

TOWN OF NEWTON
Transfer Station / Recycling Policy
(Adopted June 25, 2007)

Overview

Introduction

- The Town of Newton, NH operates a “household waste/recycling Transfer Station” for the convenience and the public health management/ benefit of the community.
- Transfer Stations play an important role in a community’s total waste management system, which serves as a link between the community’s household waste/recycling collection program and a final household waste/recycling disposal facility.
- Municipal “landfill” restrictions and requirements which were passed federally in the early 1990’s promulgated new standards, designs, operating and monitoring requirements that essentially prohibited small municipalities from operating their own landfills efficiently and economically. The answer therefore, became either to have a residential trash collection or operate a “transfer station” which acts as a centralized collection point for trash collection for the community.
- Either way, in the end, the waste ends up in the same place; a regional landfill. The less expensive option for a small community however, is operating a local “Transfer Station” which eliminates the cost and residual costs associate with collection.
- The Town of Newton operates its Transfer Station in accordance with RSA 149-M:17 and policies implemented by the Board of Selectmen under the provisions of 41:11-a, 31:39, 47:17 VII.

Policy

- It is the policy of the Town of Newton to provide a waste/recycling “Transfer Station” for the residents of the Town of Newton.

Purpose

- The purpose of the “Transfer Station” is to provide a cost effective, safe, healthy and easily accessible process for the disposal of household waste/recycling and other authorized waste items.

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ITEMS ACCEPTED

Definitions

- Bulk Items
 - Wood – Pressure Treated Wood
 - Insulation, Sheetrock, Plaster, Chairs, Mattresses, Sofa's, etc.
 - Construction Debris
 - Wood, Porcelain, Tile, Bricks, Cement, Shingles, etc.
- Hazardous Waste
 - Motor Oil – in Clear Containers
 - Mercury Containing Items: Thermostats, Thermometers, etc.
 - Televisions
 - Florescent lights
 - Computer monitors
 - Freon Containing Items:
 - Refrigerators, Freezers, Air Conditioners, Dehumidifiers, Microwaves
 - Batteries Containing Lithium
- “Household Waste” means household garbage, food, food containers, papers incidental to food consumption, small quantities of crumpled or unfolded newspaper if used to transport or contain other household waste, including trash bags.
- Recyclables
 - Cardboard (If it's brown – it's cardboard)
 - Paper (Everything that is not brown is considered paper)
 - Glass
 - Aluminum Cans (Town, Boy Scouts)
 - Plastic
 - Clothing
 - Book Drop (including DVD's, VHS Tapes and Records)
- Yard Waste (Compost Items)
 - Leaves, Grass, Brush, Food Products not containing dairy or meat
- Metal - Appliances without Freon,
 - Hot water Heaters, Stoves, Dryers, Washing Machines, Dishwashers, etc.
- Tanks
 - Propane, Helium, Scuba, Fire Extinguishers, etc.
- Swap Area
 - Only things that aren't broken and have all it's pieces; No electronics or cushions are allowed

NO LARGE COMMERCIAL DUMP TRUCKS
Current Resident Sticker must be displayed

The following items are **NOT ACCEPTED** at the Transfer Station **AT ANY TIME**

AMMUNITION	METAL POLISH
ANTIFREEZE	MURIATIC ACID
ASBESTOS	PAINT
BRAKE FLUID	OVEN CLEANER
CARBURETOR CLEANER	PAINT THINNER
CREOSOTE	PESTICIDES
DEGREASERS	PEST STRIPS
DECEASED ANIMAL PARTS	PHARMACEUTICALS
DIOXIN (2-4-5t)	PHOTO CHEMICALS
DRAIN CLEANER	POOL CHEMICALS
ESTERS (Organic Compound)	PRESCRIPTION MEDICINES
ETHERS	RADIOACTIVE MATERIALS
EXPLOSIVE MATERIALS	RODENT KILLER
FURNITURE POLISH	RUST REMOVERS
GASOLINE	RUST SOLVENTS
INSECT SPRAY	SYRINGES
KEROSENE	TRI-, TETRA-, PENTA-
MEDICAL WASTE	CHLOROPHENOL
INFECTIOUS & BIOLOGICAL	WAX POLISH
ALL UNKNOWN MATERIALS	

**ANY QUESTIONS, PLEASE CALL THE SELECTMEN'S OFFICE AT 382-4405 X10 Or
the Newton Transfer Station at 382-7250**

FOR MORE INFORMATION CALL:

NH POISON CONTROL CENTER	1-800-562-8236
NH DEPT. OF ENVIRONMENTAL SERVICES	271-2921
ROCKINGHAM CTY / UNH COOPERATIVE EXT.	679-5616
ROCKINGHAM PLANNING COMMISSION	778-0885

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PROCEDURE

Hours of Operation

The Transfer Station is open Tuesday and Thursday between 12:00 Noon and 6:45 PM, Saturdays between 8:00 am and 4:45 PM and Sundays between 9:00 am and 3:45 pm. (Hours are subject to change as directed by the Board of Selectmen.)

