

**SECOND AMENDMENT  
TO THE  
ROOFERS LOCAL NO. 74 ANNUITY PLAN  
AGREEMENT AND DECLARATION OF TRUST**

**WHEREAS**, Local Union No. 74, United Union of Roofers, Waterproofers and Allied Workers of Buffalo, New York (hereinafter referred to as the "Union") and certain contributing employers entered into an Agreement and Declaration of Trust effective the 1<sup>st</sup> day of June, 2014 establishing the Roofers Local No. 74 Annuity Plan (the "Trust Agreement"); and

**WHEREAS**, pursuant to Section 11.1 of the Trust Agreement, the Trustees have the authority to amend the Trust Agreement and now wish to amend the Trust Agreement to allow for participation by employees working under a Collective Bargaining Agreement with Roofers Local No. 203;

**NOW, THEREFORE**, the following shall constitute the First Amendment to the Agreement and Declaration of Trust, Roofers Local No. 74 Annuity Plan, effective June 1, 2018:

1. Section 2 of Article I is amended to read as follows:

*Section 2. Union.* "Union" means Local Union No. 74 and Local Union No. 203, United Union of Roofers, Waterproofers and Allied Workers of Buffalo, New York.

2. Section 1 of Article II is amended to read as follows:

*Section 1. Creation of the Trust Fund.* There is hereby created a Trust Fund known as the Roofers Local No. 74/Local No. 203 Annuity Plan.

3. Section 1 of Article III is amended to read as follows:

*Section 1. Board of Trustees.* The operation and administration of the Fund will be the responsibility of a Board of Trustees, composed of eight (8) Trustees, four (4) of whom will be Employer Trustees, designated and appointed by the Employers, and four (4) of whom will be Union Trustees, designated and appointed by the Union. The composition of the Board of Trustees may be changed at any time by majority vote of the Trustees.

4. Section 4 of Article III is amended to read as follows:

*Section 4. Name.* The Trustees will conduct the business of the Fund and execute all documents in the name of the Roofers Local No. 74/Local No. 203 Annuity Plan.