Council Meeting
March 26, 2009
Council Chambers

A special meeting of Newtown Borough Council was called to order at 6:10 P.M. on Thursday, March 26, 2009, by Special Counsel David Truelove.

Present: Councillors Craig, Jaslow, O'Malley, Sellers, Walker and Woldorf; Mayor Dennis O'Brien; and Special Counsel David Truelove.

Mr. Truelove reported that an Executive Session had been held prior to the Council meeting to discuss a matter that occurred since the last T-Mobile Hearing. Mr. Truelove advised that no evidence or testimony would be taken tonight and the hearing will be continued until Monday, April 27, 2009, at 5:30 P.M. at the Chancellor Center, pending confirmation of room availability with Council Rock School District.

Mr. Truelove stated that it was brought to his attention on March 6, 2009, that Councillor Jaslow had phoned T-Mobile Counsel, Jack Wuerstle, about whether T-Mobile had investigated alternate sites for the antennae installation. Mr. Jaslow had spoken to Councillor Craig prior to the call, who advised Mr. Jaslow to contact Special Counsel Truelove about the propriety of phoning Mr. Wuerstle. Since Mr. Jaslow was unable to reach Mr. Truelove, he phoned Mr. Wuerstle directly.

In order to eliminate any appearance of impropriety, both Councillors Jaslow and Craig have agreed to recuse themselves from further involvement in the T-Mobile hearing.

Mr. Wuerstle clarified that there was no specific discussion, no pressure exerted and no recusal requested by T-Mobile.

Councillors Sellers, Woldorf, O'Malley and Walker and Mayor O'Brien wanted it noted for the record that they at no time had prior knowledge of the phone call to Mr. Wuerstle. They were only made aware of the issue after receiving a letter from Mr. Truelove apprising them of the fact. Any decisions they make will be unbiased, based solely on the evidence provided and on the application of the law.

Mr. Craig clarified that he was recusing himself so that the borough is not placed in any type of legal position, but he had not spoken to Mr. Wuerstle himself, only to Mr. Jaslow about his intent to speak to Mr. Wuerstle.

Mr. Jaslow apologized to Council, Mr. Truelove and Mr. Wuerstle noting that what was stated is true, but his actions were done in an innocent manner.

The meeting was adjourned at 6:20 P.M. and will the hearing will reconvene on April 27, 2009, at 5:30 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

IN ATTENDANCE

Charles Swartz	323 E. Washington Avenue
Cathy Fink	Court Street
Danny Adler	The Bucks County Courier Times
Peter Cifierri	The Advance