Bulk Item Fees

There are two separate fee schedules available at the Newton Town Hall, as well as on Newton’s Website www.newton-nh.gov that defines what items have a disposal fee; (one is for Newton residents and the other one is a limited selection for the Towns of Kingston, East Kingston and South Hampton). These fees are used to minimize the cost the Town is charged for disposal. No household refuse will be accepted from the three towns listed above.

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Facility Use

- **Accountability**
 - **Transfer Station Access**
 - A control person is stationed at the entrance of the “Transfer Station.” The control person is typically located within a small shed, approximately thirty (30) feet inside of the property entrance where there is also a vehicle “Stop Sign.” The purpose of the control person is to;
 - Insure authorized access (stickers)
 - Assist patrons with directions and instructions to various property areas if needed,
 - Inspect loads and assess costs for non-household (bulk) items, and monitors where the residents are in the facility
 - To issue receipts for payments
 - Monitors what is going in and out of the “Swap Area”
 - Residents/patrons are required to stop their vehicles at the “stop” sign for the reasons stated above and abide by other posted signage.
- **Waste Areas**
 - **Recycle Area**– The Town of Newton encourages and promotes recycling. Recycling serves three (3) purposes:
 - It recycles resources,
 - It reduces the amount of bulk trash the Town pays to transport, and
 - It reduces “Transfer Station” costs as the Town is compensated for recyclables and other
 - **Recyclable Items**
 - Glass, Cans & Plastics
 - Metal
 - Cardboard
 - Paper
 - Clothes
 - Books (including DVD’s, VHS & Records)
- **Swap Area**
 - The Swap Area of the Town’s Transfer Station exists for the “common good” of the Town. It is designated to help prevent waste, to contribute in preserving and protecting our natural resources and just as importantly, to provide a unique resource for the Town’s people. Articles that are placed in the “recycle area” become and remain the property of the Town of Newton until otherwise lawfully released by the Transfer Station Attendant. The Transfer Station Manager shall have the authority to limit the access to or the taking of any article, item or property from the described location and shall guard it from the abuse of hoarders or those who might otherwise pilferage.

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Facility Use
(Continued)

- *Compost Items*
- *Household Trash*
- *Construction Debris & Misc Bulk Items*
- *Tires*
- *Electronics*
- *Oil*
- *Metal*
- **Vehicle Flow**
 - The “Transfer Station” property is organized in a fashion that attempts to facilitate easy, safe and efficient use of resident/taxpayer time and resources. The control person at the property entrance point shall direct persons, with multiple stops, to the proper waste area and in the best sequence to eliminate confusion and maximize safety.
- **General Use**
 - Only trash generated at residences or from locations owned by the Town may be brought to and deposited at the Transfer Station.
 - Businesses / Contractors are not permitted to use the Transfer Station and must make arrangements to have their trash disposed of.
 - Everyone entering the Transfer Station must stop at the “Stop Sign” to inform the Attendant of their intended purpose while at the facility.
 - Newton Residents are required to park vertically, within the allotted parking spaces while disposing of their household trash. NO EXCEPTIONS will be allowed.

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Facility Use
(Continued)

- There will be **“No Smoking”** allowed in the Transfer Station Facility due to high risk, flammable products such as oil, propane, paper, brush, leaves, paint products and other various items.
- State law requires that no one shall use the area unless an attendant is present. The gate **must** be kept locked at all times when area is unattended.
- Any person apprehended inside the Recycling / Transfer Station property when it is closed shall be charged with criminal trespass (RSA 635:2), a class A misdemeanor, and be subject to a maximum penalty of one year in prison and a \$2,000 fine.
- A person vandalizing the Recycling / Transfer Station property shall be charged with criminal mischief (RSA 634:2), which under certain circumstances constitutes a Class B felony that carries a maximum penalty of seven years in prison and a \$4,000 fine.
- Any person leaving trash outside the gate of the Recycling / Transfer Station property or along town or state roads shall be charged with littering under (RSA 163:B), a Class A misdemeanor, and subject to a maximum penalty of one year in prison and a \$ 2,000 fine.
- Attendants shall refuse to allow any waste to be deposited at the facility, which if accepted, would violate these regulations or any Federal or State laws or regulations.
- Admission to the facility is allowed for Newton residents, by numbered sticker affixed to the lower left corner of the windshield effective March 1, 2010, where it is clearly visible.
- Residents from the Towns of Kingston, East Kingston & South Hampton must show the Attendant their driver’s license and registration. (Amended 11/30/09)
- If the resident sticker is not permanently affixed to the vehicle after the effective date of March 1, 2010, the resident will not be granted access to the Transfer Station.
- All children under 12 years of age must remain in the vehicle.
- No disposed material is to be removed from any area other than the permitted “Swap Area, Wood Cord Area, and Compost Area”.
- No person shall loiter in or around public buildings or public places so as to prevent free access by any person; and no person shall by his presence, or by means either alone, or in consort with others interfere with, impair, or interrupt the conduct of business in said places, or interfere in any way with the entry, exit or free passage of any person into or through said public places.

