Surplus
as of March 31, 1971, 1972 and 1973
DEATH BENEFICIARY FUND

<u>ASSETS</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Cash in Bank	\$ 6,308	\$ 51,084	\$ 10,671
Investments	<u>222,468</u>	<u>222,468</u>	<u>282,468</u>
TOTAL ASSETS	<u><u>\$228,777</u></u>	<u><u>\$273,552</u></u>	<u><u>\$293,139</u></u>

Statement of Income and Expenses
for April 1, 1971, 1972 and 1973
DEATH BENEFICIARY FUND

<u>INCOME:</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
From General Fund	\$ 96,338	\$110,801	\$ 82,395
From Investments	<u>10,214</u>	<u>10,099</u>	<u>14,859</u>
	\$106,553	\$120,900	\$ 97,254
 <u>EXPENSES:</u>			
Death Benefits Paid	\$ 400	\$ 1,500	\$ 2,700
Premium - Group Insurance	<u>70,451</u>	<u>74,624</u>	<u>74,967</u>
	\$ 70,851	\$ 76,124	\$ 77,667
 Net Income Transferred to Surplus	 <u><u>\$ 35,701</u></u>	 <u><u>\$ 44,775</u></u>	 <u><u>\$ 19,586</u></u>

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 11

"Other Income" appearing on the income statement relates to return on investments as previously mentioned. The item shown as "Rentals" is monies realized from renting the hall at the Lodge for weddings, etc.

Of interest in the expense category, many of the officers show up as getting expense monies from the Home Association as well as getting expense monies through the Lodge No. 5 funds. Each expense is set forth.

The overhead expenses for the building total \$36,517.48 and are itemized. Other expenses listed result in an operating loss of \$25,983.01. After adding the depreciation for the building, machinery and fixtures, there is a net loss of \$37,906.75. Of special interest, this loss is overcome by two items: (1) Transfer of dues, as in this particular case, \$24,141; and (2) the revenues realized from their Ad Book program which in 1972 was \$67,934.36. When computing the dues and ad book figures and deducting the net loss of \$37,906.75, the Home Association account shows a net profit of \$54,168.61 which, of course, is plowed into the retained earnings section previously mentioned and shown on the Home Association balance sheet.

The Ad Book program is handled by a solicitor, ANTHONY CARL VINCE, who is located at 2015 East Allegheny Avenue, Philadelphia, Pennsylvania. A copy of the ad book for 1973 was obtained and appears to be approximately one inch thick, consisting entirely of one-page, 1/2 page, etc. of advertising by various companies and individuals.

According to Gallagher, the ads are sold by Vince, however, all checks and proceeds coming into Lodge No. 5 where they are deposited into a controllable Lodge No. 5 account. They subsequently return to Vince 55% of the gross receipts, but there are no written contracts or arrangements according to Gallagher.

The following is a breakdown of the approximate prices charged by Vince for advertising in the ad book:

Full Page	\$400.00
1/2 Page	225.00
1/4 Page	120.00
1/8 Page	65.00
1/16 Page	37.50

The lowest price for a business space in the book is \$20.00. The lowest price for a patron in the book is \$5.00.

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 12

After a review of the Ad Book, it was noted that there are 1/3 page advertisements, however, at the time the data was being furnished by Gallagher, no reference to price was made pertaining to 1/3 page arrangements.

For additional information purposes, a review of the 1973 Official Yearbook was made and it showed that there were 3516 participants. The following is a detailed breakdown of the number of spaces and advertisements purchased:

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

PHILADELPHIA POLICE HOME ASSOCIATION
1973 Official Yearbook Advertisements

Full Page Ads.....	10
1/2 Page Ads.....	89
1/3 Page Ads.....	54
1/4 Page Ads.....	170
1/8 Page Ads.....	992
Others.....	2201
	—
Total Advertisements	<u>3516</u>

FRATERNAL ORDER OF POLICE

Lodge No. 5

Philadelphia, Pennsylvania

October 31, 1973 - Page 13

Mr. Gallagher made available a complete list of the Executive Board for the Lodge for the period 1972-1974. This list shows the position, name, address, and phone number for each of the individuals. (See Page 16)

Mr. Gallagher also made available two copies of the Constitution and By-Laws of the Lodge No. 5 entity, which are self-explanatory.

At the same time, Mr. Gallagher made available a xerocopy of a letter, dated August 2, 1973, from Carol Cochran, Director of the Commission on Charitable Solicitations for the Department of State. This letter is self-explanatory and is being attached hereto as a supplemental report. According to Gallagher, he turned the matter over to his attorney, Mr. Pirillo and he does not believe that there has been any action on the letter. No report has been supplied to Cochran's request in the letter, and he does not know the status of this matter as it is in the hands of the Lodge counsel.

