

# Massachusetts Highway Association

Since 1893

## SPRING NEWSLETTER

VOLUME 43

2016

### President's Message



*Greetings!*

Another winter has come and gone and we can breathe a sigh of relief

that we had a much milder winter than 2015.

As this is the second year of Governor Baker's administration, we would like to again extend our gratitude, in advance, to both the Administration and Legislature for a timely release of Chapter 90 Funding so that we may not lose any time in the Northeast's limited construction season.

We are looking forward to the spring and summer activities on our calendar:

- ✓ Annual meeting, May 5
- ✓ Charity Golf Outing at Brookmeadow, Canton, August 23
- ✓ Mass Highway Association 37th Annual N.E. Public Works Expo, September 28 and 29, Holiday Inn, Boxborough, MA

This is my last message before my term expires in May. I would like to take this time to thank all of the members of the Board of Directors that I have had the pleasure to work with over the last year. It is the membership that we represent and the many issues that affect us all differently depending on what part of the state that we work and live.

*continued on page 2*

### Massachusetts Workplace Safety and Health Program

*By Jon E. Livergren, Occupational Safety & Health Inspector, Massachusetts Dept. of Labor Standards*

In the absence of specific standards, the Department of Labor Standards has been charged to ensure that all public sector employees (municipal, county and state) enjoy the same OSHA protections as those in the private sector. Compliance with the OSHA Standards will, in most cases, ensure compliance with the intent of Chapter 149 Section 6, which states that DLS shall investigate places of employment and determine what suitable devices or other reasonable means or requirements are necessary for the prevention of industrial accidents or occupational diseases.

The mission of the Massachusetts Workplace Safety and Health Program (WSHP) is to prevent job-related injuries and illnesses among the Commonwealth's public sector. Our vision is a Commonwealth where preventable workplace injuries and illnesses are eliminated. To accomplish this, we perform inspections to promote effective health and safety management in the Commonwealth's public sector. To bring long-term change to fruition, we educate and support workers, employers, advocates and decision-makers in health and safety standards which protect workers from preventable harm, and in the methods necessary to ensure that these standards are followed in the workplace.

Inspections are conducted based on the following (in order of priority):

- Imminent danger conditions
- Accident and fatality investigations
- High-hazard activities as evidenced by worker's compensation rates
- Complaints and referrals (may not result in site inspection)
- Follow-up inspections
- Random programmed inspections
- List of Services (provided free of charge to any public agency in Massachusetts)
- Accident investigation

- High hazard investigation
- Complaint follow-up
- Voluntary safety and health inspection (a free, no penalty consultation visit)
- Ergonomics training and assessment
- Blood borne pathogen training and program assessment
- Lead safety training
- Asbestos sample collection and analysis (under certain circumstances)
- Workplace violence prevention program management review
- Periodic training on various hazards (check the schedule for current offerings)

At one time or another, all cities and towns will likely be dealing with us due to an accident, illness, complaint or a programmed inspection. We would be happy to discuss with your members, in advance of any eventuality, the merits of our Workplace Safety and Health Program for Public Workers.

Please let us know if you would like us to make a presentation at one of your upcoming meetings. Visit our web site at [www.mass.gov/dols/wshp](http://www.mass.gov/dols/wshp).

### **MHA Annual Meeting May 5**

The Annual Meeting will take place on Thursday, May 5 at the Doubletree Hotel (formerly Sheraton Four Points) in Leominster. The results of the Election of Officers will be announced, scholarship awards will be issued and special awards will be announced. The official notification with the agenda is included with this newsletter. Please return your reservation early, with payment.

## President's Message, cont'd.

It is our County Association Directors that bring these issues before us so that we may try to amend, correct or file new legislation to address these concerns. These directors are the life blood of our organization and I am proud of the accomplishments of the Massachusetts Highway Association over my time as a member of the Board of Directors and as President, and look forward to continuing in some capacity with the organization. Thank you.

Regards,

Tom Reynolds, President

## Charity Golf to be Held on August 23



The Annual MHA Charity Golf will be held on August 23 at the Brookmeadow Country Club in Canton.

