

# NEW ORLEANS FIRE FIGHTER'S PENSION AND RELIEF FUND

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Martin Gaal  
Board President

Tommy F. Meagher, III.  
Secretary-Treasurer

SUBJECT:

Board of Trustees Regular Meeting  
Fire Fighter's Pension & Relief Fund

TIME, DATE AND PLACE:

9 am, February 5, 2014  
3520 General DeGaulle  
Suite 3001  
New Orleans, Louisiana 70130

Board President Martin Gaal called the meeting to order. The following members of the Board of Trustees were present: Martin Gaal, Tommy Meagher, Nick Lavene, Scott Jacobs, and Norman Foster.

Absent: Marchese and McConnell

Total as follows: Five (5) members present, two (2) members absent. A quorum being present, the meeting was called to order at 9:10.

Also present,

Pam Meyer  
Louis Robein, Board attorney  
Paul Mitchell  
Kenny Prevost, Firefighter  
Jesse Evans, NOMERS  
Richard Hampton, Firefighter  
Nick Felton, Firefighter  
Keith Noya, Firefighter  
Eneida Younnis, OIG  
Derrick Francis, Mayor's office

REVIEW AND ACCEPT MINUTES

MOTION: Moved by Gaal and seconded by Lavene to approve the minutes for the January 2014 and December 2013 meetings.

Motion passed.

NO OBJECTIONS

COMMUNICATIONS

Mr. Meagher noted that the LATEC Educational Conference is scheduled for February 26-28, 2013. All members and staff are invited to attend. Attendance is free to LATEC members and qualifies for educational credits. Board members and staff should inform Peggy of their desire to attend the conference. A motion to approve attendance to the conference for Board members and staff was approved at the December meeting.

REFUND OF CONTRIBUTIONS

Mr. Randall Weber and Mr. Brian Buckley have requested a refund of their contributions.

MOTION: Moved by Gaal and seconded by Lavene to approve the refund of contributions to Mr. Weber and Buckley.

Motion passed.

NO OBJECTIONS

CHANGE OF BENEFICIARY

None

DROP WITHDRAWAL effective January 14, 2014

Denis A Mayo

MOTION: Moved by Gaal and seconded by Jacobs to approve the DROP withdrawal for Denis Mayo effective January 14, 2014.

Motion passed.

NO OBJECTIONS

NEW APPLICATIONS

MOTION: Moved by Jacobs and seconded by Gaal to go into executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Lavene and seconded by Jacobs to come out of executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications.

Motion passed.

NO OBJECTIONS

Denis Mayo: New Fund Fire Operator, Age 58 with 19 years of service is submitting an application for a Regular Service Connected Pension retroactive to January 15, 2014.

MOTION: Moved by Gaal and seconded by Meagher to approve a Regular Service Pension effective January 15, 2014.

Motion passed.

NO OBJECTIONS

Byron Muse: New Fund Fire Operator, Age 47 with 18 years of service is submitting an application for a 66 2/3% Service Connected Disability Pension effective February 5, 2014.

MOTION: Moved by Gaal and seconded by Marchese to approve a 50% Service Connected Disability Pension effective January 7, 2014, deny a 66 2/3% disability and inform the applicant of his right to appeal the decision.

Motion passed.

NO OBJECTIONS

#### DROP APPLICATIONS:

None

#### REPORTS OF DEATHS

##### Pensioners:

Edward Brunet: Died on November 19, 2013 at age 74 with widow and no minor children. Joined the department on July 7, 1967 and retired with 10 years of service on June 30, 1978. He spent 34 years on pension.

##### Widows:

Catherine C. Mazoue: Died at age 93 on November 7, 2013. Benefits began on May 1, 1996. 17

years on benefits.

Arlene C. Riddick: Died at age 57 on January 1, 2014. Benefits began on January 20, 1996. 17 years on benefits.

Mrs. Edward P. Brunet: Died at age 71 on January 1, 2014, two months after her husband and before applying for benefits.

