

Select Board Meeting
July 13, 2023

In attendance: David Dufresne, Chair; Rich Eichacker, Vice-chair; James Ferrera, Town Administrator; Karen Dusty, Administrative Assistant. Derick Veliz was absent.

Call Meeting to order: 6:00pm

Pledge of Allegiance

Mr. Dufresne stated that because of the FinCom Meeting we would take things out of order. Mr. Ferrera, the Fire Chief and the Police Chief are at that meeting. So, once they come back, we will do their reports.

1. **Fire Chief Monthly report:** Chief Adam Lavoie gave his June report of the activities of the Fire Department, which is attached.
2. **Police Chief Monthly report:** Chief Gerry Millette gave his June report of the activities of the Police Department, which is attached.
3. **Emergency Management Manager's Monthly report: & electronic signage: (we did this one 1st due to the Fire Chief and Police Chief meeting with the Finance Committee)** Mr. McKeon went over his report and the report is attached to the minutes. Mr. McKeon stated that the electronic sign that every department uses needs new batteries; it is running on one but has three. The price for the new batteries is \$2,000.00 and Mr. McKeon stated that he had an invoice for \$950.00 right now. Mr. Ferrera answered the questions about railroad ties. It is a third party that will be removing them as soon as they are finished taking them out.
4. **Discussion and possible vote on any encumber funds needed:** Mr. Eichacker made a motion to approve, 2nd by Mr. Dufresne all in favor passed unanimously.
 - a. \$70,000.00 to be encumbered from Selectmen matching Grant to EDA Grant
 - b. \$1,500 to be encumbered from Town Hall Repair to Associated Building Wreckers
 - c. \$200.00 to be encumbered from Shepard Building Expense to National Grid Gas Bill
- **Continued discussion and follow-up from the State Ethics Commission regarding a request for "Special Municipal Employee Status."** Mr. Ferrera stated that he was asked to call the State Ethics Commission. Mr. Ferrera spoke with Lauren Duca and she indicated that there might be a conflict for two reasons. 1) The capacity that this person has with Conservation Commission, CERT, and Veterans Council would all have to be deemed Special Municipal Employee and that is truly up to the discretion of the Board. 2) The other hurdle we would have to overcome is the special permit that is coming up for renewal would need to have a representative bring it forward and the corporation doesn't have anyone else working for them that is an officer, so the only way that he would be able to get the permit would be to have all of the boards that he is on deemed Special Municipal Employee. Mr. Dufresne stated that they were not going to make the Conservations Commission, CERT Team, and Veterans Council all Special Municipal Employees.

Select Board Meeting

July 13, 2023

At this time, we went back up to Number 1 and 2, since the Fire Chief and Police Chief were back.

5. **Review a letter that was sent to the Town by the Executive Office of Labor and Workforce Development, Department of Labor Standards, and possible vote to approve the Town's response of said letter.** Mr. Ferrera did not have the letter ready but did have pictures to show that most of the work that was required by the Executive Office of Labor and Workforce Development, Department of Labor Standards was completed. A letter with the pictures would be sent shortly and he would email each of the Select Board members to approve the letter before sending it. The letter received by the town is attached to these minutes.

6. **Discussion and possible vote on Fiscal Year 2023 Line-item transfer requests made by Sewer, Police, Fire, Health, and Selectmen departments.**

- a. Mr. Eichacker made a motion to approve a line-item transfer for the Sewer Department from supplies to services for \$10,422.94, 2nd by Mr. Dufresne, all in favor passes unanimously.
- b. Mr. Eichacker made a motion to approve a line-item transfer for the Police Department from purchase of services to maintenance for \$2,000.00, 2nd by Mr. Dufresne, all in favor passes unanimously.
- c. Mr. Eichacker made a motion to approve a line-item transfer for the Fire Department from two accounts ambulance wages and hourly wage to advance Life Support for \$7,000.00, 2nd by Mr. Dufresne, all in favor passes unanimously.
- d. Mr. Eichacker made a motion to approve a line-item transfer for the Board of Health from Rabies control to testing Comins pond for \$200.00, 2nd by Mr. Dufresne, all in favor passes unanimously.
- e. Mr. Eichacker made a motion to approve a line-item transfer for Selectmen from the Selectmen's Secretary to computer hardware/supplies for \$1,160.00, 2nd by Mr. Dufresne, all in favor passes unanimously.

