

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 10, 2017
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 Beverly Gariepy.

Also present,
Pam Meyer
Paul Mitchell
Louis Robein, Board Attorney
Bob Tarcza, Board Attorney
Kenny Prevost, retired firefighter
John Klumpp, retired firefighter
Mrs. John Klumpp, spouse
Richard Connor, retired firefighter
Mr. Juno, retired firefighter

A quorum being present, Board President Martin Gaal called the meeting to order at 10:17 a.m. Mr. Meagher lead the pledge of allegiance and a moment of silence for fallen firefighters and first responders.

Mr. Meagher noted that Bob Tarcza was on hand to provide the Board with information on several items including the FNBC matter, Wiznia and Parks of Plaquemines investments. Meagher requested a motion to take items out of order and go into executive session.

MOTION: Moved by Meagher and seconded by Marchese to take items out of order.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Meagher and seconded by Lavene to go into executive session to discuss the FNBC, Wiznia and Parks of Plaquemine matters.

Motion passed.

NO OBJECTIONS

MOTION: Moved by Meagher and seconded by Lavene to come out of executive session to discuss the FNBC, Wiznia and Parks of Plaquemine matters.

Motion passed.

NO OBJECTIONS

The executive session ended without additional motions or Board actions.

COMMUNICATIONS

None

REVIEW AND ACCEPT MINUTES

Gariepy requested that the minutes reflect that NOMERS Board members suggested that NOFFP seek state legislation to allow staff joining FRS or another State pension fund.

MOTION: Moved by Meagher and seconded by Lavene to approve the April regular Board minutes with correction. Motion passed.

NO OBJECTIONS

REFUND OF CONTRIBUTIONS

None

CHANGE OF BENEFICIARY

None

R.S. 11:3376 DISABILITY APPLICATIONS

MOTION: Moved by Meagher and seconded by Gaal 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 Lavene 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**

Roy R. Rousset: New Fund Fire Operator, age 45, with 14 years of service is applying for a 66 2/3% Service Connected Disability Pension effective May 10, 2017.

**MOTION: Moved by Meagher and seconded by Marchese to approve a 66 2/3% Service connected disability effective May 10, 2017 calculated at 66 2/3% of the member's last month's compensation.
Motion passed. NO OBJECTIONS**

Joseph Favaza, Sr.: New Fund Fire Operator, age 59 with 34 years of service is applying for a 66 2/3% Service connected Disability Pension effective May 10, 2017.

**MOTION: Moved by Meagher and seconded by Lavene to approve a 50% Service connected disability effective May 10, 2017. Member's request for a 66 2/3% service connected disability is denied. Member will also be advised of his right to appeal the decision to deny the 66 2/3% request.
Motion passed. NO OBJECTIONS**

Alfred J. Juno, Jr. : New Fund Fire Operator, age 66 with 43 years of service is applying for a 50% Service Connected Disability effective May 10, 2017.

**MOTION: Moved by Meagher and seconded by Lavene to approve a 50% Service connected disability effective May 10, 2017.
Motion passed. NO OBJECTIONS**

John C. Klumpp, III: New Fund Fire Captain, age 59 with 34 years of service is applying for a 50% Service Connected Disability pension effective May 10, 2017.

**MOTION: Moved by Meagher and seconded by Lavene to approve a 50% Service connected disability effective May 10, 2017.
Motion passed. NO OBJECTIONS**

Mariam B. Juno: Ms. Juno is a QDRO of Alfred Juno.

MOTION: Moved to approve the QDRO benefit of Ms. Mariam Juno.

Motion passed.

NO OBJECTIONS

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

Joseph N. Favaza, Sr. is applying for the higher benefit per RS 11:3376F (2)

MOTION: Moved by Meagher and seconded by Lavene to approve the Higher benefit election per RS 11:3376 F (2) for Joseph Favaza which provides a benefit calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and for all years or portion of a year of service until the member has reached 50 years of age; and at 3 1/3% for each year or portion of a year beyond 12 years of service and after 50 years of age. If the 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.

Motion passed.

NO OBJECTIONS

Alfred J. Juno, Jr. is applying for the higher benefit per RS 11:3376F (2)

MOTION: Moved by Meagher and seconded by Lavene to approve the Higher benefit election per RS 11:3376 F (2) for Mr. Juno which provides a benefit calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and for all years or portion of a year of service until the member has reached 50 years of age; and at 3 1/3% for each year or portion of a year beyond 12 years of service and after 50 years of age. If the 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.

Motion passed.

