

# **NEW ORLEANS FIREFIGHTERS' PENSION AND RELIEF FUND**

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**Martin Gaal**  
**Board President**

**Thomas F. Meagher, III**  
**Secretary-Treasurer**

**SUBJECT:**

**Board of Trustees Regular Meeting  
Firefighters' Pension & Relief Fund**

**TIME, DATE AND PLACE:**

**April 11, 2018  
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 and Beverly Gariepy. Nick Lavene and Derrick Muse were absent.**

**Also present**

**Pam Meyer**

**Louis Robein, Board Attorney**

**Bob Tarcza, Board Attorney**

**Christina Carroll, Board attorney**

**Jay Bilas, firefighter**

**Kenny Prevost, retired firefighter**

**A quorum being present, Board President Martin Gaal called the meeting to order at 10:10 a.m.**

## **COMMUNICATIONS**

The Board received a thank you notes from the Eckert, Donovan, McNulty and Huff families. Martin Gaal acknowledged receipt of a thank you note from the Ron Silva family.

## **REVIEW AND ACCEPT MINUTES**

**MOTION: Moved by Meagher and seconded by Marchese to approve the March 2018 Regular Board minutes. There was no February 2018 meeting.**

**Motion passed.**

**NO OBJECTIONS**

**REFUND OF CONTRIBUTIONS**

Theodore Kreger eligible for a refund of contributions.. He paid contributions while on DROP.

**MOTION:** Moved by Meagher and seconded by Gaal to approve the refund of contributions for Mr. Kreger.

**Motion passed.**

**NO OBJECTIONS**

**CHANGE OF BENEFICIARY**

**None**

**MOTION:** Moved by Meagher and seconded by Muse to go into executive session to discuss medical records related to disability applications.

**Motion passed.**

**NO OBJECTIONS**

**MOTION:** Moved by Meagher and seconded by Lavene to come out of executive session

**Motion passed.**

**NO OBJECTIONS**

Beverly left the meeting.

**R.S. 11:3376 DISABILITY APPLICATIONS**

**None**

**DROP WITHDRAWAL**

**None**

**REGULAR RETIREMENT APPLICANTS:**

**None**

**DROP APPLICATIONS**

**None**

**REPORTS OF DEATHS**

**Pensioners:**

**Patrick R. McNulty:** Mr. McNulty died on March 13, 2018 at the age of 74, leaving a wife and no minor children. He entered the department on September 7, 1969 and retired after 30 years of service on January 12, 2000. He spent 18 years on pension.

**Charles G. Donovan:** Mr. Donovan died on March 14, 2018 at the age of 84, leaving a wife and no minor children. He entered the department on June 4, 1957 and retired on July 17, 1980 with 23 years of service. He spent 37 years on pension.

**Ronald J. Sylvia:** Mr. Sylvia died on March 22, 2018 at the age of 75, leaving a wife and no minor children. He entered the department on August 6, 1962 and retired on August 10, 1992 with 30 years of service. He received benefits for 25 years.

**Widows:**

**Dorothy C. Alhais:** died on March 13, 2018 at the age of 89. Her benefits began on October 1, 2016. She received benefits for just over a year.

**Ethel Arnold** died on January 15, 2018 at the age of 97. Her benefits began on October 1, 1982 and continued for 35 years.

**Genevieve T. Eck** died on March 16, 2018 at the age of 89. Her benefits began on January 1, 2016 and continued for just over two years.

**MOTION:** Moved by Meagher and seconded by Marchese to remove the above noted deceased member from the pension rolls.

Motion passed.

NO OBJECTIONS

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

Motion passed.

NO OBJECTIONS

**MOTION:** Moved by Meagher and seconded by Gaal to come out of executive session

Motion passed.

NO OBJECTIONS

**WIDOW'S APPLICATIONS**

**MOTION:** Moved by Meagher and seconded by Marchese to go into executive session to discuss medical matters.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by Meagher and seconded by Gaal to come out of executive session

Motion passed.

**NO OBJECTIONS**

**Mrs. Paula Cook** is applying for a Line of Duty Widow's benefit effective December 1, 2017.

**MOTION:** Moved by Meagher and seconded by Marchese to approve a Non Duty widow's benefit effective December 1, 2017 and deny the Line of Duty widow's benefit. The widow will have the right to appeal the decision.

Motion passed.

**NO OBJECTIONS**

**Mrs. Jo Ann S. McNulty** is applying for a Non Duty Widow's benefit effective April 1, 2017.

**MOTION:** Moved by Meagher and seconded by Gaal to approve the Non Duty widow's benefit effective April 1, 2017 for Mrs. McNulty.

Motion passed.

**NO OBJECTIONS**

**Mrs. Rochelle Beba** is applying for a Line of Duty Widow's benefit effective March 1, 2017.

**MOTION:** Moved by McConnell and seconded by Marchese to approve a Line of Duty widow's benefit effective March 1, 2017.

Motion passed.

**NO OBJECTIONS**

**APPLICATIONS PENDING**

**Mrs. W. Wayne Kerth** has requested additional time to prepare her appeal in support of her Line of Duty widow's benefit.

**Mrs. Johnny Leos** : Her attorney has forwarded a request for appeal hearing.

**Mrs. Terrence Gilbert**: Is requesting additional time to gather medical information to support her appeal.

**FINANCIAL INFORMATION**

Board members were provided with key financial revenue and disbursement figures for the New and Old system for January and March 2018.

**OLD BUSINESS:**

**SEB payment history request:** No update.

**Information for life insurance:** No update

**Request to make ADP program adjustments for member contributions:** Based on our conversations with members, all adjustments have been accomplished.

**NEW BUSINESS:**

**Louisiana compliance Questionnaire**

In connection with the Fund's audit for the year ended December 31, 2017, the Louisiana Legislative auditor has requested that the Board complete and adopt the compliance questionnaire. Responses to the questionnaire were prepared by Fund staff and will be reviewed by auditors after adoption by the Board.

**MOTION:** Moved by Meagher and seconded by Marchese to approve the adoption of the Louisiana Compliance Questionnaire.

Motion passed.

**NO OBJECTIONS**

**LEGAL:**

Mr. Robein led the discussion on the following:

- The appeal to the alternative interpretation was filed during April. Oral arguments were held on September 12, 2017. The 2-1 decision to overturn was referred to a five member panel and argued on December 7, 2017. Decision will be discussed in executive session.
- The Lakewood matter will continue depositions during May and will be discussed in executive session.
- There has been no action in the Mischler litigation matter.
- The mandamus matter has not been closed by the City. No action on this matter.

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

Motion passed.

NO OBJECTIONS

**MOTION:** Moved by Meagher and seconded by Marchese to come out of executive session

Motion passed.

NO OBJECTIONS

**MOTION:** Moved by Meagher and seconded by Gaal to ratify the settlement and release agreement executed by counsel in connection with the March 21, 2018 decision of the Louisiana Court of Appeals for the Fourth Circuit.

**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; 5/9/18