**Situations/
Events**

- Non-emergency Situations
 - Patron Conduct
 - Most residents appreciate the services provided by the Transfer Station and Transfer Station employees. There are times however, in almost every line of business, where there are those who attempt to take short cuts, don't want to follow general instructions or are otherwise rude and/or impulsive.
 - Employee Responsibility
 - In these situations the Transfer Station employee should try to accommodate most reasonable requests, and rationalize with the patron, regarding Town Policy. In those cases where the patron becomes or persists in being argumentative, the Transfer Station Manager shall be notified.
 - Managers Responsibilities
 - The manager or person-in-charge of the Transfer Station should, upon observing a violation of Town Policy, approach that person and ask them to comply with established policy. If the person is unaware of the policy then that policy should be explained in a courteous, cordial and thoughtful manner. It is the Manager's discretion as to whether or not he/she forwards a report to the Board concerning an initial and small violation. The manager should however, make note of the violation in the event that the person involved becomes a repeat or constant offender.
 - If the person becomes visibly irritated and argumentative the employee should advise the Transfer Station Manager who shall note the violation in their weekly report to the Board. Neither the Manager nor other facility employee shall engage in argumentative or otherwise confrontational behavior.
 - Basic report information should include: permit #, vehicle and operator (violation) description, including registration number, vehicle type, style, color, date, time, incident description and employee's initials.
 - If the person becomes argumentative to the extent that their conduct is disruptive, abusive or otherwise commits a criminal act, the police shall be notified immediately. The police will notify the Board of any police action taken so that the Board is aware and can address any long term concerns.

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- Weekly Reports**
- A “weekly report” shall be made by the Transfer Station Manager and forwarded to the Board of Selectmen. The reports shall include noted violations, behaviors, suggestions and managerial concerns of the Transfer Station Manager. The report shall be submitted each Monday morning to the (Town Administrator / Selectmen’s Office Manager) so that the Board can note, review employee concerns and take timely and appropriate steps to address potentially serious issues. A “weekly report” shall include any employee concerns.

 - The report shall include:
 - Any identified operational and/or liability issues or concerns.
 - Recommendations for improvement, including cost saving measures, operational improvements, etc.
 - Any other relative information.

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**Board of
Selectmen's
Review**

- If the issues concern a resident or other authorized facility user the Board will discuss and determine appropriate measures as a Board. The Board can either choose to formally address or not address a particular issue.
- If the Board chooses to formally address an issue (policy violation) the Board should remember that Town Policy is not an ordinance and therefore, “violators” are entitled to “a notice” and an “opportunity” for a “hearing” before any punitive (restrictive (no trespass)) action is taken. In this case the Board of Selectmen are in-charge of and responsible for all of Town property and may, within reason, limit or exclude usage.
- Accordingly, if the Board decides that they might potentially issue a “No Trespass Order” on a resident or other authorized user and preclude them from using the Transfer Station or other Town owned facility, they should first provide them with notice and then conduct a hearing to determine disposition. A “hearing” in this sense, does not require “posting,” but does include notice and an opportunity for the accused offender to be heard.
- Based on the results of the hearing, or if the offender chooses not to attend the hearing the Board of Selectmen may take any of the following actions:
 - Take no action
 - Provide a warning that future events may lead to a suspension of termination of facility privileges
 - Issue a “No Trespass Order” suspending the person’s facility privilege; and/or
 - Request police action based on the type of incident

Directions

- The Recycling / Transfer Station located on Dugway Road, is adjacent to Amesbury Road. Going south on Route 108 at Rowe’s Corner, go under the blinking light onto Amesbury Road. Bear to the left, staying on Amesbury Road (otherwise, going straight will put you on Bear Hill Road) past the Newton Greenhouse until you come to a sharp curve that bears to the right. Dugway Road is off that sharp curve and is approximately 1/10 of a mile on the left.

