

## Town Council Minutes April 11, 2012 Special Meeting

TOWN OF NEWMARKET  
,  
NEW HAMPSHIRE

TOWN COUNCIL SPECIAL MEETING

APRIL 11, 2012

7:00 P.M.

COUNCIL CHAMBERS

PRESENT:

NOT PRESENT;

Council Chairman Phil Nazzaro

Councilor Dan Wright (family health issue)

Council Vice Chairman John Bentley

Councilor Mike LaBranche

Councilor Al Zink

Councilor Ed Carmichael

Councilor Gary Levy

Town Administrator Ed Wojnowski

Council Chairman Nazzaro called the meeting to order at  
7:00 p.m.  
, followed by the Pledge of Allegiance.

The purpose of the meeting was to set goals and prepare a vision statement. He stated this was necessary for the Council to move together in a positive direction for the town.

Process: First the Council would develop a vision for the town for the next 5 years. Each Council member would be asked to speak on their thoughts and ideas. Through the overlap, the Council would develop a unified vision. Next the Council would be asked to set 4 – 5 priorities for issues it should work on during the present year. Then the Council would prepare strategies designed for it to reach its goals. Council Chairman Nazzaro stated that public comment would be encouraged. The plan would not mean that the Council could not react to any contingencies which might arise. He called for the meeting to be an open exchange of ideas.

VISION:

Councilor LaBranche stated that in 5 years he wanted to see the town able to maintain and operate its current services. He felt that this could only be done by either increasing taxes or finding more revenue. He felt the Council should look at other states to see what services they had been able to consolidate or regionalize. He thought

## Newmarket

was a growing town, but it was not growing in revenue and tax base. Council Chairman Nazzaro asked him to discuss further his ideas of growth. He said there was room to grow in the town, but he was looking for smart growth not just strip malls. He gave as an example the businesses located in the mills, and said the town should be looking for similar unique opportunities.

Councilor Zink stated that the Efficiency Committee, of which he is a member, had also been asked by a consultant to discuss its vision. He stated that before 5 years, he would like to see the town carry out basic operations very well, especially in finance, purchasing and DPW. He would like to see a cohesive town, as many he had spoken to felt it had become very divisive, and that town employees were finding this very difficult. He said he would like to be able to provide the services the townspeople wanted in an affordable way. He wanted to see a vibrant town, as he now sees vibrancy in the town. He wanted to see a well-run town operating in the 21st century and make

## Newmarket

a good place to work with a sense of community. He also wanted the town to maintain its unique appearance.

## Councilor Carmichael

wanted to see a cohesive Council working towards its goals. He stated that he is learning how the town operates and felt they had to stay on top of finances and issues, such as those involving the water department and EPA requirements. He looked forward to visiting the town departments to learn what each does. He also saw the town growing and cited the mills as an example of wonderful new businesses.

Council Vice Chairman Bentley said that before 5 years, he would like to see the town operating with sound fiscal accounting methods so that there would be no surprises such as return of impact fees and unexpected tax hikes. He felt that in order to preserve services, the town needed to encourage new businesses and expand its tax base. He thought that the Council needed to keep a tight rein on expenses, and look at unused property the town owns which generate no revenue, only expenses. He felt the Council should look at what could be done, rather than what could not be done. He also expected businesses would come to the town in bits and pieces.

## Councilor Levy thought that

## Newmarket

had to grow in a healthy way to preserve its character, and that the right kind of business could help the tax rate. However, he had spoken with Epping's Town Manager, as, even though that town had added large businesses, the tax rate had gone up over 60% since 2004. They compared budget items between the two towns. He felt that some types of business development could have unintended consequences. He would like to see the town deal in facts rather than perceptions. He referred to divisiveness within the community, and felt there should be healthy debate and readily available information. He said he would like to see things done correctly. He was not sure if the town had major revenue issues, but thought there could be a problem in how money was spent. He said that if

## Newmarket

was going to move forward, it had to be done with foresight. He was concerned that

## Newmarket

had been looked at as a community that did not do things the right way. He was concerned about quick solutions to complicated problems, and felt the Council should listen more to its constituents. He felt in the last year then Council Chairman LaBranche had encouraged more voter input and that Council Chairman Nazzaro was continuing this. He felt the web site was important in making more accurate information available to the townspeople.

