

## **TOWN OF BRUNSWICK, MAINE**

### **RESOLUTION REGARDING THE INVESTMENT, MANAGEMENT AND CUSTODY OF THE TOWN'S TRUST FUNDS**

**WHEREAS,** The Town of Brunswick Town Council is responsible for the investment and management of a number of Trust funds and expects to be responsible for additional Trust funds in the future; and

**WHEREAS,** the Town has an established Trust Fund Advisory Committee that is responsible for making investment and management recommendations to the Town Council; and

**WHEREAS,** the Town Treasurer is responsible for implementing the investment and management decisions made by the Town Council; and

**WHEREAS,** the Trust Fund Advisory Committee believes that the current process utilized for the investment and management of the Town's Trust funds is cumbersome and inefficient making it difficult for the Town to obtain better investment returns; and

**WHEREAS,** the Trust Fund Advisory Committee has reviewed state law and the possibilities thereunder and believes that the Town would best be served if the Trust funds were professionally managed by an investment firm in accordance with Title 30-A of the Maine Revised Statutes Annotated (MRSA) § 5706 (4); and

**WHEREAS,** the Trust Fund Advisory Committee has interviewed representatives of institutions eligible under Title 30-A MRSA § 5706 (4) and is recommending that the funds be managed by Key Trust Company of Maine and that Key Trust Company of Maine be given full discretion to manage the funds in accordance with objectives to be established by the Trust Fund Advisory Committee; and

**WHEREAS,** the Town Treasurer has negotiated a proposed investment, management and custody agreement with Key Trust Company of Maine which has been reviewed by the Town Attorney;

#### **NOW THEREFORE BE IT RESOLVED:**

1. The Chairman of the Town Council and Town Treasurer are authorized to execute the proposed investment, management and custody agreement with Key Trust Company of Maine;
2. The Town Treasurer is authorized to take all actions necessary to implement the agreement with Key Trust Company of Maine including the transfer to Key Trust Company of Maine all securities now held by the Town in bearer form.

3. Unless prohibited by the instrument or order creating them, the individual trust funds may be pooled in a single portfolio for the purpose of investment management and custody. The Town Treasurer shall ensure that, after deducting expenses, income and principal gains and losses are properly allocated among the pooled funds.

4. Unless the individual investment instrument or orders specify some other objective, the Trust Fund Advisory Committee is authorized and shall establish the investment objectives in its judgment are most appropriate for the pooled funds. The objectives shall be forwarded to Key Trust Company of Maine which shall manage the portfolio in accordance with and be evaluated on its ability to meet the investment objectives. The Trust Fund Advisory Committee shall evaluate performance at least semi-annually and make a record of its evaluation.

5. The Trust Fund Advisory Committee shall continue to be a three-member committee appointed by the Town Council for fixed three year terms. The Town Treasurer and a Town Council member designated by the Town Council shall serve as non-voting members of the Committee. The Committee shall annually elect a chairman. The Town Treasurer shall act as Secretary and be responsible for recording minutes of Committee meetings.

6. The Trust Fund Advisory Committee shall annually report the activities of the Trust Funds to the Town Council.

Proposed to Town Council: December 19, 1994

Adopted by Town Council: December 19, 1994

This document is a true record of the Resolution  
adopted by the Brunswick Town Council on December 19, 1994

Attest:

  
Town Clerk, Brunswick, Maine