

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:

**October 14, 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, Derrick Muse, Nick Lavene and Norman Foster.

A quorum being present, Board President Martin Gaal called the meeting to order at 11:05 a.m.

Also present,

**Pam Meyer
Louis Robein, Board Attorney
Paul Mitchell
Kenny Prevost, Retired Firefighter
Derrick Francis, Mayor's office
Darren Imbraguglio, Fire Operator**

COMMUNICATIONS

None

REVIEW AND ACCEPT MINUTES

Minutes were not emailed to board members before the meeting. Approval of September minutes deferred until next meeting.

REFUND OF CONTRIBUTIONS

None

CHANGE OF BENEFICIARY

James Gaudin, Sr., Kevin McCorkle, Rick LaCava, Sr. and Rodney C. Fauchaux submitted changes to their respective beneficiary forms.

DROP WITHDRAWAL Effective October 31, 2015

None

R.S. 11:3376 DISABILITY APPLICATIONS

None

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

None

DROP APPLICATIONS: October 1, 2015

Steven T. Condon: New Fund Fire Operator, age 50 with 24 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 ½% for the first 12 years of service and 3 1/3 % for all years of service and partial years after the first 12 years of service.

McConnell offered a substitute motion,

MOTION: Moved by McConnell and seconded by Foster to approve a DROP benefit calculated at 2 ½% for the first 12 years of service and for all years of service until Mr. Hughes reaches age 50 and 3 1/3% for all years of service beyond age 50 and 12 years of service. If the member has 30 years of service the member will be credited with 3 1/3% for each year of service beyond 12 years of service. Meagher, Marchese, Gaal and Lavene vote against. McConnell, Muse and Foster voted for. Substitute motion failed.

Vote on original motion.

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

REPORTS OF DEATHS

Pensioners:

Dennis E. Mouchon: Mr. Mouchon died on August 29, 2015 at age 70, leaving a widow and no minor children. He entered the department on April 27, 1964 and retired on May 18, 1995 with 31 years of service. Mr. Mouchon spent 20 years on pension.

Merlin J. Vogel: Mr. Vogel died on September 18, 2015 at age 70 leaving a widow and no minor children. He entered the department on June 21, 1971 and retired on February 11, 1997 after 26 years of service. Mr. Vogel spent 18 years on pension.

Gary A. Delucca: Mr. Delucca died on October 4, 2015 at age 73 leaving a widow and no minor children. He entered the department on March 3, 1963 and retired on May 16, 1988 after 25 years of service. He spent 27 years on pension.

Danny J. Morreale: Mr. Morreale died on July 17, 2015 at the age of 67 without a widow and no minor children. He entered the department on September 13, 1976 and retired on December 31, 1988 with 12 years of service. He spent 27 years on pension.

Widows:

None

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

Motion passed.

NO OBJECTIONS

CHILD BENEFIT APPLICATION

MOTION: Moved by Meagher and seconded by Marchese 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 Gaal 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

Jennifer E. Pendleton: Daughter of Bruce P. Fontana has applied for a child benefit effective retroactive to August 1, 2015.

MOTION: Moved by Meagher and seconded by Marchese to approve a dependent child death benefit per RS 11:3378 A (g) for Jennifer E. Pendleton, effective retroactive to August 1, 2015.

Motion passed.

NO OBJECTIONS

WIDOW'S APPLICATIONS

None

APPLICATIONS PENDING

None

OLD BUSINESS:

Recertification of Disability: Meyer noted that 1 (one) recertification remains outstanding. The disabled member was expected to visit his physician on September 17, 2015. We are waiting on the paperwork resulting from that visit.

NEW BUSINESS:

Expense Committee: Mitchell noted that the Expense Committee should meet to review expenses for the prior two quarters. Members agreed to review expenses during the next Board meeting.

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 change since last meeting.

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

Litigation reopened. Court date set for October 6, 2015.

Mischler et al v State of Louisiana et al:

The original Mischler lawsuit has been consolidated with Tarranto.

Taranto et al v City of New Orleans

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

Longevity Litigation:

The Louisiana Supreme Court stayed the house arrest orders of Judge Reese until further rulings by the Court.

Mediation:

Mediation continues.

ADJOURNMENT

There being no further business, benefit calculations were deferred to a later date. The meeting adjourned at 11:05 am.

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.

Signed By:



DATE:

12/2/15