Council Chairman Nazzaro said the present Council was trying to do the right thing, and he was sure Councilor Levy was not referring to them. Councilor Levy clarified that he was not, but was speaking in general of the perception of the town. Council Chairman Nazzaro wanted to see healthy growth that fits the character of the town. He felt that even though not everyone would always agree on strategies to meet goals, it was important the town be energized with a unified vision of

what was best for the town. He encouraged healthy debate. He wanted to see the town affordable for its families and residents, and the downtown retaining its vibrancy.

#### OVERLAP:

Council Chairman Nazzaro listed the following as overlapping components of individual Councilors' vision statements: community cohesiveness, healthy growth within the character of the town, affordability for the town's residents, and a solid reputation within the state for doing things the right way. Councilor Zink said that the town's economic problems and school issues had damaged the town's reputation, and he agreed this was a perception the Council should work on changing. Council Chairman Nazzaro asked if he had missed anything on the list. Councilor Zink and Council Vice Chairman Bentley spoke about doing things well, but thought the last vision statement included many aspects of reputation.

Councilor Levy stated that the Town Council and town government do not necessarily have an impact on growth and businesses locating in the community. He had heard that

Newmarket

's reputation of being difficult to work with. He had spoken to someone who said that zoning was more stringent in surrounding communities, and he felt

Newmarket

did not deserve this reputation. He said that business decides to come to a community because it makes sense. He cited the community of

New Castle

as holding out for a business that made sense to develop the Wentworth within the character of the town. He said the Planning Board within itself had heard that it was difficult to work with. Town Administrator Wojnowski said that sometimes businesses approach the Planning Board and are asked to change some of their proposals.

Council Chairman Nazzaro stated that the Council needed to focus first on the vision statement before working on specifics and strategies. Councilor Levy said that he was not sure that affecting growth was the intrinsic responsibility of town government. Council Chairman Nazzaro said that this could be discussed in terms of setting up an encouraging atmosphere or by specific actions.

#### PRIORITIES FOR THE YEAR:

Council Chairman Nazzaro asked what the Council members felt should be priorities for the year. He asked that the Council not go into strategies, or the methods of achieving the goals at this time. He asked Councilors to list those priorities that would get them closer to their five year vision. Council Chairman Bentley stated that prior to this, the Council needed to foster an environment of mutual respect for its members and to extend that respect to town employees, residents and those who came before it as speakers. He wanted Council members to act in a professional manner whether in a public or private capacity. He had received feedback about recent Council divisiveness and actions. He thought that ideas should be presented and discussed in an atmosphere of mutual respect, and that this was essential to the success of implementing the Council's vision and priorities.

Councilor Levy felt that before a vision was set, they had to get a handle on finances. He felt that until this was done, including accurate budget and revenue figures, the foundation was faulty. He felt this had an impact on any decisions the Council was trying to make. Council Chairman Nazzaro agreed that one of the Council's priorities should be that financials be rock solid and transparent, and this also supported the vision of improving the town's reputation.

Councilor Zink stated that in support of the four goals, the underlying thought expressed by all Council members was that they do the basics well in all categories. He said this was also what he heard in the community. He felt that as a subsection of this, finances would be a priority.

Council Chairman Nazzaro commented on Council Vice Chairman Bentley's statement. He thought the Council had an obligation to set an example to the town by showing mutual respect and acting in a professional manner with all its contacts.

Councilor LaBranche referred to the five priorities the Council had set the previous year, and said that the only one completed was changing the vote in the deliberative session. From memory, he said that several had involved the water situation, and that some of the goals set as far back as 3 or 4 years ago had not been met. He said the Council had done a terrible job in selling the water system, which is in dire need of improvements and upgrades. He said that Sean Greig had presented them with reports, but the Council had not acted. Councilor LaBranche said he could not come up with new goals as some of the old ones had not been addressed. He felt the town could not be successful if its infrastructure was not maintained.

