

TOWN OF HEBRON, NH  
SPECIAL TOWN MEETING  
TUESDAY, SEPTEMBER 21, 2010  
7:00 pm – Community Hall, Union Congregational Church

The meeting was called to order by Moderator Peter Carey at 7:00 pm. The moderator introduced the selectmen, supervisors of the checklist and the town clerk and then read aloud the meeting rules to the audience.

(Note: The original wording of articles is in *italics*; amendments are in *italics* and **bold**; and results are in **bold**)

Article 1: *John Dunklee moved and Curtis Mooney seconded the motion to see if the Town will vote to withdraw from the Hebron-Bridgewater Refuse District and to authorize the Selectmen to develop an alternative for the disposal of trash for the Town of Hebron.*

***Amendment #1: John Matthews made an amendment, seconded by John Dunklee to see if the Town will vote to withdraw from and/or dissolve the Hebron-Bridgewater Refuse District if a satisfactory solution cannot be achieved with the Town of Bridgewater by November 1, 2010. Also, if a solution cannot be reached, to authorize the Selectmen to develop an alternative for the disposal of trash for the Town of Hebron. All agreements and alternatives will be presented to the Town of Hebron at an informational meeting before final decisions are made.***

Everett Begor made amendment, but then after discussion withdrew his amendment.

Selectman Matthews spoke to his amendment. This amendment addresses some of the taxpayers' and residents' concerns expressed to the selectmen at informational meetings presented by the selectmen. Selectman Matthews further explained that to withdraw and/or dissolve the district provides the town with more options. Legal counsel suggested the selectmen set a time frame to resolve this issue with the town of Bridgewater; hence the November 1, 2010 deadline. All agreements and/or proposals will be presented to the town.

Doug Riddle asked the selectmen who determines what is a satisfactory solution. Selectman Matthews stated satisfactory to the selectmen and alternatives would be presented at an informational meeting. Ron Collins asked why this issue wouldn't be brought before the town at town meeting for a formal vote. Selectman Matthews answered the residents need to make a decision and to trust the selectmen.

***Amendment #2: Ralph Larson moved and Karyl Larson seconded the motion to see if the Town will vote to withdraw from and/or dissolve the Hebron-Bridgewater Refuse District if a satisfactory solution cannot be achieved with the Town of Bridgewater by November 1, 2010. Also, if a solution cannot be reached, to authorize the Selectmen to develop an alternative for the disposal of trash for the Town of Hebron. All agreements and alternatives will be presented to the Town of Hebron at a special town meeting before final decisions are made.***

Mr. Larson spoke to his amendment and explained residents would have no further input at an informational meeting and he feels the townspeople should have the right to vote on alternatives.

Several residents asked if the town was trying to reduce costs and limit liability. Selectman Matthews replied the purpose is to try and work a solution so the town can stay with the Hebron-Bridgewater Refuse District. Other residents expressed the original agreement was created by the residents and any new arrangements should be by a vote of the townspeople.

Alan Barnard explained the Refuse District is a separate district and we cannot dissolve the district. There are strict guidelines how to amend or change the existing agreement. If we become involved in a legal battle, we will need to help the district pay legal costs. Mr. Barnard read aloud sections 3, 4, 5 and 9 of the 1976 agreement and stated we need to follow the rules of the agreement with the district. Selectman Matthews answered the town's attorney has stated there is no provision for withdrawing from the district. Jane Ramsay asked if the town was to hold a special town meeting is Superior Court approval necessary. Selectman Matthews answered Superior Court approval is only necessary if an appropriation was being voted on. Selectman Matthews further explained the 1976 agreement is for changing the funding of member towns and not for dissolving the district.

**Amendment #2 as proposed by Mr. Larson passed by voice vote.**

Selectman Matthews gave a PowerPoint presentation. The Bristol Selectmen approached the Hebron Selectmen and expressed interest in Hebron using the Bristol trash disposal facility. Selectman Matthews then reviewed operating expenses for area towns. Ellie Lonske mentioned Bristol has single stream recycling and the recyclables are separated at another facility. There is a significant amount of contamination when all recyclables are placed in one container. Also, the cost of the landfills is increasing. Frank Handibode asked if the Hebron-Bridgewater facility is a separate district then why is dissolution necessary and not a change in the agreement. Selectman Matthews explained Bridgewater proposed a change in the formula of 60 percent Bridgewater and 40 percent Hebron but stipulated Bridgewater would retain total control. The agreement only changes the apportionment between the towns and not withdrawing from the district. If the town votes to withdraw, the town's lawyer will petition the court and the court will decide how to divide the assets.

