

**Carpenters Local No. 491
Training Fund**

Board of Trustees Meeting

December 16, 2021

CARPENTERS LOCAL NO. 491 TRAINING FUND

AGENDA

DECEMBER 18, 2019

A. ROLL CALL

B. MINUTES OF THE SEPTEMBER 18, 2019 BOARD MEETING

C. ADMINISTRATIVE REPORTS

1. Statement of Changes In Fund Balance (Jul - Sep, 2019)
2. Bills to be Approved and Paid (December 18, 2019)

D. UNFINISHED BUSINESS

1. Delinquent Employer Listing
2. The Millers
3. Payroll Audits

E. NEW BUSINESS

1. Annual Audit - December 31, 2020
2. Cyber Liability Insurance Renewal
3. Questions
4. Date of Next Meeting - March, 2022

CARPENTERS LOCAL NO. 491
TRAINING FUND

REGULAR MEETING OF THE BOARD OF TRUSTEES

September 15, 2021

MINUTES

A regular meeting of the Trustees of the Carpenters Local No. 491 Training Fund was held at 9:00 a.m. on September 15, 2021, at the office of the Administrative Manager, Associated Administrators, LLC, 911 Ridgebrook Road, Sparks, Maryland 21152. Present were the following Trustees:

UNION TRUSTEES

Sandy Forstner
Bill Sproule
Robert Tarby

EMPLOYER TRUSTEES

Stephen deLeon
Mike Joyce was absent
Todd Weitzman

Also present were Albert Kroll, Esq., Counsel for the Union; David J. Jensen and Dawn Welch, Administrative Manager; Ira Marc Miller, CPA; Pete Tonia; and Steven I. Batoff, Attorney. The Trustees and Mr. Batoff welcomed new Employer Trustee Steve deLeon.

The following matters were discussed with the indicated action taken:

1. The minutes of the meeting of June 16, 2021, were approved as read after a motion was made by Mr. Tarby and seconded by Ms. Forstner.
2. The Administrative Manager reviewed with the Trustees the Administrative Manager's report for the six months ending June 30, 2021. The Fund balance as of June 30, 2021, was \$10,848.09. Upon motion duly made by Mr. Tarby and seconded by Mr. deLeon, the Administrative Manager's report was unanimously approved by the Trustees.

3. The Administrative Manager then reviewed with the Trustees the bills to be paid, as listed in an attachment to these minutes. Upon motion duly made by Mr. Tarby and seconded by Mr. deLeon, the Trustees unanimously approved payment of the aforementioned checks.
4. The following Delinquent Contractor Listing was reviewed by the Trustees and the Administrative Manager:

NONE
5. Mr. Tonia reviewed with the Trustees an update of the payroll audits as of September 8, 2021. Mr. Miller stated that he plans to audit the school and Display Craft. The Trustees requested that Renaissance Management, which was sold to Nth Degree be audited as an exit audit by Mr. Tonia's auditors.
6. Mr. Batoff and Mr. Tarby then discussed the status of Buildtask (Positive ID). For the benefit of Mr. deLeon, Mr. Batoff reviewed in great detail with the Trustees the status of Buildtask. Mr. Batoff stated that, at the end of 2019, the Plan entered into a settlement agreement and release with Buildtask, its two owners Christopher Miller and Jeffrey Haefner and their respective spouses. The agreement required that monthly payments of \$3,152.25 be paid until the amount due of \$133,481.07 was paid in full. Buildtask, after executing the agreement, requested a first amendment to further delay payment. Mr. Batoff provided the first amendment to Mr. Tarby via email, who, in turn, provided the first amendment to Buildtask. Subsequently, Buildtask informed Mr. Tarby that there was no need to sign the first amendment, as Buildtask was making contributions to the Plan. Apparently, Mr. Miller was not being truthful to Mr. Haefner, his partner. Mr. Tarby was subsequently informed by Mr. Haefner that Mr. Miller, who was to be the

partner making payments to the Plan, was not doing so. At the March 2021 Trustee meeting, the Trustees asked Mr. Batoff to file a lawsuit against Mr. Miller and his spouse. Mr. Batoff's firm filed the lawsuit. The judge reviewing the lawsuit requested that Mr. Jensen, on behalf of Associated Administrators, LLC, submit an affidavit confirming the amount owed. Of the \$133,481.07 amount owed, approximately \$42,011.75 had been paid. On July 15, 2021, the judge hearing the case issued an order requiring 30-day's notice to Mr. Miller and his spouse of a decision in favor of the Plan. On August 15, 2021, the judge issued an order in favor of the Plan. The order awarded the Plan the amount due to the Plan plus interest. The judge also stated in the order that as the attorneys' fees were reasonable, attorneys' fees were also awarded.

Mr. Batoff stated that it will take some time to collect on the judgment and that it was possible that Mr. Miller and his spouse would not have sufficient assets to satisfy the judgment. Mr. Batoff stated further that a filing would be required to be made in New Jersey, where Mr. Miller and his spouse apparently lived and in other states before attempting to recover on the judgment.

7. Mr. Batoff stated that, as requested by the Trustees at their last meeting, he reviewed Mr. Ira Miller's new engagement letter for the Plan and found it to be acceptable.

There being no further business, the meeting was thereupon adjourned at 9:24 a.m. with the next meeting scheduled for December 16, 2021, at 9:00 a.m.