Council Vice Chairman Bentley said that past priorities had listed the MacIntosh Well., solving the TIF water issue, waste water treatment, and the Town Charter. He said that some work had been done on the charter. He felt the previous year's priorities should be carried forward to the present year. He said that the Council should communicate with and educate the townspeople by whatever means available as to the importance of issues, especially water issues. He felt that water issues should be high on the list of priorities.

Council Chairman Nazzaro agreed that overall water infrastructure should be a priority, and that it underlined the vision statements. He also said Council Vice Chairman Bentley's statement about communication would relate to Councilor Levy's statement about facts versus perceptions. He felt the Council should do everything it could to make sure the community had facts on which to base its judgments. Council Vice Chairman Bentley furthered this by saying that Acting Finance Director Angell had tried to explain complex issues by simply understood charts. He felt the Council should let the community know the responsibilities and range of each town board and committee.

Councilor Zink said that of the previous year's objectives he felt they had done a good job with deliberative budget sessions. However, there had been no progress in gaining efficiency between the school and the town, in the sale of town property or in providing leadership to the Planning Board in economic development. He felt the Council had done a good job in developing a water plan, but had not with finances and communicating with the public. He felt this was in large part due to Council focus. He also said that he saw all of these issues as being sub-sets under the "doing the right thing" priority.

Council Chairman Nazzaro asked if this should be the over-riding priority with everything else, such as finances, water, communication and leadership in economic development, falling within its scope. Councilor Zink wanted to add school/town to the list. Councilor Levy said that when the town does not agree with what the Council advocates, the Council is basically saying that the townspeople do not understand. He felt the voters knew what was happening to some degree, but that the Council lacked credibility with some voters. Council Chairman Nazzaro stated that clear, complete communication was necessary to replace facts with perceptions. Councilor Levy stated that when the voters do not act in the way the Council wishes, it is up to the Council to make adjustments in the way it presents issues and recommendations.

Council Vice Chairman Bentley had been told by some constituents that they didn't understand the issues. He said there had to be a reason that 380 voters had voted "no" on each article, when the school and town budgets were lower than the previous year. He said the problem was part communication and part credibility, but they had to continue to inform the public.

Councilor Zink said there were sides to the issue, and he had heard, especially from those who had served on town boards, that it was the Council's responsibility to study issues in depth and that based on that people looked to them for decisions. He knew that some issues were more complex than could be dealt with in b-monthly meetings, but Councilors spent much time behind the scenes familiarizing themselves with them. He had once thought that the Council should just do what the majority wanted, but he had since come to believe that the Council's credibility depended on providing information based on facts.

Councilor LaBranche added that the Council and previous Councils had the right to put up a second water tank, but had not. The bonding had been voted and the land was available. He said this would not do any good without the infrastructure in place to support it. The suggestion had been made to put in place the maintenance with no rise in water

fees or tax rates so that they would be in a better position to build the tank and increase the water supply for fires, etc. Council members had studied the options and costs beyond meeting times and had put forth their best option.

Councilor  
Carmichael

stated his highest priority was in finances and what he most hears from townspeople is a request to lower taxes. Council Chairman Nazzaro stated that there were two parts to this: getting finances in order and also looking forward. He said they needed to determine if they had sufficient revenue for services provided and if those services were provided at the right price. Council Vice Chairman Bentley said that was what he was referring to when he spoke of sound finances not allowing for surprises.

He specifically referred to the necessity of returning expired impact fees which never should have been allowed to happen. He also spoke about the shortfall, which they should have known about. This was different from the tax rate. Council Chairman Nazzaro also suggested that at some time the Council had to discuss whether the tax rate was appropriate for the size and tax base of the town.

Councilor Levy also spoke about impact fees, asking if anyone had been held accountable for their expiration. He also had asked at the Budget Committee meeting if the budget is weighed against incoming revenues. He felt there should be a correlation between the two. Council Chairman Nazzaro felt the revenues should be tied to the budget so that it could be determined what the town had to spend versus what it needed to spend and then raising taxes to cover these needs.

Councilor Levy felt a huge issue was that the Council could improve in being mindful of what it was spending. He said that without proper financial data, it was frustrating and difficult to prepare an appropriate budget.

