

Nonpublic Session, Madbury Selectmen's Meeting, Friday, September 22, 2023.

Present: Janet Wall (JW), Mark Avery (MA), and Tim Burt (TB); Eric Fiegenbaum (EF) minute taker.

TB moved and MA seconded to go into nonpublic session under 91-A:3. II. (c) - Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. Roll call vote. Motion passed.

MA moved and TB seconded a motion to approve the sealed minutes of April 21, 2023, with the inclusion of the Aimee Rouillard-Routhier complaint and the Madbury Police Department report of May 4, 2023.

TB related that there had been a continuation of the issue that may have been precipitated by Jim Davis' attendance of the 911 observance and a swearing-in ceremony at the Durham Fire Department Station. Aimee Rouillard-Routhier had discussed a hostile work environment with the Durham Town Administrator, Todd Selig. Administrator Selig had asked Jim Davis not to be in the Durham Fire Department Station during Aimee Rouillard-Routhier's work hours. Due to Jim Davis' responsibilities as the Assistant Fire Chief in Madbury, that request could create a mutual aid issue.

Jim Davis was invited to join the nonpublic session. Jim Davis verified TB's account. Jim Davis confirmed he was on duty during the observation and the swearing ceremony. He related that he is not comfortable going to Durham and that the restriction from Administrator Selig would interfere with the mutual aid relationship between the two communities. Jim Davis has asked Administrator Selig for a formal request to refrain from being in the Durham Fire Department Station. Jim Davis asked if he was entitled to representation from the Madbury town attorney. The Selectmen indicated that they would verify representation.

There has been no police action from Madbury regarding Aimee Rouillard-Routhier, other than the report of May 4, 2023, and Durham apparently considers her actions outside of her work duties.

Jim Davis is currently not going to Durham, but the departments are finding ways to maintain mutual aid response.

The Selectmen will be discussing the issue with the town attorney. Jim Davis agreed to provide the formal request to him from Administrator Selig.

The Selectmen decided that they would offer Jim Davis town representation, and will release all materials to Aimee Rouillard-Routhier and Jim Davis as requested.

EF was directed to call Administrator Selig and discuss what was asked of Jim Davis, Madbury's Assistant Fire Chief, and to ask Durham to share their actions and timeline on the issue.

EF will try to schedule the town attorney's attendance at the Selectmen's meeting on Monday night, September 25, 2023.

TB will bring Chief Perley up-to-date regarding the consultation with the town lawyer and EF's conversation with Administrator Selig.

MA moved and TB seconded a motion to unseal the minutes of April 21, 2023. Motion passed.

MA moved and TB seconded the approval of these nonpublic meeting minutes (September 22, 2023). Motion passed.