

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

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**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:**

**March 9, 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 9:05 a.m. after the Pledge of Allegiance and a moment of silence for fallen firefighters.**

**Also present,**

**Pam Meyer  
Louis Robein, Board Attorney  
Paul Mitchell  
Earl Valois, firefighter  
Kenny Prevost, retired firefighter  
Nick Felton, retired firefighter**

## **COMMUNICATIONS**

None

## **REVIEW AND ACCEPT MINUTES**

Approval of minutes will be deferred until the next meeting.

**REFUND OF CONTRIBUTIONS**

Anthony Lonon is due a refund of \$3,960.60 in contributions made while on DROP.

**MOTION: Moved by Meagher and seconded by McConnell to approve the refund of contributions to Mr. Lonon.**

**Motion passed.**

**NO OBJECTIONS**

**CHANGE OF BENEFICIARY**

William Foght, Michael Adams, Cynthia Young, Wilber Serpas, Jr., Earl Dejan, Wayne Verges, Henry Schorr, Jr., and Darrell Phillips have submitted current beneficiary forms.

**DROP WITHDRAWAL**

Donald Williams has requested to terminate his DROP effective March 8, 2016.

**MOTION: Moved by Meagher and seconded by Marchese to approve the withdrawal of Mr. Meyers from DROP effective March 8, 2015.**

**Motion passed.**

**NO OBJECTIONS**

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

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

**Earl P. Valois is a New Fund Fire District Chief applying for a 50% Service Connected Disability effective March 9, 2016. The member is 58 years old with 33 years of service.**

**MOTION: Moved by Meagher and seconded by Gaal to approve a Service connected disability March 9, 2016 calculated at 3 1/3% for all years of service up to 100% of pensionable salary.**

**A substitute motion moved by McConnell and seconded by Foster to approve a 50% Service Connected Disability retirement benefit for Mr. Earl Valois effective March 9, 2016 pursuant to R.S.11: 3376 (B) or to alternatively approve a regular retirement benefit in accordance with all conditions of R.S. 11:3384 calculated as 2 ½% of his average compensation for his first 12 years of service and for all years or portion of a year of service until he has reached 50 years of age; and at 3 1/3% for each year or portion of a year beyond twelve years of service and after 50 years of age. If he 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.**

**Substitute motion passed.**

**NO OBJECTIONS**

Meagher, Gaal, Marchese and Lavene noted that their vote was to approve the disability election.

**Donald Williams:** is a New Fund Fire fighter applying for a 50% Service Connected Disability effective March 9, 2016. The member is 60 years old with 22 years of service.

**MOTION:** Moved by Meagher and seconded by Gaal to approve a Service connected disability effective March 9, 2016 calculated at 2 1/2% for the first 12 years of service and 3 1/3% all years of service up to 100% of pensionable salary.

**A substitute motion moved by McConnell and seconded by Foster to approve a 50% Service Connected Disability retirement benefit pursuant to RS11:3376(B) or to alternatively approve a regular retirement benefit calculated in accordance with all conditions of RS11:3384 to be calculated as 2½% for the 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 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.**

**Substitute motion passed**

**NO OBJECTIONS**

Meagher, Gaal, Marchese and Lavene noted that their vote was to approve the disability election.

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

**Earl Valois:**

**MOTION:** Moved by Meagher and seconded by Gaal to approve the higher benefit election per RS 11:3376 F (2) for Earl Valois which provides a benefit of 3 1/3% of his average annual compensation for all years of service up to 100% of his average annual compensation, as outlined in the worksheet provided to members.

McConnell, Muse and Foster voted against the motion. Meagher, Marchese Gaal and Lavene voted for the motion. Motion passed.

**Donald Williams:**

**MOTION:** Moved by Meagher and seconded by Marchese to approve the Higher benefit election per RS 11:3376 F(2) for Donald Williams which provides a benefit of 2 ½% for the first twelve years of service and 3 1/3% for each year of service beyond 12 years of service. McConnell, Muse and Foster voted against the motion. Meagher, Marchese Gaal and Lavene voted for the motion. Motion passed.