Council Chairman Nazzaro said that the agendas should be driven by set priorities and appropriate information was necessary. The Council needed to get back to setting those goals and working toward them. He felt that doing the basics right was a high priority. Councilor Levy said that if the Council was to do that openly and with credibility, it would have more community support. He felt it was important to get finances in order and then realistic budgets could be prepared in line with revenues. Council Chairman Nazzaro agreed that the Council's credibility had been damaged through a multitude of events and circumstances, and not at the hand of one person or event. He felt the Council was obliged to redeem its credibility and learn and grow from this.

Councilor Zink added that he thought that once the accounting was fixed and the problems solved, it could very well be that the expenses and revenues do not match. He would consider this an unsuccessful business. He felt finances were a tool, but it was not up to the Council to fix them. Rather, he thought the Council should be aware of finances, but be developing beyond them. Council Chairman Nazzaro said the Council should be putting the town on a sustainable budget path, based upon the best information it could receive. He felt they needed to get the data and then look at all ways they implement this.. Councilor Levy thought this would take political courage to implement. He said that at Budget Committee such items as reviewing dispatch and plowing had gone over like a lead ball. He felt the Town Council should lay this all out and let the voters make decisions. He felt the Council had the right to know if something wasn't working, and the responsibility to see that it was fixed. He said the function of the Council was to make priorities and its decisions, and then present then to the townspeople.

Council Chairman Nazzaro said the Council was to oversee the town administration, which in turn had the responsibility to oversee day to day operations. He asked if the Council did not act as visionaries for the town's future, who would? He felt that part of the Council's responsibility was to drive the town forward. He said that getting the basics right was essential, but the Council also had to think in larger terms as visionaries.

Councilor LaBranche said that one thing the Council was missing as to finances, was that they needed to factor in the time Acting Finance Director Angell had spent rectifying the situation. Councilor LaBranche said that Mr. Angell's reports were educating them as to the specifics of the problems, but he felt the Council had gone as far as it could with this. He said specific data was available for towns similar to

Newmarket

, and they could look at how other towns were sustaining services. He stressed that the Council should not dwell on the past, but look forward in order to grow. He felt the Council had to not only set goals and priorities, but stick to them. He agreed that the agenda be driven by goals. Council Chairman Nazzaro said that there would always be immediate issues, but that the focus should be the goals.

Councilor Zink felt that some things, such as inspecting truck frames and insulation, and questioning the advice of Town Counsel were not strategic. Council Chairman Nazzaro said that he had two priorities: getting the basics right, including finances, water, school/town, communication, economic development, and putting the town on a sustainable budget path. Councilor LaBranche said along with other issues that could arise, he felt this was enough to deal with for the year. Councilor Levy mentioned the EPA issue, and Council Chairman Nazzaro said that there were partnerships to consider that might make that more affordable. He asked if this should be considered separately or as a part of the long-term budget path. Councilor Levy said he thought they should see where events took them before determining that.

Councilor Levy then said that spending initiatives come before the Council, and that focusing on the large ticket items would bode well with the Council. He felt that was a part of the Council's responsibility. Councilor Zink did not agree. He felt the Council's strategic priority should be to manage town properties, as they could not fix problems themselves. Councilor Levy said the Council should evaluate proposals as to the best approach. Council Chairman Nazzaro suggested that a master facilities plan be developed against which individual proposals be considered in detail only if they did not fit within the plan. Councilor Zink suggested that the Council could hire someone to develop the plan. Council Chairman Nazzaro said that the Council should be working within the goals and priorities it sets, and see issues within those plans.

Council Chairman Nazzaro said that they had not discussed the goal of cohesive community in terms of priorities. Councilor LaBranche said that they had through their discussions of communication and getting their information to the public. He stated the importance of asking questions, accepting answers and not micro-managing. He felt realistically there could not be a large deduction in the tax rate, but they could work toward sustaining a level tax rate. Council Chairman Nazzaro asked what the Council thought its role was in lessening some of the divisiveness within the community. He felt to promote a cohesive community, the Council should act as role models, and when they did not agree as individuals they act in a respectful manner to promote healthy discussions. Councilor Levy agreed and said that a lot depended on how people related to different opinions.

