

NEW ORLEANS FIRE FIGHTER'S PENSION AND RELIEF FUND

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:

**July 9, 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, Tim McConnell, Angelo Marchese and Norman Foster.

Absent: Scott Jacobs

Total as follows: Six (6) members present, one (1) member absent. A quorum being present, the meeting was called to order at 10:50 am.

Also present,

**Pam Meyer
Louis Robein, Board attorney
Paul Mitchell
Kenny Prevost, firefighter
Nick Felton, firefighter
Derrick Francis, Mayor's office
Jesse Evans, NOMERS**

REVIEW AND ACCEPT MINUTES

McConnell indicated that the minutes should reflect a motion authorizing legal counsel to amend the mandamus lawsuit. He voted against the matter and Jacobs abstained. Members noted that the matter was discussed but felt the motion was taken at a prior meeting. Discussion followed.

MOTION: Moved by McConnell and seconded by Marchese to approve the minutes for the June 2014 meetings as adjusted to include the motion noted by McConnell.

Motion passed.

NO OBJECTIONS

COMMUNICATIONS

The year-end audit and actuarial report is complete. Presentations are scheduled for our next meeting on August 6, 2014.

REFUND OF CONTRIBUTIONS

None

CHANGE OF BENEFICIARY

Alfred J. Juno, Jr. Martin Gaal Sr., Edward F. Niehues, Jr. and Louis Gentry have requested changes in beneficiaries.

DROP WITHDRAWAL

None

MOTION: Moved by Meagher and seconded by Marchese 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 McConnell and seconded by Marchese 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

NEW APPLICATIONS:

Gerard M. Carollo: New Fund Fire Fighter, age 60 with 34 years of service has applied for a 50% Service Connected Disability Pension effective July 15, 2014.

MOTION: Moved by Meagher and seconded by Marchese to approve a 50% Service Connected Disability Pension for Mr. Carollo effective July 15, 2014.

Motion passed.

NO OBJECTIONS

Edgar M. Journee: New Fund Fire Operator, age 62 with 35 years of service has applied for a 50% Service Connected Disability Pension effective July 9, 2014.

MOTION: Moved by Gaal and seconded by Marchese to approve a 50% Service Connected Disability Pension effective July 9, 2014 for Mr. Journee.

Motion passed.

NO OBJECTIONS

William Burke: New Fund Fire Fighter, age 56 with 32 years of service has applied for a 50% Service Connected Disability Pension effective August 1, 2014.

MOTION: Moved by Meagher and seconded by Gaal to approve a 50% Service Connected Disability Pension for Mr. Burke effective August 1, 2014.

Motion passed.

NO OBJECTIONS

DROP APPLICATIONS:

Paul D. Hellmers- New Fund Fire Captain- Age 53-30 years of service, application effective July 1, 2014.

MOTION: Moved by Meagher and seconded by McConnell to approve a DROP application for Mr. Hellmers retroactive to July 1, 2014.

Motion passed.

NO OBJECTIONS

Delaney J. Winston- New Fund Fire Operator- Age 56-30 years of service, application effective June 1, 2014.

MOTION: Moved by McConnell and seconded by Gaal to approve a DROP application for Mr. Winston effective June 1, 2014.

Motion passed.

NO OBJECTIONS

REPORTS OF DEATHS

Pensioners:

Sylvia M. Patrick-Died on May 28, 2014 at age 77. Ms. Patrick was a QDRO of Douglas Patrick. Benefits began on October 1, 1997. Mr. Patrick will receive a pop-up in benefits as a result of Mrs. Patrick's passing.

MOTION: Moved by Lavene and seconded by Meagher to provide the pop-up benefit to Mr. Patrick following his ex-wife's passing.

Motion passed.

NO OBJECTIONS

Louis LaBasse: Died at age 85 on June 11, 2014 with widow and no minor children. He joined the department on March 4, 1950 and retired on December 16, 1965. He spent 48 years on pension.

