

# 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:**

**September 13, 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, Nick Lavene, and Derrick Muse. Beverly Gariepy and Tim McConnell were absent.**

**Also present  
Pam Meyer  
Paul Mitchell  
Christina Carroll, Board Attorney  
Jon Bialas, active firefighter  
Chris Mickal, active firefighter**

**A quorum being present, Board President Martin Gaal called the meeting to order at 10:08 a.m.**

## **COMMUNICATIONS**

Beverly Gariepy telephoned to indicate that she would not attend the meeting.

## **REVIEW AND ACCEPT MINUTES**

**MOTION: Moved by Meagher and seconded by Marchese to approve the August 9, 2017 Regular Board minutes.**

**Motion passed.**

**NO OBJECTIONS**

**MOTION:** Moved by Meagher and seconded by Marchese to approve the August 24, 2017 Special Meeting Board minutes.

Motion passed.

**NO OBJECTIONS**

**REFUND OF CONTRIBUTIONS**

Meyer noted that Nels Abrams is leaving the department and requesting a refund of contributions.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the refund of employee contributions to Nels Abrams.

Motion passed.

**NO OBJECTIONS**

**CHANGE OF BENEFICIARY**

Michael Gowland, Jake Currera and Henry Gibson completed change of beneficiary forms.

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

None

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

None

**APPLICATIONS TO REVOKE DROP**

Chris Mickal and Robert Martory have elected to revoke their earlier decision to enter DROP:

**MOTION:** Moved by Meagher and seconded by Lavene to approve the applications to revoke DROP for Chris Mickal and Robert Martory listed.

Motion Passed.

**NO OBJECTIONS**

**DROP WITHDRAWAL**

None

**REGULAR RETIREMENT APPLICANTS:**

**Henry J. White:** New Fund Fire Operator, age 60 with 30 years of service is applying for a

Regular Service pension effective September 1, 2017.

**MOTION:** Moved by Meagher and seconded by Gaal 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 shall be 3 1/3% up to 100% of the member's average annual compensation.

Motion passed.

**NO OBJECTIONS**

### **DROP APPLICATIONS**

**Chris Mickal:** New Fund Fire District Chief, age 58 with 33 years of service is electing to start DROP effective July 1, 2013

**MOTION:** Moved by Lavene and seconded by Gaal to approve the DROP application for Mr. Mickal effective January 1, 2013 with benefits for periods beginning January 1, 2017 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, and for periods prior to January 1, 2017 the benefit is calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and at 3 1/3% for each year or portion of a year beyond 12 years of service. If the member has beyond 30 years of service the retirement benefit for each year or portion of a year shall be 3 1/3% up to 100% of the member's average annual compensation

Motion passed.

**NO OBJECTIONS**

**Robert J. Martory:** a New Fund Captain, age 52 with 31 years of service, is applying to enter DROP effective January 1, 2013.

**MOTION:** Moved by Meagher and seconded by Marchese to approve a DROP Pension benefit effective July 1, 2017 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% of the member's average annual compensation up to 100% of the member's average annual compensation. For periods prior to January

1, 2017 the benefit is calculated at 2 ½% of the member's average annual compensation for the member's first 12 years of service and at 3 1/3% for each year or portion of a year beyond 12 years of service. If the member has beyond 30 years of service the retirement benefit for each year or portion of a year shall be 3 1/3% up to 100% of the member's average annual compensation

Motion passed.

NO OBJECTIONS

### REPORTS OF DEATHS

#### Pensioners:

**Terrence L. Gilbert:** Mr. Gilbert died on August 3, 2017 at the age of 66 after 21 years on pension, leaving a widow and no minor children. He entered the department on April 23, 1973 and retired on October 23, 1995 after 22 years of service.

**Raoul J Castanedo:** Mr. Castanedo died on August 8, 2017, at the age of 73, leaving a widow and no minor children. He entered the department on August 2, 1971 and retired on August 7, 2005 after 34 years of service. He spent 12 years on pension.

**Gregory J. Howard, Sr.** Mr. Howard was an active member at the time of his death. He is survived by a widow and two minor children. He entered the department on August 16, 2007 and was 36 years young.

**Patrick C. McGittigan:** Mr. McGittigan died at the age of 68 on August 5, 2017, after 29 years on pension, leaving a widow and no minor children. He entered the department on January 6, 1975 and retired on July 17, 1988 after 13 years of service.

#### Widows:

**Carol B. Cassreino (John):** Mrs. Cassreino died on August 16, 2017 at the age of 73. Her benefits began in August 1994. She received benefits for 23 years.