- **Discussion and possible vote to authorize the Town Administrator to approve all expenditures in the Shepard Building/Office/Senior Center Improvement article.**

Mr. Ferrera stated that, similar to last year, the Board gave me permission to monitor and approve those items. Mr. Eichacker made a motion to approve the Town Administrator to approve all expenditures in the Shepard Building/Office/Senior Center Improvement article budget, 2nd by Mr. Dufresne all in favor passed unanimously.

7. Warrants & Bills:

- a. Warrants:

FY23 Mr. Eichacker made a motion to pay the following FY23 Warrants, 2nd by Mr. Dufresne, all in favor passed unanimously.

i.	#118	Vendor	\$169,905.39
ii.	#119	Vendor	\$131,452.56
iii.	#120	Payroll	\$ 3,894.74

Select Board Meeting

July 13, 2023

reach out to Anne Gobi because she was going to sponsor a bill for Safety Buildings.

- Mr. Ferrera announced that he is now fully certified as an MA Public Purchasing Official.

- **New Business: NONE**

- **Old Business: NONE**

8. **Correspondence:** Chief Adam Lavoie getting a grant. We have to move this to the next meeting due to the Board needing to vote to accept it.

9. **Correspondence:** Jill Chalifoux-Miller for a day off before a holiday in October. Mr. Dufresne stated that this is one of those old By-Laws that needs to be changed. It should be up to the boards not the Personal Board.


- **Comments and Concerns:**

- “Stop the bleed.” The kits are in the AED cabinets. Chief Lavoie stated that in our last meeting he showed the people where the AED machines were and all of the equipment in them. He also opened a “stop the bleed” and let people see what it looked like.
- Cameras should be installed around the building; at least on the four corners. The posting board should be lit. Mr. Eichacker would like to see meetings posted on letter-sized paper. Too much stuff getting posted and not taken down. Mrs. Dusty said that the only time it gets too crowded is during an annual town meeting or a special town meeting.
- Mr. Kondrat stated that anyone owning a handgun should buy a trigger lock - do not keep your ammunition with the gun. Mr. Dufresne wanted the Police Chief to have a gun safety day or something like that.

- **Next meeting August 3, 2023, 6:00pm**

- **Adjourn** Mr. Eichacker made a motion to adjourn, 2nd by Mr. Dufresne all in favor, passed unanimously.

Respectfully submitted by
Karen Dusty, Administrative Assistant


Rich Eichacker Vice-Chair

FIRE CHIEF REPORT

June 2023

FIRE CALLS:

The Fire Department responded to 34 calls in June of 2023.

Motor Vehicle Accident.....	3
Medical Assist.....	3
Structure Fires.....	3
Cancelled.....	4
Activated Alarms.....	11
Power Line Incident.....	5
Electrical Equipment.....	1
Mutual Aid.....	1
Service Call.....	2
Oil Burner Issue.....	1

AMBULANCE:

Warren EMS responded to 58 calls in June of 2023, and 23 ALS intercepts were required.

INSPECTIONS:

The following inspections took place in June of 2023:

- 4 Smoke/CO
- 2 Liquid Propane Tank Inspections

ACTIVITIES/MEETINGS:

In June, Warren Fire personnel trained on hose line operations and foam usage as well as held our annual cookout at Station A. Warren EMS held our required annual class on physical restraint training as well as Excited Delirium and Mental Health emergency response.

BUDGET:

I have continued to watch the FY23 budget closely as the fiscal year draws to a close in June. I will have to request a line-item transfer or RAT from finance and the Selectmen in July to cover an overage in the ALS line item. Unfortunately, this line item is out of my control and depends on the amount of EMS calls done and the severity of the calls. Overall, the FY 23 budget was accurate and appropriate for all expenditures.

Respectfully,
Adam Lavoie
Fire Chief

Monthly Report June 1, 2023 to June 30, 2023

In the month of June 2023, the Warren Police Department responded to a total of 1569 calls for service with 17 ending in arrests. The following is a breakdown of statistics.

