



TOWN OF NEWTON, NH

JOINT LOSS MANAGEMENT COMMITTEE

**2 Town Hall Road
Newton, NH 0385**



JOINT LOSS MANAGEMENT COMMITTEE MEETING MINUTES

DATE: APRIL 7, 2021 TIME: 5:30 PM LOCATION: Town Hall

Bill Landry- JLMC Chairperson & Cemetery Trustee

Larry Foote- Selectmen & EMD

Kimberly Lowther- JLMC & Bookkeeper Assistant

Mike Pivero- Road Agent

Diane Morin- Selectmen's Secretary & Cable Committee

Nancy Wrigley- Town Administrator

Jim Doggett- JLMC Vice Chairperson & Planning Board

Jack Kozec -Transfer Station

Robert Zalenski- Fire Captain/ EMT

Peter Gangon- Transfer Station Manager

Pat Masterson- Recreation Commission

1. Call to Order & Pledge of Allegiance:

Mr. Landry called the meeting to order at 5:30 pm and began with the Pledge of Allegiance.

2. Election of Chairman & Vice Chairman:

Mr. Dogget moved to re-elect Landry as Chairman for the JLMC. TA Wrigley Seconded this motion. All members of the board are in favor.

Mr. Landry moved to elect Mr. Dogget as Vice Chair for the JLMC. TA Wrigley Seconded this motion. All members of the board are in favor.

3. Review Action Items from previous meeting (If applicable):

(Page and Item #'s are from the previous meeting minutes.)

- **Page 2- 3.1 Chief Jewett will assist Captain Zalenski to explore estimated costs to increase the security at the Town Beach. (Held over from Oct. 2019 meeting)
Delayed due to Covid 19**

STATUS UPDATE:

Chief Jewett was not in attendance. Captain Zalenski arrived at 5:36 pm and would like this action item to remain open.

- **Page 2-3.2 Mr. Pivero will assess the damaged pipe gates at Currierville Road and the Peanut Trail gate near the Central Fire Station.**

April report: The conservation commission had a conference call “virtual” meeting on April 9, 2019. It was voted on to replace the gates on the peanut trail within the next two weeks and will have new locks after that. We have someone that can start within 2 weeks. The rest of the pole gates will be taken care of later this summer.

STATUS UPDATE:

Mr. Pivero had spoken to Trisha McCarthy last week. She plans on communicating with the Recreation Commission. Mr. Pivero’s work had been completed for this action item as his role was to remove the frozen locks from the gates.

Action Item will remain open.

- **Page 3 – Item 7 ”B” Mr. Pivero will take care of the pothole, reported by Ms. Caswell, which is at the beginning of the entrance driveway at the Gale Library, in the spring.**

April Report: Filled with dirt. Hot topping of hole delayed due to COVID -19.

STATUS UPDATE:

Mr. Pivero informed the board that this is not a major safety issue and he will make the repair within the next month.

Mr. Landry will remove this action item.

- **Wall Crackson the 2nd floor of Gale Library.**

STATUS UPDATE:

The Building Inspector and Fire Chief are aware and are not concerned at this time.

Action Item will remain open.

4. Review new / revised Policies & Forms (If applicable):

Non applicable at this time.

5. Review Near Misses (If applicable):

TA Wrigley informed the board that there were not any near misses to report at this time.

6. Review D. O L Inspections Issues: (WRITTEN RESPONSE TO DOL BY 4/25/21)

- Town Beach / Greenie Pk. (Not Inspected) P. Masterson
- Gale Library (1 Item, 1 Recommendation) T. Caswell
- Town Hall (3 Items, 1 Recommendation) N. Wrigley
- Fire Department (3 Items) No Recommendations) Capt. R. Zalenski
- Butler Bldg. / Salt Shed (7 Items, 2 Recommendations) M. Pivero
- Police Department (5 Items, 2 Recommendations) Chief M. Jewett
- Transfer Station (7 Items, 5 Recommendations) P. Gagnon

NEW HAMPSHIRE DEPARTMENT OF LABOR

TOWN OF NEWTON, NH SAFETY INSPECTION TECHNICAL REPORT

VIOLATIONS LISTED BY TOWN LOCATIONS

All Department Heads need to respond to each violation no later than April 25, 2021.

TOWN HALL:

1 RSA 277:11 Safeguards

Description of Violation:

It was observed that there were emergency lights that were not operational when tested. Emergency lights are safety devices which provide lighting for safe exit during an emergency.

All emergency lights should be tested and repaired or replaced as needed to ensure they are fully operational.

Locations: Town administrator's office

STATUS:

- TA Wrigley discussed this issue. BOS Secretary Morin had reached out to an electrician and had the light replaced.

2 1403.01 Safety & Health Requirements

Description of Violation:

It was found that kitchen appliances, air conditioners, space heaters and/or other similar appliances were plugged into relocatable power taps (RPTs, a.k.a. power strips/surge protectors) and/or extension cords. These types of appliances/equipment consume a large amount of electrical wattage and are required to be plugged directly into a wall outlet in order to avoid potential electrical fires due to exceeding the RPTs maximum rated wattage. Power strips

should be used with low power load equipment such as computers and audiovisual equipment. Extension cords are only for temporary use and are not meant to be permanently plugged into a wall outlet when not being actively used.

Location: Kitchen - Coffee pots were observed plugged into an RPT.

STATUS:

- TA Wrigley reported that the extension cords have been removed and the electrician hired had installed two separate outlets. Each appliance is now connected to its own circuit. The town building inspector had looked at the completed electrical work done in the kitchen.

3 1403.32 – Ladders

The employer shall ensure compliance with the following requirements:

(b) Portable ladders shall comply with the following requirements:

(6) Portable ladders shall be safely secured when not in use.

Description of Violation:

Portable ladders that were not in use were observed unsecured. Portable ladders should be secured in accordance with the above requirement.

Location: 2nd floor meeting hall.

STATUS:

- TA Wrigley had asked Tony Romanoski to secure the ladders. This violation has been rectified.

D. O. L. RECOMMENDATIONS:

(h) It is recommended that the employer sign up for NH Dept. of Labor e-mail alerts by visiting <https://www.nh.gov/labor/forms/email-alert.htm>. These alerts announce new labor laws and rules, changes to existing labor laws and rules, and announce department-sponsored events and training seminars.

FIRE DEPARTMENT:

RSA 277: A:

(b) Each component toxic substance is identified on the product label individually, within the limits of practicability and feasibility.

1 - Description of Violation: All transfer containers should be properly labeled, identifying their contents. Unlabeled bottles were found containing unidentified liquids. In addition, containers were found with generic labeling (e.g., “hand sanitizer”), rather than the proper brand name of the substance contained within. Proper labeling enables the user to identify the correct safety data sheet for that substance.

An unlabeled spray bottle was observed in the kitchen; bottles generically labeled “hand sanitizer” were observed in the kitchen; a bottle labeled “CRL” was observed in the garage (it was undetermined what “CRL” means /stands for, or what substance was contained in the bottle); and an unlabeled gallon size jug containing an unidentified pink liquid was observed in the garage.

STATUS:

- Captain Zalenski will rectify the violation and make sure all bottles are properly labeled.

2 1403.32 – Ladders

The employer shall ensure compliance with the following requirements:

(b) Portable ladders shall comply with the following requirements:

(6) Portable ladders shall be safely secured when not in use.

Description of Violation: Portable ladders that were not in use were observed unsecured in various locations. Portable ladders should be secured in accordance with the above requirement.

Location: Electrical room and garage area

STATUS:

- Captain Zalenski will address the unsecured ladders and report back to Mr. Landry upon completion.

#3 1403.43 Personal Protective Equipment

The employer shall ensure compliance with the following requirements:

(d) Emergency eye wash/shower stations shall be tested periodically and testing records shall be maintained by the employer.

Description of Violation: A 15 minute rated eyewash station is required where chemicals are being mixed according to the Safety Data Sheet (SDS) of that chemical. Eyewash stations are considered PPE. They must provide 15 minutes of continuous flow to be effective. All eyewash stations must be identified with proper signage. They must be tested periodically and testing records maintained. An eyewash station was observed without testing records.

Location: Bay area

STATUS:

- Captain Zalenski had taken care of this violation. A testing record is now posted directly next to the eye washstation.

POLICE DEPARTMENT:

277-a- Toxic substances in the Workplace:

b = Each component toxic substance is identified on the product label individually, within the limits of practicability and feasibility.

1 - Description of Violation: An unlabeled spray bottle was observed containing a liquid that the inspector was verbally told was floor cleaner.

Location: Utility Room

STATUS: Open Action Item. Mr. Landry will contact Chief Jewett.

1403-01 Safety and Health Requirements:

(a) Each employer shall furnish to each of its employees' employment and a place of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees.

2 - Description of Violation: An exterior electrical outlet was observed with exposed electrical conduit protruding from the side of the building, and several electrical outlets and switches were observed with no cover plates throughout the building.

Location: Various

STATUS: Open Action Item

3 - Description of Violation: There was an electrical panel found that did not have at least three-foot clearance in front of the panel. Storage and/or permanent objects placed within three feet of an electrical panel should be removed.

Locations: "Boiler Room"

STATUS: Open Action Item

4 - Description of Violation: It was observed that there were various holes in the walls and ceilings with exposed electrical conductors throughout the building at the Police Dept. These conditions could cause potential injuries to employees who are performing work in this area.

Location: Various (DOL recommends that holes are covered, or warning sign be put in place)

STATUS: Open Action Item.

1403.32 – Ladders

The employer shall ensure compliance with the following requirements: (b) Portable ladders shall comply with the following requirements: (6) Portable ladders shall be safely secured when not in use.

5 - Description of Violation: Portable ladders that were not in use, and unsecured were observed. Portable ladders should be secured in accordance with the above requirement.

Locations: Garage area

STATUS: Open Action Item.

VIOLATIONS LISTED BY TOWN LOCATIONS: (CONT.)

POLICE DEPT. CONT.:

DOL RECOMMENDATIONS:

(c) During the inspection, an expired fire extinguisher was observed in the upstairs space of the Police Dept. building. This space is leased from the town by a private business. During the inspection, it was discovered that there was some confusion as to whether the private business (the lessee) or the town (the lessor) is responsible for the maintenance of the fire extinguisher in this space. It is recommended that the town determine whether the lessor or lessee is responsible for the maintenance of the fire extinguisher(s) in this space. If it is determined that P a g e | 8 the town is responsible, then the town should ensure that any fire extinguishers in the space are properly maintained in accordance with RSA 277:11 and NFPA Fire Code.

(This recommendation has been completed by the JLMC)

(e) During the inspection, it was observed that there was a deteriorated section of asphalt in the parking area in front of the Police Dept., which could pose a tripping hazard to someone walking through this area. It is recommended that the town evaluate this area to determine if repairs may be needed in order to reduce or eliminate this hazard.

BUTLER BUILDING:

RSA 277-A:4 Safety Data Sheets

II. A manufacturer, producer, or formulator may provide a single safety data sheet for a product mixture containing 2 or more toxic substances instead of providing a safety data sheet for each toxic substance component of such mixture if all of the following are applicable:

1 - Description of Violation: The employer has failed to maintain current Safety Data Sheets (SDS) for all chemicals.

STATUS:

- Pivero will supply a MSDS manual temporarily until the town can secure one.

403.01 - Safety & Health Requirements.

The employer shall ensure compliance with the following requirements: (a) Each employer shall furnish to each of its employees employment and a place of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees.

2 - Description of Violation: Multiple severed extension cords were observed laying on the hood of a vehicle.

STATUS:

- The extension cords were temporarily on the hood of the car and are now in a secured location.

1403.20 – Exits.

Exits and the way of approach and travel from exits shall be maintained so that they are unobstructed and are accessible at all times.

3 - Description of Violation: It was found that exit doors were inaccessible, obstructed, and/or not operational. Exit doors provide safe escape during an emergency. Exits should be operational, unobstructed, and accessible in accordance with the above requirement.

An exit door in the office had a handle that fell off when the inspector attempted to open the door.

STATUS:

- Mr. Pivero had replaced the doorknob and the door is now functioning properly.

1403.32 – Ladders

The employer shall ensure compliance with the following requirements: (b) Portable ladders shall comply with the following requirements: (6) Portable ladders shall be safely secured when not in use.

4 - Description of Violation: Portable ladders that were not in use were observed unsecured.

Location: Storage garage area

STATUS:

- Mr. Pivero had removed the ladders from the building.

1403.48 – Railings

The employer shall ensure compliance with the following requirements: (b) A standard railing shall consist of top rail, intermediate rail, and posts, and shall have a vertical height of 42 inches from upper surface of top rail to floor, or platform;

5 - Description of Violation: A loft storage area was observed with a metal railing that did not include an intermediate rail. Railings should consist of a top rail, intermediate rail, and posts, in accordance with the above requirement.

Locations: Garage area

STATUS:

Mr. Pivero had blocked off the entrance until the repair is complete. Currently there is a metal chain obstructing access to the storage area and a signage that reads, 'non-accessible'.

1403.58 – Storage

The employer shall ensure compliance with the following requirements: (a) All stored materials stacked in tiers shall be stacked, blocked, interlocked, and limited in height so that they are secure against sliding or collapse;

6 - Description of Violation: It was observed that stored items were not secured in accordance with the above referenced requirement. Metal pipes were observed unsecured.

TRANSFER STATION / SAND SALT STORAGE AREA:

Locations: Storage garage

STATUS:

- The pipes were removed. Pivero reported that Bay #1, Bay #2 and the office were inspected. Bays 3,4,5,6 and 7 are occupied by other departments such as the Fire and Police Departments.

RSA 277-A: Toxic Substances in the Workplace

Safety Data Sheets

II. A manufacturer, producer, or formulator may provide a single safety data sheet for a product mixture containing 2 or more toxic substances instead of providing a safety data sheet for each toxic substance component of such mixture if all of the following are applicable:

1 - Description of Violation: The employer has failed to maintain current Safety Data Sheets (SDS) for all chemicals.

STATUS:

- Transfer Station Manager Gangon will locate the folder that contains the data sheets.

1403.01 - Safety & Health Requirements (6 Violations) The employer shall ensure compliance with the following requirements: (a) Each employer shall furnish to each of its employees' employment and a place of employment that are free from

recognized hazards that are causing or are likely to cause death or serious physical harm to its employees.

2 - Description of Violation: – A coffee pot and hot/cold water dispenser were observed plugged into an RPT in the “Recycling Building”, and a toaster oven and microwave were observed plugged into an RPT in the “Guard Shack”.

STATUS:

- This violation has been rectified.

1403.23 - Flammables and Combustibles. The employer shall ensure compliance with the following requirements: (b) Portable containers in excess of one gallon capacity shall have a self-closing lid and a pressure relief device;

3 - Description of Violation: There were multiple portable fuel containers in excess of one gallon capacity found without self-closing lids and pressure relief devices.

Location: “Kubota Garage”

STATUS:

- Mr. Gangon is in the process of replacing the fuel containers. Pivero recommended looking into requirements. The state may only accept metal not plastic.

(f) Conspicuous and legible signs prohibiting smoking shall be posted in service and refueling areas;

4 - Description of Violation: There was a refueling station found that did not have a sign posted prohibiting smoking. All refueling stations should have this sign posted.

Location: Near the sand/salt storage area.

STATUS:

- Mr. Pivero will install a “No Smoking” sign.

(g) A portable fire extinguisher designated at least 6# BC shall be located within 75 feet of any refueling area;

5 - Description of Violation: There was a refueling station found that did not have a fire extinguisher within 75 feet of the fueling area. All refueling stations should have a designated fire extinguisher located within 75 feet.

Location: Near the sand/salt storage area.

STATUS:

- Mr. Landry will contact Mike from Keene Fire and will notify Mr. Gangon once he is in communication with him.

1403.32 – Ladders

The employer shall ensure compliance with the following requirements: (b) Portable ladders shall comply with the following requirements: (6) Portable ladders shall be safely secured when not in use.

6 - Description of Violation: Portable ladders that were not in use were observed unsecured in various locations. Portable ladders should be secured in accordance with the above requirement.

Locations: Transfer Station – tire & battery storage building, and “Kubota Garage”

STATUS:

Mr. Gangon reported that all ladders are now secure.

1403.40 - Mechanized Equipment

(a) All construction equipment in use shall be checked at the beginning of each shift to assure that all parts, equipment, and accessories that affect safe operation are in proper operating condition and free from defects. All defects shall be corrected before the vehicle is placed in service;

7 - Description of Violation: Construction vehicles (a Kubota LA852 Front Loader and a Case 590 Loader/Backhoe) were found in service with reverse signal lights and/or horns that were not properly operational. Reverse signal lights and horns are warning safety devices. Construction equipment is required to be inspected daily for defects and proper operating condition prior to being placed into service. The Kubota LA852 Front Loader and Case 590

Loader/Backhoe should be taken out of service until the reverse signal lights and horns are repaired.

Location: Transfer Station

STATUS:

- Mr. Gangon reported that this violation is complete.

D. O. L. RECOMMENDATIONS:

TRANSFER STATION:

(a) It was observed that no fire extinguisher exists inside the tire and battery storage building at the Transfer Station. It is recommended that the town evaluate if a fire extinguisher is required in this building under NFPA Fire Code and/or other federal, state, or local regulation. If it is determined that a fire extinguisher is required in this building, then the town should ensure that the appropriate size and type of fire extinguisher is installed in this location, with the required locator signage, and that the fire extinguisher is properly maintained in accordance with RSA 277:11 and NFPA Fire Code.

STATUS: Action item completed.

(b) It was observed that a storage cabinet designed and labeled as a first aid kit was instead being used to store food products in the “Guard Shack” at the Transfer Station. It is recommended that the town consider either relocating the food products and utilizing the cabinet for first aid supplies as designed/labeled, or removing/covering the first aid labeling on the cabinet so that the cabinet is not mistaken as a first aid kit.

STATUS: Signage has been removed.

TRANSFER STATION & HIGHWAY DEPT.:

(f) The employer should provide and require that all employees are properly trained on the safe operation of construction vehicles and other similar equipment prior to an employee operating the equipment. It is recommended to refer to the above rule and the manufacturer’s operator’s manual for employee safety training instructions.

STATUS:

- Mr. Pivero reported that all drivers are licensed. Ron Jackson is fully trained.

Mr. Gangon reported that all drivers are also trained.

(g) It is recommended that the employer ensure that all construction equipment, vehicles, tools, personal protective equipment, toxic substances, devices, and/or any other items being used, operated, and/or maintained by employees while performing their duties for the town are in compliance with all applicable NH RSA 281-A and RSA 277 laws and Chapter Lab 1400 rules. This includes any items owned by employees and brought into the workplace, and/or owned by others and made available for the use of town employees.

GALE LIBRARY

RSA 277-A:4 Safety Data Sheets

II. A manufacturer, producer, or formulator may provide a single safety data sheet for a product mixture containing 2 or more toxic substances instead of providing a safety data sheet for each toxic substance component of such mixture if all of the following are applicable:

1 - Description of Violation: All transfer containers should be properly labeled, identifying their contents. Unlabeled bottles were found containing unidentified liquids. In addition, containers were found with generic labeling (e.g., “hand sanitizer”), rather than the proper brand name of the substance contained within. Proper labeling enables the user to identify the correct safety data sheet for that substance.

Bottles generically labeled “hand sanitizer” were observed.

Locations: Various

STATUS: TA Wrigley took a photo of the hand sanitizer bottle and sent the picture via email to Terry Caswell. Landry will also follow up with Caswell.

D. O. L. RECOMMENDATIONS:

(d) It was observed that an AED device in the library was being stored in a rack on a side wall located a few feet to the right of where the AED locator signage was installed. The AED locator signage was readily visible; however, the AED device was partially hidden by the side wall. It is recommended that the town consider storing the AED device directly below or adjacent to the AED locator signage, so that the device can be easily and quickly located in the event of an emergency.

STATUS:

This violation has been rectified and the signage has been moved near the device.

GREENIE PARK STORAGE BUILDING: (Not inspected due to weather)

TOWN BEACH GUARD SHACK: No issues sited.

VIOLATIONS LISTED BY TOWN LOCATIONS: (CONT.)

DISCLAIMER STATEMENT: This report covers only conditions and practices observed and considered at the time of this inspection. It is not intended to indicate that all hazards are adequately controlled or that such conditions or practices meet the requirements of any applicable federal, state, or local law, regulation, or ordinance

FINAL REPORT FROM EACH DEPT. DUE TO CHAIRMAN BY 4/23/21

7. Reports from Dept. Heads (Needs, wants, Safety Concerns, etc.):

Non applicable.

8. Reports from Sub-Committees (If applicable):

Non applicable.

9. New Business:

Nothing to report at this time.

10. Other:

- **Larry Foote arranged for Jane Hubbard, an Emergency Management Consultant, to review the Newton Emergency Operation Plan. This review, which is typically done every 5 years, will cover past and possible future incidents and threats to the town.**

Status Update

Mr. Foote reported that a new Emergency Management plan is in place. This plan will expire in 2025.

11. Next Meeting: July 14, 2021 – 5:00 PM at Town Hall

12. Adjourn:

Mr. Landry motioned to Adjourn at 6:20 pm. Mr. Doggett Seconded the motion. All in Favor.

Respectfully Submitted,

Kimberly Lowther