10063. RESOLUTION 09-60 (formerly 09-40) – AUTHORIZES THE ESTABLISHMENT OF AN AUTHORITY RETIREMENT HEALTH PLAN DOCUMENT AND OTHER POST EMPLOYMENT BENEFITS ("OPEB") TRUST

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a bi-state Authority created by Compact for the purpose of owning, operating and controlling both Crossing and Non-Crossing facilities; and

WHEREAS, the Authority has established and maintains certain employee benefit plans that provide post-employment benefits other than pensions (hereinafter "other post employment benefits" or "OPEBs"), such as but not limited to medical, dental, vision and prescription drug coverage, to OPEB participants who are eligible for coverage thereunder; and

WHEREAS, the Governmental Accounting Standards Board ("GASB") has issued Statement 43 (hereinafter "GASB 43") and Statement 45 (hereinafter "GASB 45"), which establish standards for accounting and financial reporting for state and local governmental employers that offer OPEBs to their OPEB Participants; and

WHEREAS, among other things, GASB 43 and GASB 45 require the Authority to account for its unfunded actuarial accrued liability, i.e. the present value of OPEBs earned but not funded and amortized over a period not to exceed thirty (30) years; and

WHEREAS, the Authority desires to formalize an Authority Retirement Health Benefit Plan Document to govern the benefits and eligibility for plan participants; and

WHEREAS, the Authority desires to establish an irrevocable OPEB trust pursuant to Section 115 of the Internal Revenue Code for the purpose of funding and pre-funding OPEBs provided under its retirement benefit plans in accordance with GASB 43 and GASB 45; and

WHEREAS, the Budget and Finance Committee reviewed the recommendation and concurs with the evaluation; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of an Authority Retirement Health Benefit Plan Document and OPEB Trust Document and, upon review and advice of counsel, to have such Documents executed by the Chairperson, Vice-Chairperson, and the Executive Director.

A motion to approve Resolution 09-60 was made by Commissioner Traynor, seconded by Commissioner Favre, and approved by a roll call vote of 11-0.