He did not feel that checking truck frames was micro-managing as it saved the town considerable money. He felt this was a responsibility of the Council, and that he did not feel the Council should rubber stamp proposals, as the Council should be overseeing what went on. He felt the Council should be involved in financial decisions. Council Chairman Nazzaro said the Council should be informed in these matters. Council Vice Chairman Bentley said that they had instituted some policies, such as getting the agendas out earlier and publishing them on the web site, which had increased their efficiency. He felt there would be more time during meetings to peck away at issues. He asked that Councilors think about strategies before the next meeting. Council Chairman Nazzaro said there would not be time to discuss strategies during this meeting. In the mean time, he would type up the goals and priorities and distribute them to the town. He will ask for input on those and ask for suggestions for strategies.

Councilor Zink said he thought the Council needed to clarify the levels of management it should have or could have as allowed by law or town charter. He felt that without this, their differences of opinion could be confusing to town employees. He spoke about certain direct actions or discussions which were not allowed by the town charter. Councilor Levy said that he was not advocating this, but felt that in the case of a large expenditure there was no inconsistency with the town charter in doing due diligence. He said that in general when making decisions or voting he wanted to be as well as informed as possible so that he could be comfortable in spending money. Council Chairman Nazzaro said that he thought everyone would agree with wanting to be well informed, but that he thought they had to be consistent with how this message was presented to the Council and the public. Councilor Levy thought that asking questions about expenditures was necessary, and did not feel this was micro-managing.

Council Vice Chairman Bentley said that by sending the agendas earlier, speakers before the Council were much better prepared to answer questions. They could come to the Council after doing their due diligence. He saw department heads being able to answer questions about quotes, costs and impact to the budget. He felt that before the meetings, the Council should go through the Town Administrator to give questions to department heads so they would be fully prepared. Councilor LaBranche said that the Council expected the public to trust them, and in turn it would have to show trust in those who came to them with the best information they had. He felt that someone who had been in a position for some years, and came before the Council with the best information possible, and was prepared to answer questions was at the meeting to help the Council make a decision.

Council Chairman Nazzaro said that Councilor Levy was accurate when saying that the Council had been invited to see the trucks that needed repair or replacement, so that was probably not a good example. He said they needed to be very

clear in understanding the divisions of responsibility between the Council and the Town Administrator. He felt this was essential to getting the basics right. He said he encouraged questions, but wanted to ensure that they went through the Town Administrator to Department Heads.

#### OTHER BUSINESS:

Council Chairman Nazzaro asked if there was other business. Council Vice Chairman Bentley said he had spoken to Adam Schroeder about sprinkler systems being grandfathered in. Representative Schroeder said he had some support which would directly affect Rockingham Ballroom and the Polish Club. He also spoke to the Representative about the EPA. He strongly suggested that the Council and others contact their State Representatives and Senators and ask them to encourage DES to re-look at their studies. Town Administrator Wojnowski said that the Coalition had contacted DES numerous times and they would not back down. He felt the State Reps should do this without being asked, but said this was not the first time DES had refused to consider community input.

Council Chairman Nazzaro announced that the New Hampshire Arts Association invites the Council and those "in TV Land" to the opening of its first Pop-up Gallery on April 15, from 2 – 5. The show will continue through April 29th at the 3rd floor of Newmarket Mills. The phone number is 431-4310. Councilor Zink gave an update on the Efficiency Committee. The committee is chaired by Bob Coffee and the membership includes the Chairman and Vice Chairman of the Town Council, School Board, and Budget Committees, the Business Administrators for the town and school, the Superintendent of Schools, the Town Administrator and 4 – 6 community volunteers. Some of their projects, such as looking into regionalization or combining the accounting systems for the town and school, are much larger and more time intensive than the members can handle. They have been speaking with about 15 townspeople who have expressed an interest in the committee, and have had some meetings with this group about whether it is worthwhile to pursue these ideas. He said they have heard different perspectives and insights. They will meet again with this group in addition to the Committee, and will probably divide the work load. He said they had also met with some town employees which is a part of getting the basics right first.

Council Vice Chairman Bentley moved to adjourn. Councilor LaBranche seconded. Motion passed unanimously, and the meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Ellen Adlington,

Recording Secretary.