Widows:

None

MOTION: Moved by Gaal and seconded by Meagher to remove the above noted member and QDRO from the pension rolls.

Motion passed.

NO OBJECTIONS

WIDOW'S APPLICATIONS

Mrs. Roselyn Nillen (Walter): Application for a Line of Duty Widow's Benefit retroactive to June 1, 2014.

MOTION: Moved by Meagher and seconded by Marchese to approve the Line of Duty Widow's Benefit for Mrs. Nillen retroactive to June 1, 2014.

Mrs. Marilyn Stringer (Edward): Application for a Line of Duty Death Benefit effective retroactive to June 1, 2014.

MOTION: Moved by Meagher and seconded by Gaal to approve the Line of Duty Widow's benefit for Mrs. Stringer effective June 1, 2014.

Motion passed.

NO OBJECTIONS

Mrs. Jeannie Rousselle (Joel): Application for a Line of Duty Death Benefit effective retroactive to June 1, 2014.

MOTION: Moved by Marchese and seconded by Gaal to approve the Line of Duty Death benefit for Mrs. Rousselle effective June 1, 2014.

Motion passed.

NO OBJECTIONS

Ashley M. Blanchard: Beneficiary of Scott P. Blanchard. Application for a pre-retirement survivor benefits effective retroactive to July 7, 2013.

MOTION: Moved by Meagher and seconded by Gaal to approve the beneficiary benefit for Ms. Blanchard retroactive to July 7, 2013.

Motion passed.

Foster abstained

APPLICATIONS PENDING

None

OLD BUSINESS:

None

NEW BUSINESS:

SPD (summary plan document) update- Ms. Meyer noted that the Fund's SPD is being updated with the assistance of our attorney. The last update was completed effective through December 31, 2011. The SPD will be posted to the website when complete. A current draft was distributed to the Trustees

LEGAL:

Rollover application form: Mr. Robein noted that his staff has assisted the Fund with updating the rollover forms. The forms will state specifically that rollovers will take at least 30 days to process. Mr. Robein reviewed the components of the revised form and its compatibility with the amended DROP statutes and IRS requirements. A motion to approve use of the revised forms was deferred at the request of Mr. Foster.

MOTION: Moved by Lavene and seconded by Gaal to go into executive session for discussion of strategy and negotiations with respect to actual litigation on the following items: Mischler et al v State of Louisiana, Longevity/annual leave and Mandamus litigation.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Meagher and seconded by Marchese to come out of executive session entered into to discuss strategy and negotiations with respect to actual litigation and legislation.

Motion passed.

NO OBJECTIONS

Mischler et al v State of Louisiana et al: Mr. Robein noted that at the hearing before Judge Kelly, the Louisiana Attorney General successfully argued that the Governor, Legislators and Treasurer should be excluded from the suit. His motion for change in venue from Baton Rouge Parish to Orleans Parish was also successful. Mr. Robein then discussed the timing of the plaintiff's challenge which was uncertain at this time.

Longevity Litigation: A hearing before Judge Kern Reese is scheduled for July 25, 2014 at 11:00 am. It will address the back pay entitlements under the judgment. The pension liabilities are to be addressed later.

Funding Mandamus: (Norman Foster recused himself and left the room.)

The City has filed for writs of certiorari to the United States Supreme Court. The motion to stay execution of the mandamus was denied by the Supreme Court earlier. A hearing on the mandamus is set for June 26, 2014 before Robin Giarrusso at 9:00 am.

MOTION: Moved by Meagher and seconded by Marchese to direct the Fund's attorney to execute the Supreme Court's waiver to respond to the certiorari petition filed by the City with the Supreme Court.

Motion passed.

NO OBJECTIONS

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 12:30 pm. The next regular meeting of the Board of Trustees is August 6, 2014.

APPROVED: 

DATE: 8/12/14