

Official

TOWN COUNCIL MINUTES Special Meeting Tuesday, July 18, 2006

CALL TO ORDER: Chairman G. Longfellow called the meeting to order at 6:00 pm.

PRESENT: Michael DiBitetto, James Gorton, Jason Hyde, Mike Jolin, Paul Loiselle, David Ross, Patricia Rueppel, Stuart Werksman, Chairman G. Longfellow, David Jodoin (Town Administrator)

PLEDGE OF ALLEGIANCE

DISCUSSION:

Chairman G. Longfellow announced that the meeting is being held in public session at the request of Councilor Rueppel. No public input would be allowed. The purpose of the meeting is to decide the steps needed to be taken regarding the investigation of charges against Councilor Rueppel.

M. DiBitetto raised as a point of order the matter of recusal. He quoted, "*The common law defines a conflict as a direct personal or financial interest in the outcome of a vote or decision.*" No one accused of malfeasance could vote on the issue. He asked for a ruling on the matter and added that in a point of order, no business could move forward until that point of order is resolved.

M. Jolin stated he agreed with M. DiBitetto and suggested asking the person involved to step forward and recuse herself.

P. Rueppel stated she will not recuse herself.

Chairman G. Longfellow asked if there are Councilors who would volunteer to recuse themselves.

J. Hyde stated he would recuse himself and explained the only reason for doing so is that someone without his permission made one of his private communications public.

M. DiBitetto moved to table until the Council determines whether a recusal is mandated for the party involved. Motion seconded by M. Jolin.

D. Ross stated there should not be a need for recusal for any vote other than to exonerate or incriminate the party involved in the vote.

M. DiBitetto moved to adjourn until such time as the Council Chair finds a resolution on the matter of recusal.

There was a discussion regarding the motion to hold a special meeting. At their July 12th meeting, a motion was made and seconded to have a meeting. Roll call vote was never taken, therefore the issue dies. A motion would have to be made and voted on.

M. DiBitetto questioned the validity of a motion and vote to hold a meeting/hearing when there is a matter of recusal to be resolved.

M. DiBitetto moved to table the investigation until the matter of recusal is resolved. Motion seconded by P. Loiselle.

Roll Call:

M. DiBietto	Yes	D. Ross	No		
J. Gorton	No	P. Rueppel	No		
J. Hyde	Recused	S. Werksman	Yes		
M. Jolin	Yes	Chairman G. Longfellow	Yes	5-3	<u>Motion carried.</u>
P. Loiselle	Yes				

M. DiBietto moved to adjourn. Motion seconded by P. Loiselle. **Motion carried with D. Ross opposed.**

Respectfully submitted,

Evelyn F. Horn
Administrative Assistant

Jason M. Hyde
Town Council Secretary