

Madbury Board of Selectmen

Non-Public Session Minutes

Friday, February 23, 2024

In Attendance: Selectman Janet Wall (JW) - Chair, Selectman Tim Burt (TB), Town Administrator Eric Fiegenbaum (EF), Resident Jeanette Fones

Statutory Reason

- RSA 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 this board, unless such person requests an open meeting....”

Entered into Non-Public Session at 9:02 am

- Resident Fones asked that only Selectmen be present in the room to hear her complaints. This request was honored.

Resident Fones lodged the following complaints to the Board of Selectmen:

- Town is not adhering to RSA 91-A requirements regarding meeting minutes.
 - Fones claimed that some meeting minutes are on the website but not all, and reminded the Board that she has complained about the lack of meeting minutes to EF in the past. She explained that she has filed a complaint with the Office of the Attorney General and is considering filing court action with the Strafford County Superior Court.
 - Selectman Burt explained that the minutes on the website are APPROVED minutes and are not meant to satisfy RSA 91-A requirements. TB further stated that Fiegenbaum has always met these statutory requirements by providing minutes when requested within the required timeframes.
 - Selectmen Wall and Burt acknowledged that there is room for improvement for posting approved minutes on the website for transparency, but repeated that these postings are separate from the the 91-A requirements.
- Negative interactions with Fiegenbaum
 - Fones stated that she has had several negative interactions with Fiegenbaum over the past years, and provided some examples. The most recent example referred to communication regarding a request to the Wentworth Trust for curtains in town hall, but other past interactions were also mentioned. Fones suggested that EF’s treatment of her was in part because she is a woman. Fones also made reference to receiving conflicting answers from EF at various times in the past. (NOTE: The Wentworth Trust interaction was previously handled as a complaint, at which time it was addressed with EF by the Board of Selectmen.)
 - Selectmen Wall and Burt stated they would speak with EF about this complaint.

- Town Administrator oversteps his authority
 - Fones complained that EF often oversteps his position, causing confusion and negativity.
 - Selectmen Wall and Burt explained that much is asked of EF and his position due to the makeup of our town. EF is often tasked with following-up on items for the Board of Selectmen and is often approached by boards, committees and members of the public for assistance on many different topics. Selectmen agreed that creating job descriptions would help define responsibilities.
- Fones left the meeting at 9:35am.

Board of Selectmen Spoke with Eric Fiegenbaum (9:40am)

- EF was informed of the above complaints. He acknowledged that he could do better with typing up minutes for approval in a more timely manner, but confirmed that he has always provided minutes when requested, adhering to the requirements set forth in RSA 91-A.
- EF stated he has never intentionally treated people differently based on gender but would certainly keep this complaint in mind.
- The Board of Selectmen and EF discussed ways to help him prioritize his workload and talked about how creating job descriptions will help with many aspects of town management.

Exited Non-Public Session

- 10:35am

Motion to Seal Non-Public Session Minutes

- No motion was made