



## **Article 9: Authorization to Accept M.G.L c. 32B, §20- Other Post-Employment Benefits (OPEB) Liability Trust Fund**

Mr. Whelan moves: that the Town take affirmative action on Article 9, as printed in the warrant.



## Article 9: Authorization to Accept M.G.L c. 32B, §20- Other Post-Employment Benefits (OPEB) Liability Trust Fund

- In 2008, the Town's existing Trust Fund was established by Special Act of Legislature
- In 2016, Legislature revises existing law, resulting in the need to update Trust Fund's legal structure/ authorization



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### Solution:

- DOR, Town Counsel & Auditor recommend that Town adopted new MGL to provide proper legal structure, making it clear that fund is irrevocable and monies held in trust are used solely to pay liability



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### Other Considerations:

- MGL also requires that either a sole trustee (Town Treasurer) or board of trustees (prescribed by Statute) be appointed
- If board option is chosen, either:
  - Local Retirement Board
  - New Board of 5 – 13 members, with membership prescribed by Statute



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### Recommended Option:

- Appointment of a sole trustee (Town Treasurer) who will consult with the Trustees of Town Donations and have a formal reporting requirement to the Select Board
- OPEB Agreement will be drafted which will set forth the powers, duties and limitations of the trustee



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In formulating this recommendation, the following boards were consulted:

- Financial Audit Advisory Committee
- Select Board
- Trustees of Town Donations



## ARTICLE 9: OPEB Trust Fund

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