***Amendment #3: Bruce Barnard moved and Dan MacPherson seconded the motion to see if the town will vote to authorize the selectmen to pursue per the Hebron and Bridgewater Refuse Disposal District Agreement of March 1977:***

- A) A change in the expense apportionment per Article (5)***
- B) To obtain counsel's interpretation of "...the Regional Refuse Disposal District Treasurer shall certify to the selectmen of member towns..." per article (8). The selectmen are to report to the town or make recommendations in the form of a warrant article(s) as a result of their findings at the March 2011 town meeting.***

Mr. Barnard spoke to his amendment. Martha Twombly asked the selectmen to address Mr. Barnard's amendment pertaining to the legal interpretation of item B. Selectman Matthews stated Mr. Barnard's amendment only delays actions and legal counsel has stated the agreement does not address withdrawing from the district. Assistant Moderator Everett Begor asked if Mr.

Barnard's amendment changed the original intent of the main article. Mr. Barnard proceeded to withdraw his amendment.

Bruce MacDougall asked the selectmen what items they anticipate negotiating with Bridgewater. Selectman Matthews stated he did not want to disclose those items at this time. The first goal is to try and stay with the district, but Bridgewater will not relinquish the financial accounting of the books to Hebron. Mr. MacDougall feels November 1 is a short period of time for negotiations and presenting the information at the annual town meeting might allow more time for negotiating. Concerns mentioned by residents were if the district was dissolved would Hebron be allowed back to the district and have the selectmen considered a long term solution. Several residents stated the townspeople should put faith in the selectmen and allow them to negotiate with Bridgewater.

After discussion, the Moderator and Assistant Moderator decided Mr. Barnard's amendment did not change the intent of the original article. Mr. Barnard then represented his amendment.

**Amendment #3 as proposed by Mr. Barnard did not pass by voice vote.**

Ralph Larson asked what the \$500,000 district costs represent and what does Hebron's \$250,000 payment cover. Mr. Larson also mentioned Bridgewater has stated the number of times the incinerator burns annually is down from 105 burns to 40 and that two of the three Bridgewater selectmen are certified operators. Currently, none of the Hebron selectmen are certified. Selectman Matthews replied the incinerator is only burning on a limited basis, but the state of New Hampshire has dictated the district cannot pile more than seven days of garbage.

***Amendment #4: John Matthews moved and John Dunklee seconded the motion to see if the Town will vote to withdraw from and/or dissolve the Hebron-Bridgewater Refuse District if a satisfactory solution cannot be achieved with the Town of Bridgewater by November 1, 2010. Also, if a solution cannot be reached, to authorize the Selectmen to develop an alternative for the disposal of trash for the Town of Hebron. Trash disposal alternatives will be presented to the Town of Hebron at a special town meeting.***

Selectman Matthews spoke to the amendment. Mary Campbell asked for the correct/legal name of the district. Bruce Barnard responded that per the 1976 agreement, the facility was referred to as the Regional Refuse Disposal District. Selectman Matthews stated the Regional Refuse Disposal District has developed into the Hebron-Bridgewater Refuse District.

Mary Nell Allen expressed she would like the townspeople to vote on this issue at a special town meeting and not just a presentation. Selectman Matthews responded a special town meeting does require a vote. Alan Barnard stated no town funds can be expended at a special town meeting.

**Amendment #4 as proposed by Selectman Matthews passed by voice vote.**

Secret ballot voting then proceeded on the original article as amended by Amendment #4.

**Moderator Carey read aloud the results of the secret ballot vote on the article as amended by Amendment #4: Yes – 80; No – 31; total votes cast 111**

Frank Handibode moved and Elaine Gump seconded the motion to adjourn the meeting at 9:20 pm.

A true copy of action taken at the Hebron Special Town Meeting on September 21, 2010.

Tracey Steenbergen  
Town Clerk