

# ESSEX REGIONAL RETIREMENT SYSTEM

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## MEMORANDUM

**TO:** ERRS Advisory Council Members  
**FROM:** Kevin Merz, Advisory Council Chair  
**DATE:** June 14, 2012  
**RE:** Advisory Council Membership

We have received several inquiries regarding who may act on behalf of a unit at the upcoming meeting of the Advisory Council on June 20, 2012. This is a public meeting and we certainly welcome anyone who is interested to please attend. However, we do wish to clarify *who is eligible to vote* at the Advisory Council meeting.

Massachusetts General Law, Chapter 34B, Section 19A states the following relative to membership in the ERRS Advisory Council:

There shall be an Essex regional retirement board advisory council which shall consist of all the full-time treasurers, elected or appointed, of each city, town, unit or district in the Essex regional retirement system. If a city, town, unit or district does not employ a full-time treasurer, the highest ranking, full-time executive employee shall be a member of the Essex regional retirement board advisory council.

To be a voting member of the ERRS Advisory Council, therefore, you must be one of the following:

- A full-time treasurer of an ERRS unit, or in the absence of a full-time treasurer;
- The highest ranking, full-time executive employee of an ERRS unit.

To be eligible to vote as a member of the Advisory Council, you **do not** have to be a member of the Essex Regional Retirement System.

A person is not eligible to vote at the Advisory Council meeting if they do not hold one of the two positions described above. Therefore, a person sent in the place of the full-time treasurer or the highest ranking, full-time executive employee **may not vote** at the

Advisory Council meeting. Anyone, however, is able to attend the Advisory Council meeting and may, at the discretion of the chair, address the meeting.

I hope the examples below are helpful in understanding who may vote at the Advisory Council meeting:

**Example 1:** A school system employs only a part-time treasurer. The Superintendent, therefore, is the highest ranking full-time executive employee. Even though the Superintendent is a member of the Massachusetts Teachers Retirement System (MTRS), the Superintendent is the eligible voting member of the ERRS Advisory Council.

**Example 2:** The ERRS unit does not employ a treasurer. The executive director, who is the highest ranking full-time executive employee, works less than 20 hours per week. Even though the executive director duties require less than 20 hours per week, that individual is considered the highest ranking full-time executive and may vote on the unit's behalf at the Advisory Council meeting.

**Example 3:** The eligible voting member of the ERRS unit cannot attend the meeting. The unit sends another employee to vote on behalf of the eligible member. However, the employee sent by the unit does not meet the criteria for eligible membership in the Advisory Council. The substitute employee, therefore, is not eligible to vote.

**Example 4:** A person works as the executive director of two ERRS units. Both units do not employ a full-time treasurer. The executive director is considered the highest ranking full-time employee and is eligible to vote for both units and each vote will be counted as a separate vote.

We hope this information helps to clarify who is an eligible member of the Advisory Council from your unit. If you have any questions regarding membership in the Advisory Council please do not hesitate to contact me or our Executive Director, Charles Kostro, at (978) 739-9151, x105, or via email at [director@essexregional.com](mailto:director@essexregional.com). We will also be sending you a notice prior to the meeting to confirm our records regarding your unit's Advisory Council representative.

Thank you and I look forward to seeing you on June 20<sup>th</sup>.