**REGULAR RETIREMENT APPLICANTS:**

None

**DROP APPLICATIONS:** Effective March 1, 2016

**David F. Nick:** New Fund Fire Captain, age 55 with 23 years of service is applying to enter DROP.

**MOTION:** Moved by Meagher and seconded by Lavene 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 Foster, to approve a DROP application for Mr. David Nick effective March 1, 2016 with a regular retirement benefit in accordance with all conditions of RS 11:3384 to be calculated at 2 ½% for all years of

service until he 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 he 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%. 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 voted against. Motion passed.

Eric J. Eschete: New Fund Fire Captain, age 55 with 26 years of service is applying to enter DROP.

**MOTION**: Moved by Meagher and seconded by Lavene 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 application for Mr. Eric Eschete effective March 1, 2016 with a regular retirement benefit in accordance with all conditions of RS 11:3384 to be calculated at 2 1/2% of his average annual compensation for all years or portion of a year of service until he has reached 50 years of age; and 3 1/3% for each year or portion of a year beyond 12 years of service and 50 years of age. If he 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 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 voted against. Motion passed.

**REPORTS OF DEATHS**

**Pensioners:**

**Merlin L. Daray:** Mr. Daray died on February 17, 2016 at the age of 70, leaving a widow and no minor children. He entered the department on October 26, 1970 and retired with 35 years of service on January 11, 2006. He spent 10 years on pension.

**Milton A. Hymel:** Mr. Hymel died on February 23, 2016 at the age of 86, leaving a widow and no minor children. He entered the department on February 11, 1952 and retired on March 5, 1973 after 21 years of service. He spent 43 years on pension.

**Widows:**

**Elma Hirstius Wellinghoff:** Ms. Wellinghoff died on January 22, 2016 at the age of 91. Her benefits began on April 1, 1991.

**Jean M. Guidry:** Ms. Guidry Died on March 1, 2016 at the age of 87. Her benefits began on November 1, 2000.

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

**Motion passed.**

**NO OBJECTIONS**

**APPLICATIONS PENDING**

None

**OLD BUSINESS:**

**Security Breech:** Mitchell noted that an estimated 2500 persons have been affected by the security breach. Letters to the affected persons will offer one year membership of Experian's ProtectMyID Elite. This product helps detect possible misuse of personal information. Members are required to sign up for the protection. The Fund will absorb the one year membership fee at a cost of approximately \$52.00 per person.

**Forensic Audit:** Mr. Meagher noted that Mr. Shulz has rescinded his request in writing to perform a forensic audit of Lakewood.

**Expense Committee:** The next Expense committee meeting will be held on April 13, 2016.

**NEW BUSINESS:**

**Raymond Laviolette:** Mr. Freeman has requested a transfer of service credits to FRS. The actuarial value of the transfer is \$44,983.25 at March 1, 2016 plus interest to date of payment.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the transfer of service credits for Mr. Laviolette.

**Motion passed.**

**NO OBJECTIONS**

**LEGAL:**

Mr. Robein noted that January 31, was the deadline for the Fund complete its IRS application for a Tax determination Letter, which would, if approved, continue the tax exempt status for the Fund. Mr. Robein provided each member with a copy of the application and discussed the complexities of the document.

A discussion followed on the four bills filed in the legislature this session. The bills HB 56,57,58, and 59 will limit the ability to do both DROP and PLOP, allow for conversion of sick and annual leave for service credits, allow for pre-tax of employee contributions and reduce accrual rates for future employees. Fiscal notes have been requested for the bills.

Mischler cases have been consolidated. No action has been taken on the matter by the plaintiffs.

**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**

**ADJOURNMENT**

There being no further business the meeting adjourned.

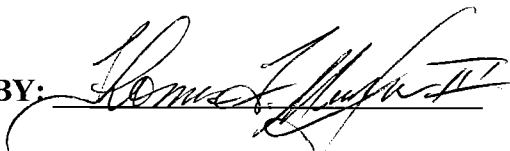
**TIMELY FILING OF APPLICATIONS:**

**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:

