

Mark Your Calendars for the 2009 MHA Equipment Show – September 30 and October 1.

This year marks the 30th anniversary of the New England Public Works Expo, sponsored by the Massachusetts Highway Association. This show has become New England's premiere public works trade show and expo, featuring some of the region's most innovative products and services from top vendors.

Over 100 vendors attended last year's show which attracted hundreds of public works officials and representatives from all over Massachusetts and New England throughout the two-day event.

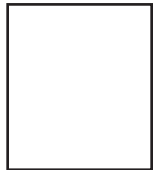
The 2009 show will be held on Wednesday, September 30 and Thursday, October 1 at the Wachusett Expo Center in Fitchburg, a new venue which provides a more centralized location for MHA members and vendors alike. The Expo center is conveniently located right off exit 28 on Route 2 at 150 Royal Plaza Drive in Fitchburg.

Mass Highway Association
P. O. Box 41
Groveland, MA 01834

The two-day show will feature food and refreshments, guest speakers and giveaways. Additional information will be coming soon.

If you know any vendors who should be in the show, tell them to mark their calendars for September 30 and October 1 and have them call JC Marketing Associates at 781-245-7070.

You can get more information by visiting the website at www.nepublicworksexpo.org.



Salt Prices Up and Deliveries are Slow . . .

Highway departments in the eastern part of the state are reporting that salt prices are up \$20 per ton over last year and that they are having difficulties getting deliveries. One salt company representative said that it is true prices are up and deliveries are tight because of the harsh

winter to date. He stated that ships are en route to the northeast with more salt, and if the harshness of the winter abates, the delivery problem will ease. Although the prices are also higher in the western part of the state, there seems to be no delivery problems.

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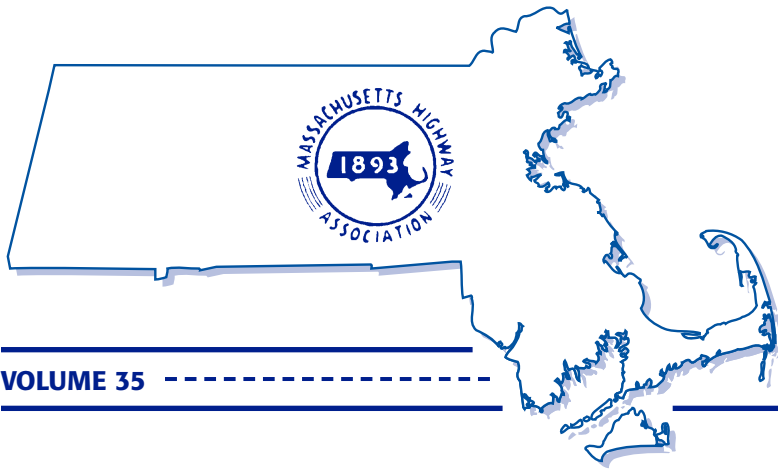
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Massachusetts Highway Association

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WINTER NEWSLETTER

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2009

President's Message



The year of 2008 saw the Mass Highway Association and the counties it represents work endlessly in an effort to support and pass a Public Works Mutual Aid Assistance Bill. We were all dismayed and disheartened when this bill failed.

It has never been more evident that now, with the most recent problems of the long horned beetle in Worcester County, and the severe ice storms in that area and the western part of the state, that the need for Mutual Aid in Public Works is now. If we continue to work together, this bill will pass.

In 2009, there are many other challenges that are facing us. Clarifying the permitting of Jackie's Law, working on the proposed diesel retrofit program that will be practicable as well as funded. We must also devote our attention to securing more SRF monies in an effort to improve our storm water and wastewater systems.

Let us make 2009 the year that all the cities and towns of the Commonwealth work together to face the many issues that affect our profession.

Best wishes to you and yours for a healthy and prosperous New Year.

Sincerely,

Joe Welch, President

Ice Storm of 2008 Causes Widespread Destruction

by Bill Elovirta

Retired Becket Highway Superintendent

Many of the hill towns of Western Massachusetts and Worcester County experienced the likes of an ice storm that they never want to live through again. This storm only affected elevations above 900 feet. Thursday, December 11 started off with some light snow that turned to freezing rain by early evening. In my town of Becket, it was not long before the trees started snapping and uprooting. By midnight, the majority of the roads (state, town and private) were blocked and all electricity and most telephone service was down. In many cases utility service was not restored for several days and weeks.

Towns and cities in the Commonwealth, already facing budget cuts this fiscal year and more next fiscal year, now face millions of dollars in cleanup costs. Ultimately, Governor Patrick and President Bush declared a state of emergency. FEMA has already started the process that will allow up to 75% reimbursement to cities and towns.

Even though this was a devastating storm and caused massive property damage, we can be thankful that there was little personal injury or loss of life. I witnessed my own community come together to help each other, the emergency services personnel worked around the clock to clear roads, pump cellars and check on the elderly. Volunteers manned, people and businesses donated food and money to the emergency shelter for eight days, thus allowing for a hot meal to be served each night. People and businesses that had generators opened their homes and businesses for hot showers and heat. The National Guard came for a day to help clear roads, volunteers from neighboring fire departments came to help check on the many elderly people who live on the back roads.

John Knipe and **Dave Capelle** from Shrewsbury Highway Department told me about the many calls they received from surrounding highway departments that offered and did send personnel and equipment to help.

Even without a state wide Mutual Aid pact in place this was mutual aid at its best — neighbor helping neighbor.



MHA Sponsors Four Bills for the 2009-2010 Legislative Session

MHA has teamed with Massachusetts Municipal Association (MMA) to sponsor four (4) of MMA's 19 bill legislative package for the 2009-10 legislative session.

The following bills are being supported by MHA; please call your local representative or senator to request their support of these important bills:

■ DOUBLE POLES:

This bill would establish the authority of cities and towns to enforce Chapter 164, Section 34B, which requires utilities to remove double poles within 90 days.

■ SMALL PROCUREMENTS THRESHOLD:

This bill would raise the threshold, from \$1 to \$5,000, for the requirement that cities and towns solicit three written quotes for the procurement of goods and services under Chapter 149, Section 44A. "Sound

business practices" would be required for procurements under \$5,000. The payment bond threshold for public building and works repair and construction contracts pursuant to Chapter 149, Section 29, and Chapter 30, Section 39M, would be increased from \$2,000 to \$50,000.

■ EMERGENCY PREPAREDNESS MUTUAL AID:

This bill would create a program that would enable a network of municipalities to assist one another during emergencies through partnering agreements and a protocol for requesting and receiving aid. Participation in the program would be voluntary.

■ PREVAILING WAGE:

This bill would amend Chapter 149, Section 26, to direct the state's director of Labor and Workforce Development to set the prevailing wage for public construction projects, instead of local unions.

Annual Joint Meeting Highlights

The Annual Joint Meeting between Massachusetts Highway Association and Tri-County Highway Superintendents Association was held in Chicopee on November 18, 2008. Ninety people attended a program that included an agenda of New Trench Regulations, Asphalt Escalation Prices and Highway Reflective Paint Marking Treatment. The keynote address was given by Representative **Joseph Wagner** from Chicopee who serves on the joint Transportation Committee.



New Trench Regulation Enforcement Delayed . . .

Massachusetts Highway Association (MHA), working closely with the Massachusetts Municipal Association (MMA), met recently with Department of Public Safety (DOPS) officials and agreed to take steps to delay the enforcement of regulations governing trench safety until March 1. DOPS had previously agreed to delay enforcement of the regulations until January 1, 2009 to give municipalities and excavators an opportunity to become familiar with the rules and take steps to implement the requirements.

MHA is currently meeting with MMA and the state agencies responsible for enforcement of the regulations to convene a working group aimed at helping approximately 250 communities develop a process for issuing trench permits. To date, roughly 100 cities and towns have implemented such a process in conformance with the new rules. The group will also address concerns expressed by local officials about so-called "Jackie's Law" and the accompanying new excavation and trench safety regulations (520 CMR 14.00).

Jackie's Law (Chapter 82A) was passed following the death of 4-year-old Jaelyn Moore, who was buried when an unattended trench collapsed in a private backyard. The law applies to all subsurface excavations greater than 3 feet in depth with less than 15 feet between trench walls, whether on private or public property, and requires all municipalities to identify a permitting authority responsible for issuing trench permits. The current regulations require the permitting authority to provide a police detail, backfill, to barricade, or to fill any unattended or unsafe trench, no matter where it exists.

The definition of an unattended trench is defined by the regulation as "a trench where neither the permit holder, excavator, or any of the people who work in or at the trench are present, regardless of where the trench is located."

More information is available at www.mass.gov/dps by selecting "Trenches" from the left side of the menu.

New Appointments


The following new Highway Superintendents have been appointed:

- ✓ Ed Lord, Sheffield;
- ✓ Joe Sukol, Great Barrington;
- ✓ Joel Lagergren, Goshen; and
- ✓ Sean Frank, Savoy.

If you'd like to submit an article for the newsletter please email Bill Elovirta, MHA editor, at bille@hughes.net

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