Calls Logged	1569
Felonies Investigated	4
Incident reports	88
On View Arrests	3
Warrant Arrests	3
Summons Arrests	11
Total Arrests	17
Protective Custodies	6
Juvenile Arrests	1
Motor Vehicle Stops	123
Motor Vehicle Citations	37

In June 2023, the Police Department had 6 total vehicles on the roster. They consist of 5 Ford Police Interceptor SUV's and 1 Humvee. Mileage on each is as follows.

KM62	4,690
CT62	3,425
D785	55,301
5068	25,359
C564	101,305
Humvee	8,331

On the third I had the pleasure of being a guest at the Quaboag class of 2023 graduation. Thank you to Mr. Duff and his staff for the invitation and Congratulations to all the graduates and good luck in your futures.

On the 5th of June, members of the school's safety committee met at the West Brookfield Elementary School. We then toured the school and made our own safety assessment with the guidance that Homeland Security left us. Our findings will be discussed at a future meeting.

On the 7th, we were happy to announce that the new radio system was up and running. Over the next few months small tweaks will have to be made to ensure that the system is working to its best capacity.

On June 8th, new full-time Officer Charlie Williams started with the Department. Officer Williams was a welcomed addition who comes to us with many certifications and is also bilingual. Please welcome Officer Williams and here is to a long safe career.

On the 15th, with the help of Ofc Cote we traveled to Cambridge and secured 10 brand new Office chairs from a federal agency. These chairs were surplus valued at approx. \$700.00 and cost the department no money to obtain.

On the 22nd, I attended a table top exercise put on by MEMA at the Spencer Town Hall. This exercise simulated if a category 3 hurricane hit our area. Also at this exercise, were Chief Lavioe, Town Administrator Ferrera, Jim Mckeen from Emergency Management and members from the Board of Health.

Also, on the 22nd, the installation of the new server and firewall started. It should take a few weeks to be completed.

And finally, on the 27th, I met with TA Ferrera, Chief Lavoie, the Town Accountant and a citizen from the building committee to review the RFP's for the safety complex. The RFP from Tecton was reviewed and agreed by all members that it was very well put together. A vote was taken to put this RFP in front of the BOS for acceptance.

Have a Happy and safe 4th of July,

A handwritten signature in black ink, appearing to read 'Chief Gerald Millette', with a long, sweeping horizontal line extending to the right.

Chief Gerald Millette

June 2023 Emergency Management Report

June 3 Cert helped with graduation at Quaboag regional middle high school from 8 AM to 12 PM with parking. Three members helped

June 4 siren test siren did not go off due to a blown fuse. The fuse was repaired the next day and siren back working

June 7 attended meeting with national grid with their annual emergency preparedness meeting

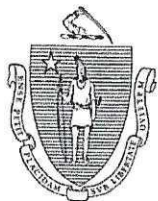
June 14 attended a sandbag training course put on by Army Corps of Engineers two parts was a classroom part in the morning and then actually went out to the field and filled sandbags and positioned them in proper placement. Also, a few other flood control devices were demonstrated.

June 15 the light tower that was gifted to the emergency management was put into service

June 22 Mema tabletop exercise at the Spencer Townhall in this exercise. We talked over preparation and aftermath of what could happen if a large hurricane passed through the area, this exercise was held with the neighboring towns in Brookfield's and Spencer, we had representatives from Police, fire, Board of Health and emergency management and the Town administrator that attended this tabletop exercise. from 9-12

June 23 Cert assisted with parking cars at the first concert held at Dean Park for the season very well attended concert. We had eight rows of cars across the field 4 members helped.

June 30 Cert assisted parks dept with their second concert in the park we had roughly 4 rows of cars 4 members assisted once again.



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

MAURA HEALY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

LAUREN E. JONES
SECRETARY

MICHAEL FLANAGAN
DIRECTOR

June 26, 2023

DLS WSHP File # W-23S-14155

Town of Warren
48 High Street
Warren, MA 01083

Attn. James Ferrera, Town Administrator

WRITTEN WARNING AND ORDER TO CORRECT

The Massachusetts Department of Labor Standards issues this Written Warning and Order to Correct in accordance with 454 CMR 25.00, which requires public sector employers to provide a safe and healthful work environment free from recognized hazards that may cause serious injury, physical harm, or death. The Respondent is required to provide proof of correction by the due dates specified. Failure to respond to this Written Warning and Order to Correct by the due date listed may result in the issuance of a Civil Citation with Civil Penalty.

