

**United Food and Commercial Workers Unions
And Contributing Employers
Legal Benefits Fund**

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**MINUTES OF THE MEETING OF THE
BOARD OF TRUSTEES OF THE
UFCW UNIONS AND CONTRIBUTING EMPLOYERS
LEGAL BENEFITS FUND
DECEMBER 7, 2021
VIA VIDEO CONFERENCE**

The following Trustees were present:

UNION TRUSTEES

A. Hanson
T. Hipkins

EMPLOYER TRUSTEES

W. Seehafer - Chairperson
J. Ferrer

Also present were:

J. Herron – Associated Administrators, LLC
J. Ianniello – Associated Administrators, LLC
C. Murphy – Associated Administrators, LLC
S. Sanchez - Slevin & Hart, P.C.
B. Slevin - Slevin & Hart, P.C.
A. Simms – Associated Administrators, LLC

I. CALL TO ORDER

A quorum being present, the meeting was called to order.

II. MINUTES

The Trustees reviewed the minutes of the last regular meeting held on September 22, 2021, and special meetings held on September 28, 2021 and October 6, 2021, which were previously circulated and,

On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED, that the minutes of the last regular meeting held on September 22, 2021, and the minutes of the special meetings held on September 28, 2021 and October 6, 2021, are approved as presented.

III. FINANCIAL REPORT

PNC Bank

Mr. Ianniello reviewed the PNC Summary of Activity report for the period January 1, 2021 through October 31, 2021, which had been previously circulated. Such report indicated a beginning market value of \$32,828, earnings of \$1, receipts of \$154,505, and disbursements of \$169,883, producing an ending market balance of \$17,451 as of October 31, 2021.

IV. ATTORNEYS' REPORT

Ms. Sanchez reported on the DOL's guidance related to cybersecurity best practices.

After discussion, and on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED, to direct the Fund office to send cybersecurity questionnaires and contract addenda to Fund vendors that receive or maintain financial, personal or otherwise confidential information relating to the Fund.

V. ADMINISTRATIVE MANAGER'S REPORT

Third Quarter 2021

Mr. Ianniello reviewed the Administrative Manager's report for the Third Quarter 2021, which was previously circulated. Such report indicated employer contributions of \$45,603, provider expenses of \$40,767 and operating expenses of \$10,982, producing total expenses of \$51,749. This resulted in a deficit of \$6,146 for the quarter. Mr. Ianniello noted that contributions were made on behalf of 758 plan participants for the quarter.

Mr. Ianniello reported that there were no delinquencies for the third quarter 2021.

V. INVOICES

Mr. Ianniello presented a list of invoices dated December 7, 2021. He noted there were no additions, deletions, or changes to the list.

On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED, that the invoices on the list dated December 7, 2021 are approved for payment.

VI. OTHER FUND BUSINESS

A. Local 400 Credit Request for Overpaid Contributions

Mr. Ianniello reported that Local 400 requested a credit of \$11,679.65 against future contributions as a result of Local 400 mistakenly overpaying contributions for employees hired on and after January 1, 2014. Mr. Ianniello noted that his research confirmed that Local 400 was correct in its calculation of the overpayment of contributions to the Legal Fund. After discussion,

On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

RESOLVED, to approve an \$11,679.65 contribution credit to Local 400.

B. Shoppers Contribution Delinquency

Mr. Ianniello reported that Shoppers' November 2021 contribution payment, for work performed in October 2021, did not reflect the contribution rate increase requested by the Fund and agreed upon by Shoppers. Mr. Seehafer asked Mr. Ianniello to contact UNFI regarding the delinquency. Mr. Seehafer also asked Mr. Ianniello to recalculate the MOB rates again as a result of the contribution credit to Local 400 and present the updated calculations at the next meeting.

C. Administrative Services Contract Renewal

Mr. Ianniello stated that Associated Administrators, LLC's contract expires December 31, 2021. He presented a request for a three-year extension of the contract and reviewed the request for renewal.

Ms. Walsh announced that Harbour Benefit Holdings had purchased Associated Administrators, LLC on November 30, 2021. She explained that Harbour had approached Associated about the transaction, and she reviewed the reasons she believes Associated will be equipped to provide exemplary services to the Fund while having no effect on locations, personnel, or Associated's existing agreements. Associated will continue to be a distinct entity under the Harbour umbrella and its name will not change. Ms. Walsh stated that the CEO of Harbour offered to discuss the acquisition with the Trustees if they so desire.

The Trustees requested a meeting with the CEO of Harbour Benefit Holdings to discuss the acquisition.

VII. NEXT MEETING DATE AND LOCATION

The Trustees selected the following dates and location for 2022 Board meetings: March 3, 2022 via Zoom, June 9, 2022, September 12, 2022, and December 1, 2022.

VIII. ADJOURNMENT

There being no further business to come before the Trustees, the meeting was adjourned.

Respectfully Submitted,

William Seehafer, Chairman

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