

# **NEW ORLEANS FIRE FIGHTER'S PENSION AND RELIEF FUND**

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**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:**

**1 pm May 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, Scott Jacobs, and Norman Foster.**

**Absent: None**

**Total as follows: Seven (7) members present, no (0) members absent. A quorum being present, the meeting was called to order at 1:04 pm.**

**Also present,  
Pam Meyer  
Louis Robein, Board attorney  
Bob Tarza, Board attorney  
Paul Mitchell  
Kenny Prevost, firefighter  
Jesse Evans, NOMERS  
Richard Hampton, retired firefighter  
Terry Hampton, retired firefighter  
Nick Felton, firefighter  
Derrick Francis, Mayor's office  
David Watkins, firefighter  
John Petruska, firefighter  
Audrey Plaisance, firefighter**

**REVIEW AND ACCEPT MINUTES**

**MOTION:** Moved by Gaal and seconded by Marchese to approve the minutes for the April 2014 meetings.

Motion passed.

**NO OBJECTIONS**

**COMMUNICATIONS**

None

**REFUND OF CONTRIBUTIONS**

None

**CHANGE OF BENEFICIARY**

Gregory J. Brown and Richard Johnson have requested changes to their beneficiary files.

**DROP WITHDRAWAL**

None

Mr. Mitchell noted that Mr. Tarza was on hand to discuss the Natchez matter which involves sale negotiations. He requested that the Board consider taking items out of order on the agenda.

**MOTION:** Moved by Meagher and seconded by Marchese to move the Natchez item up on the agenda for discussion in executive session.

Motion passed

**NO OBJECTIONS**

**MOTION:** Moved by Jacobs and seconded by Gaal to go into executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications and the Natchez matter.

Motion passed.

**NO OBJECTIONS**

McConnell and Foster entered the meeting.

**MOTION:** Moved by Lavene and seconded by Jacobs to come out of executive session to review medical documentation and reserve privacy rights to members for Service Connected Disability Pension applications and the Natchez matter.

Motion passed.

**NO OBJECTIONS**

**NEW APPLICATIONS:**

**Kelly M. Fay:** New Fund Fire Operator, age 52 with 13 years of service has applied for a Regular Service Pension effective April 22, 2014.

**MOTION:** Moved by Lavene and seconded by Gaal to approve the Regular Service Pension for Ms. Fay effective April 22, 2014.

Motion passed.

**NO OBJECTIONS**

**Thor J Barr:** New Fund Fire Captain, age 41 with 12 years of service has applied for a 50% Service Connected Disability Pension effective May 9, 2014.

**MOTION:** Moved by Meagher and seconded by Lavene to approve a 50% Service Connected Disability Pension effective May 9, 2014 for Mr. Barr.

Motion passed.

**NO OBJECTIONS**

**DROP APPLICATIONS:**

**Richard D. Condon II-** New Fund Fire Captain- Age 52-30 years of service.

**MOTION:** Moved by Gaal and seconded by Lavene to approve a DROP application for Mr. Condon.

Motion passed.

**NO OBJECTIONS**

**REPORTS OF DEATHS**

**Pensioners:**

**Joseph D. Brouillette:** Died at age 81 on February 14, 2014 with no widow and no minor children. Benefits began on May 10, 1984. 29 years on benefits.

**Leonard J. Harding:** Died at age 93 on April 25, 2014 with a widow and no minor children. Benefits began on August 1, 1966. 47 years on benefits.

**Widows:**

**Almeda C. Fuller:** Died at age 81 on March 31, 2014. Benefits began on August 1, 1956. 56 years on benefits.

**Joanna M Oliphant:** Died at age 85 on March 22, 2014. Benefits began on August 1, 2009. 4 years on benefits.

**Alice M. Daigle:** Died at age 87 on April 2, 2014. Benefits began on September 1, 2002. 11 years on benefits.

**MOTION:** Moved by Gaal and seconded by Marchese to remove the above noted deceased members and beneficiaries from the rolls.

Motion passed.

**NO OBJECTIONS**

**WIDOW'S APPLICATIONS**

None

**APPLICATIONS PENDING**

None

**OLD BUSINESS:**

**Natchez:** the Fund has a note and ownership in this investment which is currently being negotiated. Negotiations are in its final stages with closing scheduled in the coming weeks.

**MOTION:** Moved by Gaal and seconded by Lavene to release Mr. Reuther from the loan guarantee pending closing on the Natchez note and to authorize the Secretary-Treasurer and staff to continue negotiations with respect to the current note in the best interest of the Fund. The Secretary Treasurer is authorized to move forward with closing on the note under terms discussed during executive session.

Motion passed.

**NO OBJECTIONS**

**Service Transfers into the NOFF system from other public retirement systems:** Board members were presented with documentation of the service transfer procedures adopted by other retirement systems and excerpts from R.S.11:143 concerning transfers of service between Louisiana public retirement systems which do not have a separate service transfer reciprocity agreement. These minutes serve to document adoption of an administrative policy effective May 9, 2014 as recommended by the opinions of the actuary and system counsel to apply the NOFF benefit multiplier of 3 1/3% for members with 30 years of total service to be used for all years, which includes years for transferred service. There are no changes to the service transfer procedures for members having less than 30 years of service.

**NEW BUSINESS:**

The Board has received Qualified Domestic Relations Orders on behalf of Merlin Daray and Lawrence Hudson. Approval to implement the QDRO's is requested.

**MOTION:** Moved by Meagher and seconded by Gaal to implement the QDRO's of Mr. Daray and Hudson.

Motion passed.

**NO OBJECTIONS**

**LEGAL:**

**Financial Disclosures:** Board members were reminded that annual financial disclosure forms are due in Baton Rouge by May 15, 2014.

Mr. Louis Robein was on hand to provide the Board with an update on various matters being addressed by our legal counsel.

**MOTION:** Moved by Jacobs and seconded by Gaal to go into executive session for discussion of strategy and negotiations with respect to actual litigation on the following items: Desmoreaux v Lakewood, Longevity/annual leave and Mandamus litigation.

Motion passed.

**NO OBJECTIONS**

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

Motion passed.

**NO OBJECTIONS**

**Litigation over Liquidation of First America Asia Fund:**

**MOTION:** Moved by Meagher and seconded by Gaal to authorize Board counsel to move for status conference with defendant attorney and move forward with a monetary offer.

Motion passed.

**NO OBJECTIONS**

**Desmoreaux v Lakewood et. al, CDC Orleans:**

Plaintiffs have requested to dismiss this case.

**Funding Mandamus:** (Norman Foster recused himself and left the room.) The City has filed a petition with the Louisiana Supreme Court to stay the decision of the Louisiana Court of appeals. Board members discussed the necessity of moving forward with legal action against the City for nonpayment of its obligations under the mandamus. Members would delay legal action as long as negotiations were positive. City officials have not expressed an interest in finding funding outside of bills submitted to the legislature. Adoption of those bills is deemed doubtful at this time.

**MOTION:** Moved by Gaal and seconded by Meagher to direct Fund counsel to seek a status conference with the District Court Judge.

Motion passed.

**McConnell opposed and Jacobs abstained**

**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 2:30 pm. The next regular meeting of the Board of Trustees is June 4, 2014.

APPROVED: 

DATE: 6/11/14