The Department of Labor Standards ("DLS") conducted a workplace safety and health inspection at the following location. The purpose of the inspection was to prevent future work-related injury and illness and evaluate compliance with OSHA safety and health regulations at the respondent's workplace.

DLS File Number: W-23S-14155

Date of Inspection: 5/9/2023

Name of Employer ("Respondent"): Town of Warren

Street Address of Inspection: 1 Milton O Fountain Way, Warren, MA 01083

DLS scheduled this workplace for inspection in response to an employee injury. The corrective actions issued in this document may be related to the injury, or may be related to general workplace conditions observed on the date of the inspection.

A Corrective Action Response Form is provided at the end of this document. Send supporting documentation, such as photographs, training records, written programs or purchase orders to the address listed on the Corrective Action Response Form. The Respondent is advised to apply corrective actions to all work locations.

For questions about this Written Warning and Order to Correct, please contact:

Edward MacKeil, Safety and Health Inspector II
Massachusetts Department of Labor Standards
167 Lyman Street, Westboro, MA 01581
Email: edward.mackeil@mass.gov

Approved by:

Maria Colon

Maria Colon, CIH
WSHP, Staff Supervisor

CC: File

CONDITIONS REQUIRING CORRECTIVE ACTION

Item No. 01

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: On or about May 9, 2023, and at times before, employees were exposed to fall hazards in the following instances:

1. Stairway from basement to first floor. The first stair tread up from the basement floor had compromised supporting structure and failed (Note: This stair tread was repaired prior to the inspection).
2. Stairway from basement to first floor. The fifth stair tread up from the basement floor is cracked horizontally along the nosing of the stair tread.

Photo 01

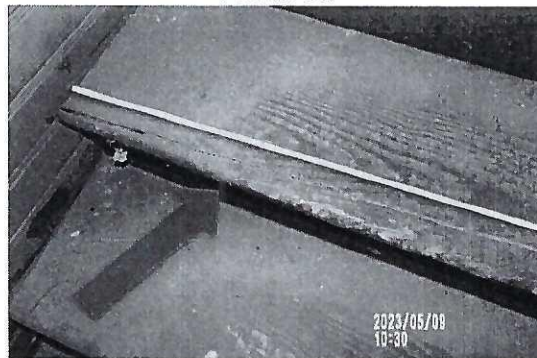


Photo 01: Blue arrow points to fifth stair tread up which is cracked along the nosing. Yellow line added by DLS to show the crack line. Crack in stair tread is below and parallel to the yellow line.

OSHA Regulation: 29 CFR 1910.22(b) Loads. The employer must ensure that each walking-working surface can support the maximum intended load for that surface.

Corrective Action Required: Repair the damaged stair tread to ensure that it is free from all hazards including but not limited to cracked and deteriorated lumber.

Proof of Corrective Action: Submit to DLS proof of correction such as a photograph showing that the correction has been made.

Item No. 02

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: On or about May 9, 2023, and at times before employees were exposed fall hazards in that stairways with 4 or more risers, ranging in width from 44 inches to 88 inches, were not equipped with one handrail on each enclosed side in the following instance:

1. The stairway leading from the basement up to the first floor is divided into 2 flights of stairs with an intermediate landing and a 90 degree turn between the two flights. The lower flight is 55 inches wide and the upper flight is 68 inches wide. Each flight is missing a handrail on the right-hand side as viewed from the bottom of the stairway.

Photo 02



Photo 03

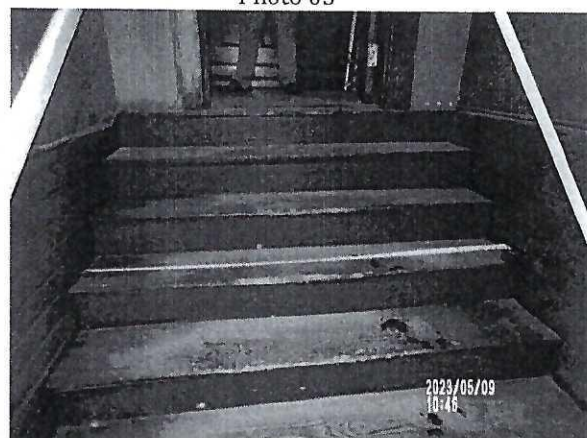


Photo 02: Shows the lower flight of the stairway leading from the basement up to the first floor. Yellow line (added by DLS) shows approximate location of where a handrail is required.