**Lavina S. Magnon (Jack):** Mrs. Magnon died on August 18, 2017 at the age of 75. Her benefits began on November 1, 1982. She received benefits for 34 years.

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

Motion passed.

NO OBJECTIONS

**WIDOW'S APPLICATIONS**

**Mrs. Cheryl Castanedo** is applying for a Non Duty Widow's benefit effective September 1, 2017.

**MOTION:** Moved by Meagher and seconded by Marchese to approve a Non Duty Death Benefit effective September 1, 2017 for Mrs. Castanedo.

Motion passed.

**NO OBJECTIONS**

**Mrs. Shirley P. Guillotte** is applying for a Non Duty Widow's benefit effective August 1, 2017.

**MOTION:** Moved by Meagher and seconded by Muse to approve a Non Duty Death Benefit effective August 1, 2017 for Mrs. Guillotte.

Motion passed.

**NO OBJECTIONS**

**Mrs. Juanita Gilbert** is applying for a Non Duty Widow's benefit effective August 1, 2017. Mrs. Gilbert has noted that she believes her husband is eligible for a line of duty benefit and has requested to provide additional medical information at a later date. Discussion followed on Mr. Gilbert's medical condition.

**MOTION:** Moved by Meagher and seconded by Lavene to approve a Non Duty Death Benefit effective August 1, 2017 for Mrs. Gilbert and allow her the necessary time to provide additional evidence to support the line of duty benefit. The Board will review the additional evidence and make a line of duty eligibility decision at that time.

Motion passed.

**NO OBJECTIONS**

**Mrs. Vivian Wilder** is applying for a Non Duty Widow's benefit effective June 1, 2016. Mrs. Wilder passed away on October 4, 2016 and did not apply for a widow's benefit before her death. Her estate is making application for the benefit. Meyer noted that legal counsel finds no problems with issuance of the benefit to the estate.

**MOTION:** Moved by Meagher and seconded by Gaal to approve a Non Duty Death Benefit effective June 1, 2016 to October 31, 2016 to the estate pending receipt of the application.

Motion passed.

**NO OBJECTIONS**

**Mrs. Dominique Howard** is applying for a widow's benefit effective August 26, 2017 and application for dependent child's benefit for both children, Gregory, Jr. and Dillion.

**MOTION:** Moved by Meagher and seconded by Marchese to approve the widow's benefit calculated at 50% of the member's last month salary and a dependent child's benefit for both children upon receipt of the widow's application.

Motion passed.

**NO OBJECTIONS**

**William Jared Sanchez:** is applying for a dependent child benefit effective June 1, 2017. Jared is the special needs son of William Sanchez.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the dependent child benefit for Jared Sanchez effective June 1, 2017.

Motion passed.

**NO OBJECTIONS**

### **APPLICATIONS PENDING**

**Robin Hennessey** is requesting an extension of time for her appeal of the line of duty widow's application. Meagher noted that the Board will work with all members regarding benefit applications. Members noted that the Fund is aware of her decision to appeal the benefit and will await receipt any supporting information.

### **FINANCIAL INFORMATION**

Board members were provided with key financial revenue and disbursement figures for the New and Old system for August 2017.

### **OLD BUSINESS:**

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

**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 that efforts be made to consider placing a reserve back in the Old Fund. Ms. Gariepy was not at the meeting.

**FNBC Loans:** Meagher noted that the Fund has made complete payments on both Falconhead notes. The FDIC will place the Lakewood note in a pool available to the highest bidder.

**Information for life insurance:** Staff has confirmed life insurance coverage for certain members who retired disabled. City Hall representatives have refused to provide members of the fund with a listing of persons covered under this policy citing privacy issues. Discussion followed.

**NEW BUSINESS:**

**Waiver of recourse payment:** The Fund is awaiting a check from Ms. Gariepy, who did not attend this meeting.

**Employee contribution while on DROP:** the City has informed staff that the payroll program does not allow collection of contributions after a member has completed or revoked DROP. The Board would like to discuss this matter with Ms. Gariepy.

**LEGAL:**

Ms. Carroll led the discussion on the following:

- There has been no response from the City Attorney on the applicable accrual rates for NOFF reinstatements/rehires. Meagher noted that the Board should adopt a motion adopting the suggested accrual rates applicable to reinstatements. He will defer the motion until the next meeting.
- The appeal to the alternative interpretation was filed during April. Oral arguments were held on September 12, 2017. Counsel felt very good about the hearing. We should have a decision in one to two months.
- The Lakewood matter is set for mediation in October. This matter was discussed in executive session.

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

Motion passed.

**NO OBJECTIONS**

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

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: Thomas F. Hughes III Date: 10/13/17