Watch for the official announcement.

## BRI Bridge Program

By David Desrosiers, PC, Granby Highway Supt.

The Massachusetts Highway Association was recently informed about new funds available for municipal bridge repairs. The new program will provide funding for BRI category bridges which are, by definition, over 10' but less than 20' in length. This includes culverts such as twin 5' diameter if they are less than half the diameter apart. MassDOT is in the process of updating their inventory of BRI category bridges in the near future. The District Bridge offices are expected to reach out to all cities and towns.

You should begin looking at all your small bridges and culverts so that they can be placed in MassDOT's inventory. These may be eligible for state reimbursement funds if repairs are needed. I am sure the District Bridge offices can provide more information about this program.

We have been working hard to keep everyone informed about changes in our profession. Networking through our organization is such an important way to keep current on what is going on. Please support our efforts and remain active in the organization.



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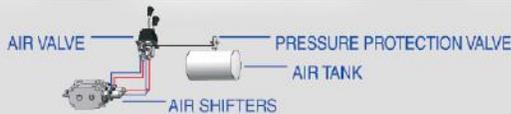
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## 37th New England Public Works EXPO

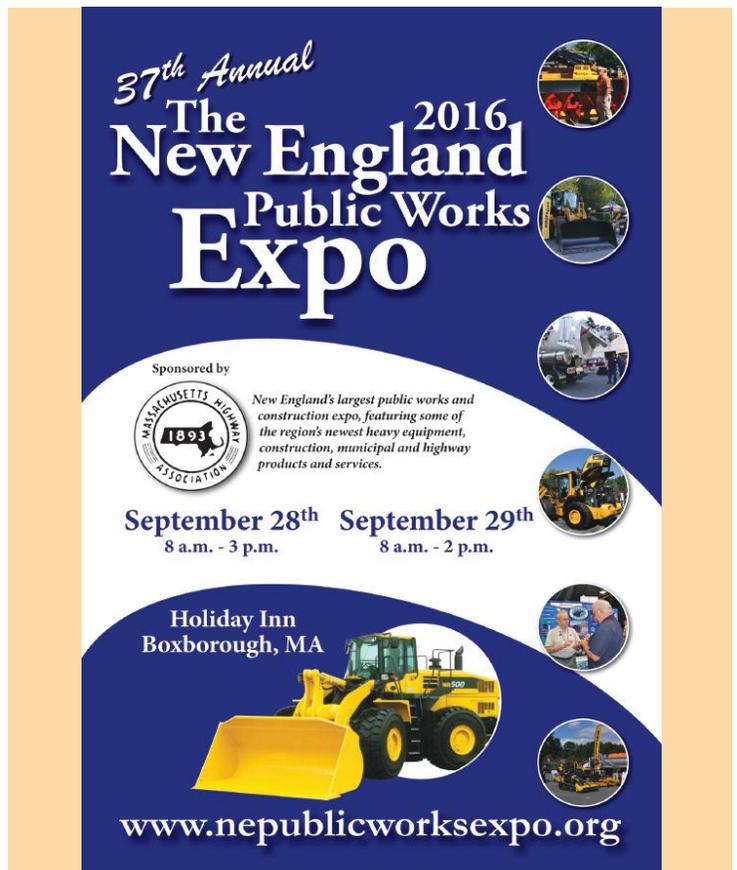
The Massachusetts Highway Association will present the 37th Annual New England Public Works Expo on September 28 and 29 at the Holiday Inn, Boxborough. This is the 3rd consecutive year that the show has been held at this location, which is conveniently located off Interstate 495 at Exit 28.

The New England Public Works Expo has become one of the largest and most successful expos of its kind in New England. Attendance continues to increase year after year, with an average of 2,000 public works personnel and officials, guests, and area and national vendors attending each year.

Each year, part of the proceeds from the show benefit MHA's annual scholarship program which awards scholarships to college students who are members of the MHA, or the children or grandchildren of MHA members. Undergraduate and graduate students pursuing Masters and Doctoral degrees are also eligible. Students who qualify for the scholarships receive the awards at the MHA annual meeting. A total of \$23,000 was awarded to 23 applicants in 2015.

Each year brings new vendors and attendees, making this event an excellent opportunity to showcase your company and products to all who attend the expo.

The New England Public Works Expo is a sellout event every year. Don't miss your opportunity to participate by calling Dayna, Ann, or Carolyn at JC Marketing Associates at 781-245-7070 today!



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**September 28<sup>th</sup>** 8 a.m. - 3 p.m.  
**September 29<sup>th</sup>** 8 a.m. - 2 p.m.

Holiday Inn  
Boxborough, MA

[www.nepublicworksexpo.org](http://www.nepublicworksexpo.org)



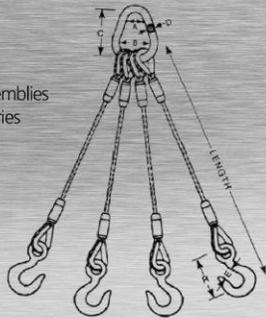
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# County Association News

## ■ Berkshire — Chris Bouchard

The Berkshire County Highway Association has a great season of workshops and meetings planned.

**April 28** — First Meeting / Workshop, Skyline Country Club, Lanesborough

**June 17** — 8th Annual Charity Golf Tournament, Skyline Country Club, Lanesborough

**June 23** — Second Meeting Workshop, Skyline Country Club, Lanesborough

**August 25** — Third Meeting / Workshop, Italian American Club Pittsfield

**September 16** — 33rd Annual Equipment Show and Picnic, Hinsdale Fire Dept., Hinsdale

**October 27** — 37th Annual Business Meeting, Election of Officers and Scholarship Awards, Italian American Club Pittsfield

## ■ Essex County — Lisa DeMeo

**Lisa DeMeo, P.E.**, City Engineer in Lowell, was selected to be a member of the judges' panel for the 2016 ACEC (American Council of Engineering Companies)/MA Engineering Excellence Awards Competition. DeMeo represented the Public Works field on the panel of judges. Judges represent the fields of Construction, Academia, Public Works, Architecture, and Media.

The ACEC/MA Engineering Excellence Awards Competition recognizes engineering achievements that demonstrate the highest degree of merit and ingenuity.

Judging the ACEC/MA Engineering Excellence Awards Competition involves a three-step process:

- 1) Independently reviewing submissions and completing score sheets;
- 2) Meeting with the other judges to discuss the projects and to select five finalists for oral presentations, and;

- 3) Listening to oral presentations of the projects and selecting the Grand Conceptor and Gold Award winners.

The Awards Gala was held March 16 at the Sonesta Hotel in Cambridge.

## ■ Norfolk-Bristol-Middlesex — Robert O'Brien

The NBM Equipment Show will be held on Wednesday, May 4 at the Wellesley DPW, Rte. 9 Wellesley. This is the 55th anniversary of the show, and more than 60 vendors and well over 500 attendees are expected to attend. We hope you can make time to come and see the latest equipment, network and have a great lunch.

## ■ Plymouth County — John Haines

Plymouth County Highway Association will hold its Annual Equipment Show on Thursday, July 21 at the Upland Club in Plympton.

## ■ Tri-County — David Desrosiers

On March 24, 2016 TCHSA held its winter meeting at the Bluebonnet Diner in Northampton. The program included a presentation from All States Asphalt on pavement preservation and a presentation from the Massachusetts Ethics Commission on the Conflict of Interest Law. There was also a brief update about the proposed changes to the hoisting regulations 520 CMR 6.0.

Representatives of Columbia Gas informed the members about a new committee formed by Governor Baker to review all interactions between utility companies and municipalities. The DPU Hearings will be chaired by Columbia Gas president Steve Bryant.

They are scheduled to begin on April 27. Steve invites all DPW Directors and Mass Highway Association members to attend and discuss their problems and provide input.

## ■ Worcester County — Scott Crisafulli

The Worcester County Highway Association nominating committee has nominated **Scott Crisafulli** for President, **Dan Nason** for Vice President and **Steve Tyler** for new Board Member. These appointments will take effect at the next meeting. This year's Vendor's Day will be held at a new location yet to be determined.



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## M\$4 Update

By David Lane, MHA Secretary

We recently had the opportunity to meet with U.S. EPA Region 1 Administrator Curt Spalding and MDEP Commissioner Martin Suuberg. Together, with their representative staffs, they presented some insight into the next steps and present concepts to be rolled out in the new M\$4 permits this spring. The good news is that although we may not like the idea of new M\$4 requirements, they are listening and have taken into account many of the excellent letters and the thoughtful modifications to the permit which have been suggested by cities and towns around the commonwealth.

At the top of the list of changes are the following:

- Extending the dates for the effective (beginning) date of the permit.
- Extending the time for implementation.
- The ability to map and inspect discharges at the same time.
- Change monitoring requirements.

The message received is that we all need to work towards cleaning up illicit discharges and storm water pollution and they want to work with us to do that in the most cost-effective and practical way possible. Regarding redevelopment of sites, we heard that MDEP wants the storm water improvements done in the most cost-effective manner and will allow for off-site mitigation. Regarding the plans that municipalities need to have in place to keep streets, catch basins, and parks clean, they don't care what the specifics are; they simply want to make sure we have a plan in place to address these items.

More specific information will be coming out in the next few weeks and we will be forwarding this along as soon as the dates appear to be accurate. Many thanks to all the towns and cities who submitted letters and comments, which helped make these changes.

## Hoisting License Updates

By David P. Desrosiers, P.E.

The Mass Highway Association would like to thank Governor Baker's administration and the Department of Public Safety for their ongoing work to review and update regulations; specifically the Hoisting Engineer regulations. Our members have testified at numerous Administration and Finance Hearings and have met with high ranking officials of the Department of Public Safety. Everyone seems to recognize that there is much confusion and misunderstanding with the current regulations.

Mass Highway Board members will continue to work with the Governor's administration and the Department of Public Safety to try to draft changes that will clarify the current regulations and reduce the burden to municipalities. Expect to see changes to the current hoisting regulations in the near future.

There are several areas where a consensus appears to have already been achieved. One of these is the issue surrounding attachments. The prevailing thinking is to eliminate the confusion by changing the regulations to consider only the base machine to determine the correct license. The license to operate a machine would be determined by the base machine and not the attachment placed on it. For example, a boom or forks placed on a wheel loader would not change the license requirement for the loader.

We hope to be able to share a draft of the proposed changes with the entire membership as soon as it becomes available. We will keep you posted on the progress.

## Update – An Act to Further Define Standards of Employee Safety

By Victoria Sclafani, Legislative Analyst and Katie S. McCue, Senior Legislative Analyst, Massachusetts Municipal Association

As we go to press, the Senate plans to vote on the bill March 31, and then the bill will go to the House. Senate Ways & Means amended the bill to add a municipal subcommittee to the OSHA Advisory Board, which would include a representative from Mass Highway Association (see bill text below) and from the MMA.

SB2190 — Senate Ways and Means: An Act to Further Define Standards of Employee Safety

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting, after section 6?, the following section:

Section 6?. (a) This section shall not apply to places of employment subject to section 6?. The department, after consulting with the advisory board established by subsection (b), shall adopt regulations that shall provide at least the level of protection to employees that is provided under the federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et. seq., including standards and provisions of the general duty clause contained in 29 U.S.C. 654. In the absence of a state regulation, the department shall apply the applicable provisions of that act.

(b) The governor shall appoint a municipal occupational health and safety hazard subcommittee to the occupational health and safety hazard advisory board established in section 6?. The subcommittee shall consist of: the director of the division of labor standards or a designee, who shall serve as the chairperson; the president of the Massachusetts Municipal Association, Inc. or a designee; the president of the Massachusetts Highway Association or a designee; the president of the Massachusetts Association of School Committees, Inc. or a designee; the president of the Massachusetts Association of School Superintendents, Inc. or a designee; the president of the New England Water Works Association, Inc. or a designee; and the president of the Massachusetts Municipal Management Association or a designee.