Respectfully submitted,

Steven I. Batoff

Steven I. Batoff
Secretary of the Meeting

CARPENTERS LOCAL NO. 491 TRAINING FUND
STATEMENT OF CHANGE IN FUND BALANCE - CASH BASIS
FOR THE NINE MONTHS ENDED SEPTEMBER 30, 2021

	July	August	September	Year To Date
Additions				
Employer Contributions - Baltimore	\$ 494.17	\$ 886.42	\$ 2,597.75	\$ 5,964.11
Employer Contributions - Washington	606.75	2,876.96	6,906.87	15,742.25
Interest Income - Checking	-	-	-	-
Total Additions	<u>1,100.92</u>	<u>3,763.38</u>	<u>9,504.62</u>	<u>21,706.36</u>
Deductions				
Administration	3,000.00	-	-	7,750.00
Advertising	-	-	-	-
Audit Fees	-	-	-	-
Payroll Audit	-	-	-	437.50
Committee Meeting Expenses	-	-	-	-
Conference	-	-	-	-
Drug Testing	-	-	-	-
Fidelity Bond	-	-	-	500.00
Fiduciary Liability Insurance	-	-	-	330.66
Cyber Liability Insurance	-	-	-	-
Legal Fees	163.90	-	191.25	3,359.71
Settlement	-	-	-	-
Office Expenses	-	-	-	-
Dues	-	-	-	-
Petty Cash	-	-	-	-
Postage	-	-	-	0.44
Printing	-	-	2.72	3.41
School Supplies	-	-	-	-
Training Class Expense	-	-	-	-
Trainee Committee Fees	-	-	-	-
Transfer to JCAE	-	3,763.38	9,310.65	15,924.75
Transfer to BCJAC	-	-	-	-
Bank Service Charges	76.91	76.86	76.16	689.92
Total Deductions	<u>3,240.81</u>	<u>3,840.24</u>	<u>9,580.78</u>	<u>28,996.39</u>
Net Increase (Decrease)	<u>\$ (2,139.89)</u>	<u>\$ (76.86)</u>	<u>\$ (76.16)</u>	<u>\$ (7,290.03)</u>
Fund Balance - December 31, 2020				15,845.21
Fund Balance - September 30, 2021				<u>\$ 8,555.18</u>
Statement of Fund Balance - Cost Basis				
Cash - Bank of America - Operating				\$ 8,555.18
Due to Benefit Fund				-
Due To JCAC				-
				<u>\$ 8,555.18</u>

UNAUDITED FINANCIAL REPORT

CARPENTERS LOCAL NO. 491 TRAINING FUND
BILLS TO BE APPROVED AND PAID
OPERATING ACCOUNT
December 16, 2021

<u>Payee/Purpose</u>	<u>Period</u>	<u>Check #</u>	<u>Amount</u>
1. Associated Administrators, LLC Printing - Envelopes		1339	2.72
2. Chason, Rosner, Leary & Marshall, LLC Legal Fees - Build Task	7/21	1340	191.25
3. Joint Carpentry Apprenticeship Committee Contributions	9/21	1341	9,310.65
4. Associated Administrators, LLC Administration Fee	10/21/12/21	1342	3,000.00
5. Ira Marc Miller & Company, P.A. Progress Billing Audit	12/20	1343	2,000.00
6. Joint Carpentry Apprenticeship Committee Contributions	10/21	1344	11,140.31
7. Chason, Rosner, Leary & Marshall, LLC Legal Fees - Build Task	8/21	1345	133.42
8. Ira Marc Miller & Company, P.A. Final Billing Audit	12/20	1346	1,000.00
9. Joint Carpentry Apprenticeship Committee Contributions	11/21	1347	26,790.23
			<u>\$ 53,568.58</u>

1) If Local has "X" in a block, please indicate "Worked" or "No Men"
2) Please fax updates to Ramona at 410-683-7794

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Binder Of Insurance



Named Insured: **Carpenters Local 491 Health & Welfare Pension
Annuity and Apprenticeship Funds**

Mailing Address: **911 Ridgebrook Road
Sparks, MD 21152**

Term of this Binder: **December 01,2021** To **December 01,2022** or upon policy issuance

Type of Coverage **Cyber Liability**

Limit of Liability: **\$2,000,000 Each Claim/\$2,000,000 Aggregate
\$5,000 Deductible**

Premium and rate if applicable: **\$5,371.00** \$150 Broker Fee

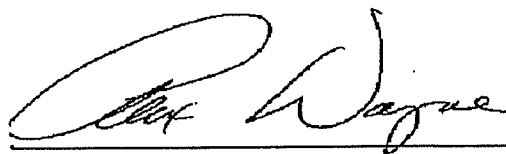
Special Conditions: **N/A**
Retrodate: Full Prior Acts

Insurer(s): **Beazley Insurance Company**

Policy No. **V2102F210501**

Acting on the instructions of the Producer shown below, Alexander J. Wayne Associates, Inc. has bound coverage as described above. This Binder is issued in accordance with confirmation from the Insurer(s) to evidence coverage until such time that policies are issued. Nothing contained herein shall be construed to be an actual insurance policy. Coverage as evidenced here shall follow the terms of the policy to be issued by the Insurer(s).

Producer: **Washington Street Insurance Group**
Address: **PO Box 360
Palos Park, IL 60464**

Signed 
for **Alexander J. Wayne and Associates Inc.**

**2551 N. Clark Street., Suite 601
Chicago, Illinois 60614
(773) 328-0500; Fax: (773) 328-0508**

Dated: **November 22,2021**