

NEW ORLEANS FIRE FIGHTER'S PENSION AND RELIEF FUND

Martin Gaal
Board President

Thomas F. Meagher, III.
Secretary-Treasurer

SUBJECT:

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

TIME, DATE AND PLACE:

**August 13, 2015
3520 General DeGaulle
Suite 3001
New Orleans, Louisiana 70130**

The following members of the Board of Trustees were present: Martin Gaal, Thomas Meagher, Angelo Marchese, Tim McConnell, Nick Lavene, and Norman Foster. Derrick Muse was absent.

A quorum being present, Board President Martin Gaal called the meeting to order at 1:19 p.m.

Also present,

**Pam Meyer
Louis Robein, Board Attorney
Paul Mitchell
Kenny Prevost, Retired Firefighter
Derrick Francis, Mayor's office
Nicholas Felton, President Local 632
Brittany Major, Business Council
Richard Conners, Firefighter
Terry Hampton, Treasurer Local 632**

COMMUNICATIONS

None

MOTION: Moved by McConnell and seconded by Meagher to take items out of order.
Motion passed. **NO OBJECTIONS**

R.S. 11:3376 DISABILITY APPLICATIONS

MOTION: Moved by Marchese and seconded by Lavene to go into executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications and pending applications.
Motion passed. **NO OBJECTIONS**

MOTION: Moved by Meagher and seconded by Lavene to come out of executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications and pending applications.
Motion passed. **NO OBJECTIONS**

Richard Conners, Jr: New Fund Fire Operator, age 57 with 25 years of service, applying for a 50% Service Connected Disability Pension effective August 13, 2015.

MOTION: Moved by McConnell and seconded by Foster to approve a 50% Service Connected Disability retirement benefit effective August 13, 2015 pursuant to R.S.11: 3376 (B) or to alternatively approve a regular retirement benefit calculated in accordance with all conditions of R.S. 11:3384 calculated as 2 ½% for the first 12 years of service and at 3.334% for all years of service and any portion of a year beyond twelve years and 50 years of age.
Motion passed. **NO OBJECTIONS**

Meagher, Gaal, Marchese and Lavene noted that there vote was to approve the disability election.

ALTERNATIVE ELECTION AS PER R.S.11:3376 F (2)

Richard Conners, Jr.

MOTION: Moved by Meagher and seconded by Gaal to approve the higher benefit election per RS 11:3376 F (2) for Ricard Conners which provides a benefit of 60.0583% of salary which is 2.5% for the first 12 years of service and 3.334% for 9.0157 years of service, as outlined in the worksheet provided to members calculated in accordance with Board policy.

McConnell and Foster voted against. Meagher, Marchese Gaal and Lavene voted for. Motion passed.

DROP APPLICATIONS: August 1, 2015

Douglas C. Cardinale: New Fund Fire Captain, age 55 with 25 years of service is applying to enter DROP.

MOTION: Moved by Meagher and seconded by Gaal to approve a DROP benefit application calculated at 2 1/2 % for the first 12 years and 3.334%% for 13.3142 years of service with the conversion of annual/sick time of 1.5 years at 3.334%.

Meagher, Marchese, Gaal and Lavene vote for. McConnell and Foster voted against. Motion passed.

Haden Brown: New Fund Fire District Chief, age 50 with 21.4018 years of service is applying to enter DROP. This member has applied sick and annual leave to his retirement benefit. Foster has requested legal support for the application of sick and annual leave to the calculation of benefits. Robein noted that the Board regulations include the sick and annual leave guidelines.

MOTION: Moved by Meagher and seconded by Gaal to approve a DROP benefit application calculated at 2 1/2 % for the first 12 years and 3.334%% for 9.4018 years of service with the conversion of annual/sick time of 1.25 years at 3.334%.

Meagher, Marchese, Gaal and Lavene vote for. McConnell and Foster voted against. Motion passed.

Meagher, Gaal, Lavene and Marchese voted for the motion. Foster and McConnell voted against the motion. Motion passed.

Foster left the meeting.

REFUND OF CONTRIBUTIONS

None

CHANGE OF BENEFICIARY

Ben Gilmore, Jr. made changes to his beneficiary forms.

DROP WITHDRAWAL

Richard Conners, Jr. is making an application to terminate his DROP election.

MOTION: Moved by Meagher and seconded by Gaal to allow Mr. Conners to terminate his DROP election.

Motion passed.

NO OBJECTIONS

REPORTS OF DEATHS

Pensioners:

William A. Gonsoulin, Jr.: Mr. Gonsoulin died on July 21, 2015 at the age of 77, leaving a widow and no minor children. He retired on April 18, 1982 and spent 33 years on pension.

Bruce P Fontana : Mr. Fontana died on July 8, 2015 at age 64 leaving widow and one minor child. He entered the department on October 6, 1969, retired on February 14, 2001 with 32 years of service. He spent 14 years on pension.

Joseph Allen: Mr. Allen died on June 7, 2015 at age 87, leaving no widow or minor children. He entered the department on February 11, 1957 and retired on March 16, 1979 after 22 years of service. He spent 37 years on pension.

Widows:

Joyce F. Malloy: Mrs. Malloy died on June 20, 2015 at age 87. Her benefits began on August 1, 2009 and continued for 6 years.

Mrs. George E. Kestler: Mrs. Kestler died on July 26, 2015 at age 91. Her benefits began on September 1, 1980 and continued for 34 years.

MOTION: Moved by McConnell and seconded by Marchese to remove the above noted deceased members and widows from the pension rolls.

Motion passed.

NO OBJECTIONS

WIDOW'S APPLICATIONS

None

APPLICATIONS PENDING

None

OLD BUSINESS:

Mrs. Barry D'Angelo: Meyer noted that the July 8, 2015 minutes reflected that her application was filed as Mrs. Barry D'Angelo. The application was filed as Mrs. Cynthia Macaluso.

Paul Duplantis: Mr. Duplantis' application for termination of his DROP election should have appeared on last month's agenda effective July 7, 2015.

MOTION: Moved by Lavene and seconded by Gaal to allow Mr. Duplantis to terminate his DROP election effective July 7, 2015.

Motion passed.

NO OBJECTIONS

Corey E. Smith: the benefit application for the dependent child is complete. A birth certificate and court order are on file.

Election

Mitchell noted that the ballots were mailed. Ballots will be received by hand until 8:00 PM on August 26, 2015. Arrangements to keep the building open will be made. Ballots will be counted on August 27, 2015 beginning at 8:00 AM. Volunteers will be needed to assist with the counting.

Gaal noted that the ballots were mailed on the weekend before the stated date of August 10, 2015. He would prefer that ballots be mailed on the date stated.

Felton noted that Meagher was allowed to make presentations to members of the force about the differences between defined benefit plans and defined contribution plans. Felton noted that the Board had not approved the presentation and that absent Board authority Meagher should not have been making presentations to members of the Department. Felton noted that the

presentation was nothing more than the Administration allowing Meagher to overtly campaign. He felt that the topic was a very dangerous topic, that he was not allowed equal access to make presentations. McConnell noted that Felton was provided the same access when requested. Board members noted that Meagher did not need authorization to make presentations to the membership and was only preparing members for the possibility of that option being presented across the nation. Discussion followed.

NEW BUSINESS:

Recertification of Disability update: Meyer noted that 126 disabled members require eligibility recertification. 101 members have successfully responded. Staff will continue to contact the non-responsive members.

Direct Deposit update: Meyer noted that 639 members are receiving their deposit statements via email. 595 members are receiving statements via mail. The process is going very well.

2014 Actuarial report presentation: The presentation appears in the minutes of the August investment Board meeting.

Benefit calculation training: No new date set. Meagher suggested that members will be contacted to determine dates; individual training may work best versus group training.

Election: Terry Hampton noted that the Superintendent should be required to notify all candidates that they would be allowed time to visit engine houses if one candidate is allowed to visit engine houses.

REVIEW AND ACCEPT MINUTES

Mr. Meagher moved for adoption of the July Board minutes. Adoption of the minutes was deferred until the next meeting.

MOTION: Moved by Marchese and seconded by Gaal to defer approval of the July 2015 minutes.

Motion passed.

NO OBJECTIONS

LEGAL:

MOTION: Moved by Meagher and seconded by Lavene to enter executive session pursuant to R.S. 42:17 (A) (2) for discussion of strategy or negotiations with respect to

actual litigation, where an open meeting would have a detrimental effect on the litigating position of NOFF in any judicial matters related to agenda item above; all pertinent notification has been provided. Nick Felton will remain for the executive session.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Lavene and seconded by Marchese to come out of executive session.

Motion passed.

NO OBJECTIONS

City of New Orleans et al v NOFF Pension Fund et al, NO 2015-4138, Div. M. Civil District Court Orleans Parish (Petition for Declaratory Judgment/Old Fund Reserves)

No change since last meeting.

Firefighters Retirement System et al v CITGO Group Ltd et al, No 61960, Section 25 19th Judicial District Court EBR Parish (Petition of City of New Orleans to intervene to assert “subrogation” against recovery obtained by Pension Fund)

No discussion on this topic.

Mandamus Suit /Reconventional Demands- NOFF Pension and Relief Fund v City of New Orleans et al, CDC No 2012-7061:

Case on hold pending longevity settlement.

Mischler et al v State of Louisiana et al:

The original Mischler lawsuit has been consolidated with Toranto.

Toranto et al v City of New Orleans

The consolidation of Mischler and Toranto may be subject to a writ with the Fourth Circuit Court of Appeal.

Longevity Litigation:

Judge Reese will hear arguments on the Firefighters' motion for contempt on August 21, 2015.

Mediation:

Meetings continue with respect to mediation.

ADJOURNMENT

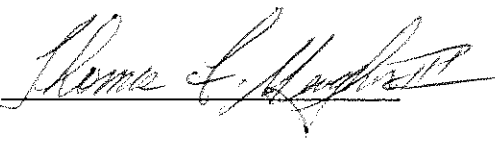
There being no further business, benefit calculations were deferred to a later date. The meeting adjourned at 2:15 pm.

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. Please contact the Pension Office during the hours of 10:00 am to 2:00 pm for beneficiary verifications. Your cooperation is appreciated.

BY: 

DATE: 10/6/15