

MEETING MINUTES
ATTLEBORO RETIREMENT BOARD SPECIAL MEETING
JANUARY 27, 2023

The Attleboro Retirement Board (“the Board”) convened on January 27, 2023 at 9:00 AM. The meeting was held virtually via Zoom in accordance with PERAC Memo #17 / 2021. Board members present at the meeting were Deborah Gould, Scott Charette, Bruce Tondreau, Barry LaCasse, and Richard Boucher. Also in attendance at the meeting was Attorney Stephen Merlin, representing Mr. James Washington.

Attorney James Quirk, representing the Attleboro Retirement Board, joined the meeting at 9:04 AM. Attorney Quirk noted that the reason for the delay in joining the meeting was that his office had lost power, and his internet was still down.

The Board reviewed email communications from Attorney Carl Leppo, Attorney Stephen Merlin, and Attorney Tannaz Saponaro regarding a Court appearance in the matter of Monica Fox v. James L. Washington, Jr. on Thursday, January 26, 2023.

Attorney Quirk noted that because his office had been without power, he had not yet seen the email communications. The Board requested that the Executive Director transmit the communications via fax to Attorney Quirk.

Chair Deborah Gould invited Attorney Stephen Merlin to address the Board to discuss the email communication and actions of the Court. Attorney Merlin stated that this information is public record and is on file at the County Register. Attorney Merlin went on to say that one outcome of the Court appearance was that Mr. Washington wishes to withdraw his pending retirement application. Attorney Merlin conveyed that Mr. Washington understood that he would have to file again for retirement, and that the new filing date would be the triggering date for benefits he would be entitled to. Attorney Merlin referenced that this is contained in the Court order that was attached to the email communications, and that the actions in the Court order were agreed to by Mr. Washington and his wife.

The Board called for a 5-minute recess to give the Executive Director time to transmit the email communications and Court order to Attorney Quirk via fax, and for Attorney Quirk to review them.

Attorney Quirk gave a verbal opinion that that Mr. James Washington had the benefit of counsel, and that the Court order suffices to allow the Board to take action on Mr. Washington’s request to withdraw his pending retirement application.

The Board asked Attorney Merlin when the Court is scheduled to follow up on the case. Attorney Merlin responded that the next scheduled appearance before a judge is May 4, 2023.

Barry LaCasse made a **MOTION** that the Board received and reviewed the temporary order dated January 26, 2023 issued by the Court and to allow the withdrawal of the application for superannuation retirement for James Washington without prejudice. The motion was seconded by Scott Charette, and taken by roll call vote: Scott Charette, yes; Bruce Tondreau, yes; Barry LaCasse, yes; Richard Boucher, yes; Deborah Gould, yes. The motion passed.

There being no further business to come before the Board, Barry LaCasse made a **MOTION** to adjourn the meeting. The motion was seconded by Scott Charette, and taken by roll call vote: Bruce Tondreau, yes; Barry LaCasse, yes; Richard Boucher, yes; Scott Charette, yes; Deborah Gould, yes. The meeting was adjourned at 9:24 AM.

Deborah C. Gould, Chair

Scott D. Charette, Vice-Chair

Bruce R. Tondreau, Elected Member

Barry K. LaCasse, Appointed Member

Richard V. Boucher, Appointed Member

Prepared By:

Kenneth P. Badertscher II, Executive Director