Photo 03: Shows the upper flight of the stairway leading from the basement up to the first floor. Yellow line (added by DLS) shows approximate location of where a handrail is required.

OSHA Regulation: 29 CFR 1910.28(b)(11)(ii) Each flight of stairs having at least 3 treads and at least 4 risers is equipped with stair rail systems and handrails as follows:

(See Table D-2 on following page)

(Item No. 02 Continued)

Table D-2 - Stairway Handrail Requirements

Stair width	Enclosed	One open side	Two open sides	With earth built up on both sides
Less than 44 inches (1.1 m).	At least one handrail	One stair rail system with handrail on open side.	One stair rail system each open side.	
44 inches (1.1 m) to 88 inches (2.2 m).	One handrail on each enclosed side	One Stair rail system with handrail on open side and one handrail on enclosed side.	One stair rail system with handrail on each open side.	
Greater than 88 inches (2.2 m).	One handrail on each enclosed side and one intermediate handrail located in the middle of the stair	One stair rail system with handrail on open side, one handrail on enclosed side, and one intermediate handrail located in the middle of the stair.	One stair rail system with handrail on each open side and one intermediate handrail located in the middle of the stair.	
Exterior stairs less than 44 inches (1.1 m).				One handrail on least one side.

Note to table: The width of the stair must be clear of all obstructions except handrails.

Corrective Action Required: Provide a standard handrail on each side of the stairway in accordance with 29 CFR 1910.28 (b)(11)(ii) Table D-2. The handrails must also be installed in accordance with all applicable design requirements which are required by the OSHA standard 29 CFR 1910.29 (Fall protection systems and falling object protection - criteria and practices).

Proof of Corrective Action: Submit to DLS proof of correction such as a photograph showing that the correction has been made.

Item No. 03

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: On or about May 9, 2023, and at times before, employees were exposed to fall hazards in that the stairway handrail did not have the correct dimensions (insufficient length) for employees to grasp as they navigate the entire length of the stairway.



Photo 01: Shows the handrail terminates before the point at which a grasping surface is still necessary to maintain balance while transitioning in elevation.

OSHA Regulations: 29 CFR 1910.29(f)(5) Handhold. Handrails have the shape and dimension necessary so that employees can grasp the handrail firmly.

Corrective Action Required: Provide a standard handrail on the stairway of a length which is dimensioned so that employees can firmly grasp the handrail as they navigate the entire length of the stairway. The handrail must also be installed in accordance with all applicable design requirements which are required by the OSHA standard 29 CFR 1910.29 (Fall protection systems and falling object protection - criteria and practices).

Proof of Corrective Action: Submit to DLS proof of correction such as a photograph showing that the correction has been made.

Item No. 04

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: On or about May 9, 2023, and at times before, employees were exposed to the hazards of electrical shock, electrocution, and fire in that flexible cables were installed and in use as a substitute for fixed wiring at the following locations and configurations:

1. An extension cord is plugged into an outlet near the telecom/data junction board in the basement. This cord runs up through a hole in the floor to provide power to a computer/workstation located on the first floor. (Photos 05 and 06 below).
2. An extension cord is plugged into an outlet located in the East foyer. This cord runs along the North wall, under the window, and up to the top of the exit door to provide power to a DC power adapter for a security camera mounted outside of the exit door (Photos 07 and 08 below).