The following items are being attached as supplementals to this memorandum:

1. Annual reports from Russell Hamilton for 1971, 1972 and 1973 which show the financial position and condition for Philadelphia Lodge No. 5, F.O.P.
2. The annual report shows position and financial condition for the Philadelphia Police Home Association for 1972, as well as a semi-annual report from January 1 through June 30, 1973.

The above mentioned reports include balance sheet, income statements, bank reconciliation statements, detailed investment schedules, death beneficiary fund exhibits, and a detailed accountability for the bar income and expenditures, which are part of the Home Association report.

3. Two copies of the Constitution and By-Laws of Philadelphia Lodge No. 5.
4. Copy of Carol Cochran's letter to John J. Quinn, Secretary, dated August 2, 1973.

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania
October 31, 1973 - Page 14

5. A copy of the 1973 Official Yearbook for the Lodge is available for review but not included with this report.

Of special interest, it is being pointed out that Anthony Pirillo, counsel for the Lodge, was previously a hearing examiner for the Liquor Control Board, however, he was fired by Jaffurs or after Jaffurs' departure because of his questionable practices.

While it cannot be substantiated, it has been rumored that Pirillo has been known to represent questionable connections in the past.

In addition, a notice of levy from the Internal Revenue Service, dated October 19, 1972, showed that Anthony D. and Olga I. Pirillo, [REDACTED] Philadelphia, owe back taxes of [REDACTED]. A copy of this notice of levy is being attached for information purposes.

Because of the difference in reporting periods between Lodge No. 5 records and the Home Association records, no accurate consolidated balance sheet or income statements can be prepared; however, with the data contained in the two entities' records, which were made available to us, the following statements of net worth and income are set forth (Page 15).

NET WORTH

(Fraternal Order of Police Lodge No. 5 and Philadelphia Police Home Association)

Lodge No. 5 - (March 31, 1973)	\$ 919,640	
Home Association - (June 30, 1973)	<u>647,288</u>	
TOTAL NET WORTH		\$1,566,928

STATEMENT OF INCOME

Lodge No. 5		
April 1, 1972-March 31, 1973		
Dues - Active Members	\$360,501	
* Associate Members	76,366	
** Miscellaneous	90,746	
(includes show and dance)	<u> </u>	
TOTAL for Lodge No. 5		\$ 527,631
Home Association		
January 1, 1972-December 31, 1972		
Sales	\$ 56,805	
(derived from bar at Lodge)		
Other Income	13,279	
*** Ad Book (45% of Total Solicitation)	<u>67,934</u>	
TOTAL for Home Association		<u>138,018</u>
TOTAL INCOME FROM BOTH ENTITIES		\$ 665,631

* NOTE: All associate memberships are sold by active Philadelphia Police officers.

** NOTE: The \$90,746 includes \$55,000 for show and dance. The \$55,000 represents 45% of the total sales of show and dance tickets. The total show and dance receipts for the 1973 reporting period, based on a 55/45% basis, would have totalled approximately \$121,000.

Also note the show and dance statement previously included in this report will be part of the 1974 accounting period.

Fraternal Order of Police
Lodge No. 5 - Philadelphia
October 31, 1973 - Page 15

*** NOTE: The Ad Book figure of \$67,934 represents 45% of the total advertising which is being carried in the Home Association records. Based on the 55/45% arrangement; the total Ad Book solicitations for 1972 would have amounted to nearly \$150,000.

FRATERNAL ORDER OF POLICE
Lodge No. 5
Philadelphia, Pennsylvania

EXECUTIVE BOARD
1972-1974

President Charles F. Gallagher

1st Vice Pres. Louis R. Damiani

2nd Vice Pres. Joseph Pinto

3rd Vice Pres. Maurice S. Chapman

4th Vice Pres. Bernard J. Quigley

Rec. Secy. John J. Quinn

Fin. Secy. George J. Briggs

Treasurer John J. Carroll

Trustee John F. Sharkey

Trustee Joseph P. Meehan

Trustee Robert J. Konczyk

Trustee James C. Powell

Trustee James Caldwell

Conductor Joseph E. Lynch

Guard John Iacona, Jr.

Guard James A. Pinto

Chaplain Hugh B. Gallagher

Past Pres. John J. Harrington

Legislative Committee

Thomas McCarey
Thomas Garvey

Office Manager

Edward T. McCarthy

Office Secretary

Diane McClellan