MOTION: Moved by Gaal and seconded by Marchese to remove the above noted deceased members and beneficiaries from the rolls.

Motion passed.

NO OBJECTIONS

#### WIDOW'S APPLICATIONS

Mrs. Leticia Alline: Application for a Non- Duty death benefit effective retroactive to August 1, 2013.

MOTION: Moved by Jacobs and seconded by Lavene to approve the application of Mrs. Alline effective August 1, 2013.

Motion passed.

NO OBJECTIONS

Mrs. Helen P. Kerner: Application for a Non- Duty death benefits effective retroactive to December 1, 2013.

MOTION: Moved by Jacobs and seconded by Gaal to approve the application of Mrs. Kerner effective December 1, 2013.

Motion passed.

NO OBJECTIONS

Mrs. Loretta Williams: Application for a Non- Duty death benefits effective retroactive to January 1, 2014.

MOTION: Moved by Jacobs and seconded by Gaal to approve the application of Mrs. Williams effective January 1, 2014.

Motion passed.

NO OBJECTIONS

APPLICATIONS PENDING

Mr. Gary Ballier has an appeal pending for a 66 2/3% disability pension. No new information has been presented.

Mr. Lance Smith requests an appeal of the Board's decision on his 66 2/3% disability request. The Board discussed establishing an appeal committee. Members noted that all Board members are eligible to participate on the committee. Three members would be ideal.

MOTION: Moved by Foster and seconded by Gaal to establish a disability committee comprised of Meagher, Gaal, Lavene and Jacobs.

Motion passed.

NO OBJECTIONS

OLD BUSINESS

OIG audit: Mr. Mitchell noted that the OIG has finalized its audit of our credit card records. A response to their findings has been prepared and will be discussed with the OIG audit team. The Fund agrees with most of the recommendations and has implemented all of them with one exception. The OIG recommends a separate credit card policy. This matter will be addressed by members of the expense committee. Because of our small size a separate policy may not be necessary. The OIG concerns can be addressed with additional language to the expense policy.

MOTION: Moved by Gaal and seconded by Foster to authorize release of the Board's response to the OIG's findings.

NEW BUSINESS:

David Bordes: Mr. Bordes wishes to appeal the Board's decision to deny his request to change the DROP and PLOP decisions made at the time of his retirement. This appeal will be heard by the appeals committee. Discussion followed on the appeal process. Mr. Bordes will be afforded the opportunity to explain to the Board why his request should be granted. Mr. Bordes will have to provide the Board with support for his request. Mr. Bordes will be contacted and informed of the hearing date.

Negotiations with the City: the next meeting is scheduled for February 20, 2014 at 2:00 pm.

LEGAL:

Mischler v. State of Louisiana et al: This litigation challenges the State's ability to pass laws increasing pension contributions of firefighters. It seeks an injunction to prevent the collection of increased pension contributions from firefighters which became effective January 1, 2014. A hearing on this matter is scheduled for February 7, 2014 in Baton Rouge. The Pension Board and Local 632 were defendants in this matter, as well as the Governor and legislature. Mr. Robein has filed a response on behalf of the Board. Members wishing to attend the hearing were provided with the address and time of the hearing.

TIMELY FILING OF APPLICATIONS:

All Members applying for Pension, DROP or PLOP must do so 45 days in advance of the scheduled retirement date. All medical documentation for disability applications must be in the administrative office 45 days prior to the scheduled retirement date. Failure to comply with the Fund's rules will cause a delay in the Board taking action and will probably force an extension beyond the member's desired retirement date.

The administrative office will continue to process all paperwork in a friendly, orderly, and timely fashion. We thank all applying members for their continued cooperation. This will enable the Administrative Office and the Board of Trustees to perform their jobs more efficiently.

Members who have recently changed their address or marital status and have not updated their beneficiary form should do so at this time. Please contact the Pension Office during the hours of 10:00 am to 2:00 pm for beneficiary verifications. Your cooperation is appreciated.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 pm. The next regular meeting of the Board of Trustees is March 5, 2014.

APPROVED:



DATE:

