

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:

**May 11, 2016
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, Derrick Muse, and Norman Foster.

A quorum being present, Board President Martin Gaal called the meeting to order at 9:15 a.m. Mr. Meagher led the Pledge of Allegiance and a moment of silence for fallen firefighters.

Also present,

**Pam Meyer
Louis Robein, Board Attorney
Paul Mitchell
Kenny Prevost, retired firefighter
Derrick Francis, Mayor's office**

COMMUNICATIONS

Mr. Meagher noted that year book photos will be taken at the next board meeting and that he was served with a subpoena and certified letter to appear at a Magee vs. Brothers matter trial.

REVIEW AND ACCEPT MINUTES

MOTION: Moved by Meagher and seconded by Gaal to approve the minutes of the April, 2016 regular Board minutes subject to changes submitted by McConnell.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Meagher and seconded by Gaal to approve the minutes of the April 2016 special Board meeting.

Motion passed.

NO OBJECTIONS

REFUND OF CONTRIBUTIONS

Joseph Kenny has requested a refund of contributions.

MOTION: Moved by Meagher and seconded by Lavene to approve the refund of contributions to Mr. Kenny.

Motion passed.

Foster Opposed

CHANGE OF BENEFICIARY

Roch Petersen, Sr., and Jack Alexander have submitted current beneficiary forms.

DROP WITHDRAWAL

None

R.S. 11:3376 DISABILITY APPLICATIONS

MOTION: Moved by Meagher and seconded by Marchese to go into executive session to review medical documentation and reserve privacy rights to members applying for a Service Connected Disability Pension and pending applications.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Meagher and seconded by Gaal to come out of executive session to review medical documentation and reserve privacy rights to members applying for a Service Connected Disability Pension applications and pending applications.

Motion passed.

NO OBJECTIONS

Don F. Houston: New Fund Firefighter, age 33 with 7 years of service is making an application for a 50% Service connected disability retroactive to April 12, 2016.

MOTION: Moved by McConnell and seconded by Gaal to approve a non-service connected disability per R.S. 11:3377, deny the service connected disability and notify the member of his right to appeal the decision.

Motion passed.

NO OBJECTIONS

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

None

REGULAR RETIREMENT APPLICANTS:

None

DROP APPLICATIONS: Effective June 1, 2016

Wayne E. Collogues: New Fund Fire operator, age 50 with 25 years of service.

MOTION: Moved by Meagher and seconded by Gaal to approve a DROP benefit application calculated at 2 1/2% of his average annual compensation for the first 12 years of service and 3 1/3% of his average annual compensation for each year of service or portion of a year up to 100% of his average annual compensation for all years over 12 years of service.

McConnell offered a substitute motion, seconded by Muse, to approve a DROP participation effective June 1, 2016 with a regular service retirement benefit in accordance with all conditions of RS 11:3384 to be calculated at 2 1/2% for the first 12 years of service and for all years or portion of a year beyond 12 years of service until the member has reached 50 years of age; and 3 1/3% for all years of service and any portion of a year beyond 12 years of service and 50 years of age; If a member has beyond 30 years of

service the retirement benefit for each year or portion of a year beyond 12 years of service shall be 3 1/3% up to 100% of the member's average annual compensation. Foster, McConnell and Muse voted for the substitute motion. Meagher, Lavene, Marchese and Gaal voted against the substitute motion.
Substitute motion failed.

A vote on the original motion followed:
Meagher, Marchese, Gaal and Lavene vote for. McConnell, Muse and Foster voted against.
Motion passed.

REPORTS OF DEATHS

Pensioners:

Daniel J. Comeaux, Sr.: Mr. Comeaux died on April 8, 2016 at the age of 69 a leaving a widow and no minor children. He entered the department on March 4, 1974 and served for 19 years. Mr. Comeaux retired on November 21, 1993 receiving benefits for 23 years. .

Widow:

Nancy C. Vaz: Ms. Vaz died on April 13, 2016 at the age of 83. Benefits began on September 1, 1996.

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

Motion passed.

NO OBJECTIONS

WIDOW'S APPLICATIONS

MOTION: Moved by Meagher and seconded by Gaal to go into executive session to discuss legal matters.

Motion passed.

NO OBJECTIONS

MOTION: Moved by McConnell and seconded by Marchese to come out of executive session to discuss legal matters.

Motion passed.

NO OBJECTIONS

Mrs. Judy Comeaux (Daniel): Mrs. Comeaux is applying for a Line of Duty widow's death benefit retroactive to May 1, 2016.

MOTION: Moved by Meagher and seconded by Gaal to approve a Line of-Duty Death Benefit retroactive to May 1, 2016 for Mrs. Comeaux.

Motion passed.

NO OBJECTIONS

APPLICATIONS PENDING

None

FINANCIAL INFORMATION

Board members were provided with key financial revenue and disbursement figures for the New and Old system for April.

OLD BUSINESS:

None

NEW BUSINESS:

Expense Committee: Members deferred review of travel and related reimbursements until a future date.

State Financial Disclosure: Board members were notified of the May 15, 2016 filing deadline.

LEGAL:

Mr. Robein noted:

- House Bills 56, 57, 58 and 59 are pending passage. There remains disagreement on House Bill 58 between the Administration and Union and Pension Board members.
- Matters concerning the alternative interpretation and SEB offsets are set for hearing in Giarrusso's court on September 13, 2016 at 9:00am.
- The Chartis/AIG reconventional demand settlement document has been fully executed by elected trustees. Signatures of former trustees are being collected. The City attorney is gathering signatures of elected officials.
- There has been no movement on the Mischler/Tarranto matters.
- In the matter of the Longevity, a second millage vote is expected however discussions on a second funding source have not started.
- The courts are expected to rule on the subrogation matter before June 2016.

James Hymel: This retiree requested termination of his union dues deduction in writing. The pension office has met his request effective with the April benefit payment. The member wants the termination effective January 1, 2016. The Fund cannot make a reimbursement to Mr. Hymel for prior month's dues because his request was not in writing. Dues collected are forwarded to Union monthly. His request has been forwarded to Union officials.

March 2010 Consent Judgment

Meagher noted that the 2010 consent judgment directed the Fund to pay benefits in accordance with the longevity schedule. DROP benefits earned during 2010 and later thru 2014 were not paid in accordance with the longevity schedule. DROP benefits due for the period 2010 thru 2014 approximate \$4,620,000. Meagher is requesting approval to correct this error. Mitchell noted that while the amounts due were included in the ARC, as a result of the reduced appropriations received from the City during the period from 2009-2015 the City failed to fund these amounts. He noted if approved our current cash flow picture may require payments of the amounts outstanding over time.

Foster suggested that the Board Attorney discuss this matter with the City Attorney before any action is taken by the Board. Mr. Robein suggested that we write Mr. Collogues to inform him that his request is being addressed.

Discussion followed on the Fund's treatment of member's DROP balances. Mitchell noted that DROP obligations due active members currently in DROP total approximately \$325,000 monthly. Beginning in 2016, deposits are made monthly to a DROP account to accumulate

DROP obligations due active members. Foster questioned the authority to maintain such an account. Mitchell noted that while not only prudent, he felt State Statutes required it. Discussion followed on the appropriateness of the decision.

MOTION: Moved by Lavene and seconded by Meagher to authorize the Fund staff to segregate active member DROP obligations effective January 1, 2015.

Motion passed.

Foster and McConnell opposed

LAKESWOOD MATTER

MOTION: Moved by Gaal and seconded by Marchese to go into executive session to discuss legal matters.

Motion passed.

NO OBJECTIONS

MOTION: Moved by McConnell and seconded by Lavene to come out of executive session to discuss legal matters.

Motion passed.

NO OBJECTIONS

MOTION: Foster moved and McConnell seconded a motion to urge and request that our business partner at Lakewood contact Mr. Goodreaux and request his interest in reinstatement and if he is interested in reinstatement that his membership be reinstated. Gall moved and Marchese seconded to "lay the motion on the table". The motion by Gaal passed with Gaal, Marchese, Lavene and Meagher voting for the motion and McConnell, Foster and Muse voting against the motion.

ADJOURNMENT

There being no further business the meeting adjourned.

TIMELY FILING OF APPLICATIONS:

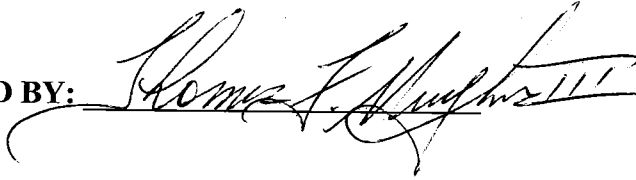
All Members applying for retirement, DROP or PLOP must do so 45 days in advance of the scheduled retirement date. All medical documentation for disability applications must be in the administrative office 45 days prior to the scheduled retirement date. Failure to comply with the Fund's rules will cause 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.

APPROVED BY:



DATE:

6/23/16