

# NEW ORLEANS FIREFIGHTERS' PENSION AND RELIEF FUND

**Martin Gaal**  
Board President

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

**SUBJECT:**

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

**TIME, DATE AND PLACE:**

**December 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, Tim McConnell, Beverly Gariepy and Derrick Muse.**

**Also present**

**Pam Meyer**

**Louis Robein, Board Attorney**

**Richard Connors, retired firefighter**

**Kenny Prevost, retired firefighter**

**Robert Tarcza, Board attorney**

**Emma Short, Board attorney**

**Jay Bilas, firefighter**

**A quorum being present, Board President Martin Gaal called the meeting to order at 10:25 a.m.**

## **COMMUNICATIONS**

Mr. Meagher noted that the LATEC educational conference will be held at the Royal Sonesta Hotel in New Orleans on February 7-9. Board members and staff are allowed to attend free of charge.

**MOTION: Moved by Meagher and seconded by Gaal to approve attendance to the LATEC conference to Board members and staff.**

**Motion passed.**

**NO OBJECTIONS**

**REVIEW AND ACCEPT MINUTES**

**MOTION:** Moved by Meagher and seconded by Lavene to approve the October 2017 Regular Board minutes.

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by Meagher and seconded by Lavene to approve the November 2017 Regular Board minutes.

Motion passed.

**NO OBJECTIONS**

**REFUND OF CONTRIBUTIONS**

**Lateef J. Shaheer** has rescinded his refund request of his contributions. He has not resigned. No action taken on this request.

**Joseph Jennings** has requested a refund of his contributions due to a resignation.

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

Motion passed.

**NO OBJECTIONS**

**CHANGE OF BENEFICIARY**

None

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

None

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

None

**APPLICATIONS TO REVOKE DROP**

Robert Pitre, Sr. (October 2017), Victor Lacava (September 2017), Richard Veazey (July 2017), Stephen Pagart (June 2017) and Michael Williams (September 2017) have completed applications to revoke DROP effective on the dates following their names.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the DROP revoke applications listed.

Motion passed.

**NO OBJECTIONS**

**DROP WITHDRAWAL**

None

**REGULAR RETIREMENT APPLICANTS:**

None

**DROP APPLICATIONS** (Effective September 1, 2017)

**Michael Williams:** New Fund Firefighter, age 60 with 24 years of service is applying to enter DROP effective September 1, 2017.

**MOTION:** Moved by Meagher and seconded by Lavene to approve a DROP application for Mr. Williams effective September 1, 2017 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%.

Motion passed.

**NO OBJECTIONS**

**REPORTS OF DEATHS**

**Pensioners:**

**Wilbur J. Cook, Jr.** Mr. Cook died on November 14, 2017 at the age of 75, leaving a widow and no minor children. He entered the department on November 13, 1972 and retired on February 11, 1998 after 26 years of service. He spent 19 years on pension.

**Johnny A. Leos:** Mr. Leos died on November 16, 2017 at the age of 73, leaving a widow and no minor children. He entered the department on September 21, 1969 and retired on June 17, 1994 after 24 years of service. He spent 23 years on pension.

**Melvin Victor:** Mr. Victor died on November 28, 2017 at the age of 72, leaving a widow and no minor children. He entered the department on October 21, 1979 and retired on March 3, 2004 after 25 years of service. He spent 13 years on pension.

**John Eckert:** Mr. Eckert died on December 1, 2017 at the age of 82, leaving no widow and no

minor children. He entered the department on July 20, 1970 and retired on August 3, 1986 after 16 years of service. He spent 31 years on pension.

**Widows:**

**Shirley T. Thro:** Mrs. Thro died on November 6, 2017 at the age of 87. Her benefits began effective April 1984. She was provided pension benefits for 33 years.

**Alice Howard:** Mrs. Howard passed away on November 15, 2017 at the age of 79. Her benefits were effective November 2003. She was provided pension benefits for 14 years.

**Dorothy Monteleone:** Mrs. Monteleone passed away on November 30, 2017 at the age of 86. Her benefits were effective beginning November 1997 and were provided for 20 years.

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

Motion passed.

**NO OBJECTIONS**

**WIDOW'S APPLICATIONS**

**MOTION:** Moved by Meagher and seconded by Gaal 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. Lorraine C. Boudreaux** is applying for a Line of Duty Widow's benefit effective November 1, 2017.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the Line of Duty widow's benefit effective November 1, 2017.

Motion passed.

**NO OBJECTIONS**

**Mrs. Ellen McGittigan** is applying for a Non Duty Widow's benefit effective October 1, 2017.

**MOTION:** Moved by Meagher and seconded by Lavene to approve the Non Duty widow's benefit effective October 1, 2017.

Motion passed.

**NO OBJECTIONS**

## **FINANCIAL INFORMATION**

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

## **APPLICATIONS PENDING**

**Mrs. Juanita Gilbert:** Mrs. Gilbert has requested an appeal hearing on the decision of the board to deny a line of duty widow's benefit to her. Mr. Robein will coordinate the date and timing of the hearing. Members of the Board are eligible to participate in the hearing. Ms. Meyer will notify Mrs. Gilbert and her representatives of the potential date.

Mr. Mitchell noted that Mrs. Hennessey may also appeal the decision of the Board, and he requested that the Fund consider scheduling enough time to hear both appeals on the same day if practical for all parties.

## **OLD BUSINESS:**

**SEB payment history request:** McConnell is expected to meet with the new risk provider and CAO on Friday.

**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. Meagher noted that Mr. McConnell and Ms. Gariepy have scheduled a meeting with the new CAO on Friday.

**Information for life insurance:** Staff has confirmed life insurance coverage for certain members who retired disabled through discussions with the insurer. Members have had difficulty dealing with the insurance company. City Hall representatives have refused to provide members of the fund with confirmation of coverage under this policy citing privacy issues. McConnell plans to discuss this matter with the new CAO this Friday.

**Request to make ADP program adjustments for member contributions:** McConnell will follow-up on this matter once he is provided with a detailed file on each member requiring contribution adjustments.

**Return of tax payments:** The Fund is waiting for a return of refunded tax payments made payable to the City of New Orleans, but is related to the longevity disbursements. The credits results from checks being printed and not released to members. Gariepy indicated that the check will be processed this week and sent to Mr. Robein.

**NEW BUSINESS:**

**Sick and annual leave balances:** Mitchell noted that the Finance Department has not been able to provide sick and annual leave balances to the Fund. Gariepy indicated that she will follow-up on the matter and expects to have it resolved shortly. She also notes that she is available by phone should delays in delivery of information or any other matter require her attention.

**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 pending.
- The Lakewood matter went to mediation on December 7, 2017 and will be discussed in executive session.
- There has been no action in the Mischler or Mandamus litigation matter.
- The mandamus matter has not been closed by the City. No action on this matter.

Gariepy entered the meeting and provided an update on the sick and annual leave balances, return of tax payment matters, Old Fund reserve and ADP matters. Her comments were made at this point in the meeting but are reflected in the respective sections above.

**MOTION:** Motion moved by Meagher and seconded by Gaal to add the SEB litigation matter to the agenda and discuss in executive session.

Motion passed.

**NO OBJECTIONS**

**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 Gaal to come out of executive session

Motion passed.

**NO OBJECTIONS**

**MOTION:** Moved by Gaal and seconded by Meagher to authorize legal counsel to not oppose the supplementation of health records in the SEB litigation matter.

**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: Shomac F. Mayhew III Date: 01/10/2018