NO OBJECTIONS

John C. Klumpp III. is applying for the higher benefit per RS 11:3376F (2)

MOTION: Moved by Meagher and seconded by Lavene to approve the Higher benefit election per RS 11:3376 F (2) for Mr. Klumpp which provides a benefit calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and for all years or portion of a year of service until the member has reached 50 years of age; and at 3 1/3% for each year or portion of a year beyond 12 years of service and after 50 years of age. If the 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.

Motion passed.

NO OBJECTIONS

DROP WITHDRAWAL

Joseph Favaza, Sr. is requesting termination of his DROP period due to retirement.

MOTION: Moved by Meagher and seconded by Marchese to approve the DROP termination request of Mr. Favaza.

Motion passed.

NO OBJECTIONS

John Klumpp, III. is requesting termination of his DROP period due to retirement.

MOTION: Moved by Meagher and seconded by Marchese to approve the DROP termination request of Mr. Klumpp.

Motion passed.

NO OBJECTIONS

REGULAR RETIREMENT APPLICANTS:

Ukali Mwendo: New Fund Firefighter, age 66 with 38 years of service is applying for a regular Service Pension effective May 19, 2017.

MOTION: Moved by Meagher and seconded by Marchese to approve a Regular Service Pension benefit calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and for all years or portion of a year of service until the member has reached 50 years of age; and at 3 1/3% for each year or portion of a year beyond 12 years of service and after 50 years of age. If the member has beyond 30 years of service the retirement benefit for each year or portion of a year beyond 12 years of service the retirement benefit for each year shall be 3 1/3% up to 100% of the member's average annual compensation.

Motion passed.

NO OBJECTIONS

DROP APPLICATIONS:

None

REPORTS OF DEATHS

Pensioners:

Daniel J. Trosclair: Mr. Trosclair died on April 6, 2017 at the age of 84 with no widow and no minor children. He entered the department on August 1, 1960 and retired on October 20, 1985 after 25 years of service.

Frank E. White: Mr. White died on April 10, 2017 with no widow and no minor children at the age of 74. He entered the department on April 27, 1964 and retired on May 17, 1984 after 20 years of service. He spent 32 years on pension.

Maurice P Kinsella, Jr. : Mr. Kinsella died on April 18 2017 at the age of 77, leaving a widow and no minor children. He entered the department on May 10, 1971 and retired on July 12, 2000 after 29 years of service. He spent 16 years on pension.

Widows:

Rebecca R. Fontana: Mrs. Fontana died on April 1, 2017 at the age of 54. Her benefits began on August 1, 2015.

Elaine P. Kinsella, Jr. Mrs. Newman died on April 14, 2017 at the age of 77. Her benefits began 19 years ago on May 1, 1997.

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

Motion passed.

NO OBJECTIONS

WIDOW'S APPLICATIONS

Mrs. Ella E. Foto (John) is applying for a Line of Duty Widow's benefit effective April 1, 2017.

MOTION: Moved by Meagher and seconded by Gaal to approve a Line of Duty Death Benefit effective April 1, 2017 for Mrs. Foto.

Motion passed.

NO OBJECTIONS

Mrs. Leah Oestringer (Paul) is applying for a Line of Duty Widow's benefit effective March 1, 2017.

MOTION: Moved by Meagher and seconded by Gaal to approve a Non Duty Death Benefit effective September 1, 2016 for Mrs. Oestringer.

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 2017. Mr. Gaal requested that we add the total number of benefit recipients to the stats.

OLD BUSINESS:

NEW BUSINESS:

Falconhead Golf Course update: The matter was discussed in executive session at the beginning of the meeting.

SEB payment history request: Mitchell noted that the Fund was seeking a response from Mr. McConnell and the City attorney regarding a request for SEB payment information made by workmen's compensation on behalf of the City to several 2016 retirees. McConnell noted that he did not receive a response from the Law department and requested that Mr. Robein seek an answer.

Old System Reserve: Meagher reminded the Board that the Old System's reserves will be depleted at year end. Without a reserve benefit payments to the Old Fund members could be missed or delayed if the appropriations are not received timely from the City. He noted that Norman Foster considered returning a reserve amount to the Old Fund earlier this year and asked Ms. Gariepy to consider placing a reserve back in the Old Fund.

LEGAL:

Mr. Robein led the discussion on the following:

- There has been no response from the City Attorney on the applicable accrual rates for NOFF reinstatements. McConnell was requested to follow-up on the matter.

- There has been no activity in the Mischler matter. Abatement period extends for three years after the last legal action.
- The appeal to the alternative interpretation was filed during April. The City's brief is due shortly. Oral arguments not expected before Labor Day.
- Answers have been filed in the Lakewood matter. Depositions and ongoing discovery are expected.
- Update filed with the IRS for tax exempt qualification status.

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: Thomas F. Mumphrey III Date: 6/15/17