The subcommittee, in consultation with the occupational health and safety hazard advisory board established in said section 6?, shall: (i) evaluate injury and illness data; (ii) recommend training and implementation of safety and health measures; (iii) monitor the effectiveness of safety and health programs; and (iv) determine whether additional measures are necessary to protect the safety and health of employees.

(c) The attorney general may bring a civil action for declaratory or injunctive relief to enforce this section.

SECTION 2. This act shall take effect on January 1, 2017.



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## Retirements, New Appointments, Promotions and Awards

**Matt Larson** from the Town of Lee Highway Dept. has been named Highway Superintendent, succeeding **Dennis Kelly**, who retired last fall.

**Steve Harasyko** has left the Town of Sandisfield as Highway Superintendent. He is succeeded by **Bobby O'Brien**.

**Ed Lord**, Sheffield Highway Superintendent, has retired after nine years with the town. Ed previously worked for the Town of Great Barrington DPW. A replacement has not been chosen to date.

Lexington DPW Director **William P. Hadley** retired on March 25. Bill had 40 years with the department, starting as a laborer in the water division in 1976. He was appointed foreman in 1985, water and sewer superintendent in 1987 and DPW Director in 2000. In 2013, Bill was named a Top Ten Public Works Leader of the Year by APWA.

**David Pinsonneault** was appointed Lexington DPW Director, effective March 28.

**Thomas Temple** started working as Chatham's Director of Public Works on February 16. Tom previously worked for the City of Marlborough.

## Employment Opportunity

The Town of Dracut, MA is seeking a Public Works Director. For complete job description and application, please visit Human Resources at [www.dracutma.org](http://www.dracutma.org). Position will remain open until filled.



Massachusetts Highway Association was well represented at the Massachusetts Municipal Association show. (Seated, left to right): Neil Andres and Scott Crisafulli. Standing (left to right) Sean Divoll and John Haines.



**Francis R. Bush, Jr.**, retired Williamstown Highway Superintendent and a past Vice President of the BCHSA, passed away on November 5. Fran led an active life following his heart transplant 22 years ago, which he received after travelling to Boston during the blizzard of 1993.

**Peter Leidt**, retired Russell Highway Superintendent & Treatment Plant Operator passed away on January 14. Peter had served as President and Secretary for the BCHSA.

**Ernest W. "Ernie" Nugent**, retired Worthington Highway Superintendent, passed away on January 11. Ernie was a past president of the BCHSA.

**Brian J. Blaney** of Methuen passed away on February 28. Brian was a lifelong resident of Methuen and a member of Methuen DPW for the past 42 years. Brian started with the city as a Laborer in 1973 and rose to the position of General Construction Inspector. Brian was a lifelong athlete, an All Star pitcher in high school and was drafted by the Pittsburg Pirates in 1969. He was inducted into the Methuen High School Hall of Fame in 1999. Brian leaves behind a wife Paula and daughter Stephanie.

**Edward "Ned" Huntley**, former DPW Director of the City of Northampton, passed away on January 30 after a brief illness. Ned began working as an engineer with Northampton in 2000, became DPW Director in 2006, resigning in December 2015 to accept a position as Town Engineer in Easthampton, where he was looking forward to starting his new job. Ned was 58 years old. He leaves a wife and two sons.

## • • • NEWSLETTER • • •

This is the last issue of the Newsletter to be printed and mailed. Because of the rising mailing costs, future issues of the Newsletter will be sent to you digitally via email or by downloading from the MHA website, [masshwy.org](http://masshwy.org). It is very important that we have your email address so that you won't miss any issues. This issue will also be distributed digitally via emails on hand. In the future, it is anticipated that all meeting notices and dues notices will be sent via email. The next issue will be published in the fall. Please send all news items to your MHA County Director or to the Newsletter editor, Bill Elovirta, at [bille@msn.com](mailto:bille@msn.com).