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**Contact
Information**

Newton Recycling / Transfer Station
4 Dugway Road
Newton, NH 03858
(603) 382-7250

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Date

Name
Street
Newton, NH 03858

Re: "Violation Letter"
Transfer Station Policies

Dear

In an effort to be responsible fiscal agents of the Town and to help keep the tax rate down, The Board of Selectmen have created policies to give guidance to our employees and residents in order for everyone to know what they can and cannot do when utilizing our Transfer Station.

Although you may not agree with some of the policies that have been adopted, they have been reviewed by Town Counsel who feels under normal circumstances, they should be sufficient to manage a locally owned and operated town facility.

It has been brought to the Boards attention that you have been

(insert policy violation here)

Due to our liability insurance, for the safety of our town employees, residents and other authorized facility users, we respectfully request that you stop doing this immediately and comply with the policies as written.

We have enclosed a copy of the Transfer Station Policy for your perusal. If you still have questions and would like to set up a meeting with the Board of Selectmen to discuss any of these issues, please contact the Selectmen's Office at (603) 382-4405 x 10. If you choose to ignore this notice and continue to violate these policies a "No Trespass Order" will be issued by the Board and the Police Department will be notified with instructions for enforcement.

Thank you for your anticipated understanding and cooperation with this matter.

Respectfully,
Board of Selectmen

Cc:

Date

Name

Street

Newton, NH 03858

Re: "Notice of Selectmen's Hearing"
Transfer Station Policies

Dear

You are hereby advised that the Board of Selectmen for the Town of Newton have scheduled a hearing for reported violations of Town policy concerning your participation in a reported incident at the "transfer station."

The Selectmen have scheduled the hearing based on information provided to them by the Transfer Station Manager. The scheduled hearing is a result of a second reported policy violation for which you were previously warned or a violation that in the opinion of the Board warrants immediate dialog.

This hearing is scheduled for:

You are further advised that if you do not attend the scheduled hearing that the Board of Selectmen will suspend your privilege of utilizing the Town's transfer station by issuing a "No Trespass Order."

Thank you for your anticipated attention to this notice.

Respectfully,
Board of Selectmen

Cc:

Date

Name

Street

Newton, NH 03858

Re: "No Trespass Order"
Newton Transfer Station

Dear

By virtue of this correspondence, you are hereby notified that you are no longer authorized to enter on to Town Property utilized and otherwise known as the Town's Transfer Station, Dugway Road, Newton, NH.

This action has been imposed by a majority vote of the Board of Selectmen based on information provided by the Manager of the Transfer Station. The Transfer Station Manager is authorized by the Board of Selectmen to manage the Town's Transfer Station Facility, at the direction of and by policies established by the Board of Selectmen, in the best interest of the overall community.

Prior to this notice you were given an opportunity to address the Board concerning activity that had been reported that was in violation of the established policies that violated the public health and welfare concerns of the Town of Newton. You were also warned that future, similar or like activity/behavior would lead to a "No Trespass Order."

Based on this notice you are advised that you are not to enter onto the described property. If you ignore this notice you are further advised that the Transfer Station Manager is authorized to contact the Police Department who has been advised to proceed with prosecution under the State's Trespass Statute, RSA

Respectfully,
Board of Selectmen

Mailed Certified "Return Receipt Requested"
Delivered and Served "In-Hand" by an Officer of the Newton Police Department

Transfer Station / Recycling Policy Continued

Example Violations (including, but not limited to)

1. Resident Sticker is not Displayed Appropriately. A readily visible and permanently affixed Resident Sticker is a requirement in all Transfer Stations and Dumps throughout New Hampshire and is a way for us to keep control over our day to day operations.
2. Parking on Dugway Road and walking into the Transfer Station with your household trash.
3. Not Stopping at the Stop Sign: The stop sign allows the attendant to check for resident stickers, examine and appropriately charge for cost bulk items and efficiently manage vehicle traffic entering the facility, especially during peak hours.
4. Reckless and/or Excessive Vehicle Speed: Endangering the welfare of employees, taxpayers and/or other lawful users/consumers.
5. Parking Inappropriately: Designated parking allows the Town to safely manage the operational flow of the Transfer Station to peak efficiency.
6. Rude, Obscene or other Disruptive Language or Conduct: The Transfer Station is a Town owned public facility that is frequented by families. Additionally, Transfer Station Employees are there to ensure the most cost effective means for the benefit of all Town Taxpayers.

Etc.

Amended 11/30/09

Amended 02/17/09

Amended 07/19/10