Photo 05



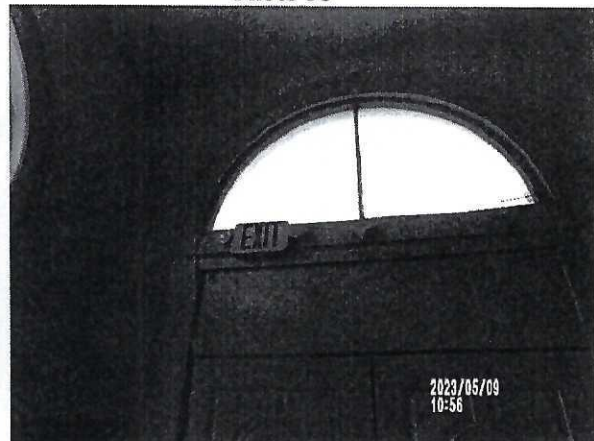
Photo 06



Photo 07



Photo 08



(Item No. 04 Continued)

OSHA Regulations: 29 CFR 1910.305(g)(1)(iv)(A) Flexible cords and cables may not be used as a substitute for the fixed wiring of a structure.

Corrective Action Required: Remove from service at each location each flexible cord which is in use as fixed wiring. Disconnect each cord from it's power source before attempting removal.

Proof of Corrective Action: Submit to DLS proof of correction such as photographs showing that the corrections have been made.

Item No. 05

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: The employer failed to ensure that each exit is clearly visible and marked by a sign reading "Exit" in the following location:

- Exit route door from patrol room to main hallway.

OSHA Regulation: 29 CFR 1910.37(b)(2) Each exit must be clearly visible and marked by a sign reading "Exit."

Corrective Action Required: Install illuminated exit signs where missing at any exit route door.

Proof of Corrective Action: Submit to DLS proof of correction such as a photograph showing that the correction has been made.

Item No. 06

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: The employer Failed to ensure that exit signs were illuminated in the following locations:

- Exit route door from main hallway to lobby.
- Exit route door from lobby to main street.
- Exit route door at beginning of ADA exit ramp.
- Exit route door at end of ADA ramp to main street.

OSHA Regulation: 29 CFR 1910.37(b)(6) Each exit sign must be illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color. Self-luminous or electroluminescent signs that have a minimum luminance surface value of at least .06 footlamberts (0.21 cd/m²) are permitted.

Corrective Action Required: Install illuminated exit signs and/or repair non-functioning illuminated exit signs at each exit route door as applicable.

Proof of Corrective Action: Submit to DLS proof of correction such as a photograph showing that the correction has been made.

Item No. 07

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: Employees who perform the tasks of (including but not limited to) handling and dispensing corrosive chemicals (Bullseye Floor Stripper and GC 1010 Glass Cleaner), and the use of power tools, including but not limited to: cutoff saw, skill saw, jig saw, radial saw, and drill, were exposed to the risk of injury and illness as the result of inadequate personal protective equipment usage in that the employer was unable to verify that the required workplace personal protective equipment (PPE) hazard assessment was performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment.

OSHA Regulation: 29 CFR 1910.132(d)(2) The employer shall verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment.

Corrective Action Required: Complete the required workplace hazard assessment and provide to DLS a copy of the written certification. The assessment must include all tasks that employees perform which require the use of personal protective equipment.

PPE training must also be provided to employees in accordance with all applicable requirements of 29 CFR 1910.132(f).

Proof of Corrective Action: Submit to DLS proof of correction such a copy of the completed hazard assessment and documentation certifying that employees have been provided with the required PPE training. A link to a DLS template for a Personal Protective Equipment Written Certification of Workplace Hazard Assessment is provided below which may be used to comply with this requirement.

<https://www.mass.gov/doc/personal-protective-equipment-hazard-assessment>

Item No. 08

Correction Due Date: July 28, 2023

Proposed Penalty: \$0.00 for first Written Warning.

Condition: The employer has not developed, implemented, and maintained at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met.

Chemicals that were observed in the workplace which are required to be listed in the hazardous communication program include but are not limited to: Kellco Bullseye Floor Stripper and Creative Chemicals GC 1010 Glass Cleaner.

OSHA Regulation: 29 CFR 1910.1200(e)(1) Written hazard communication program. Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met.

Corrective Action Required: Develop a compliant Hazard Communication Program and convey the information to employees about the hazardous substances present in the workplace. Ensure appropriate labeling and other forms of warning, safety data sheets, information, and training.

Commonly overlooked items of the program include training employees on hazards of non-routine tasks and informing outside contractors of hazardous chemicals that they are likely to encounter in the facility.

Consider use of the link below to a Hazard Communication Program template or use one of your own to complete a compliant program.

<https://www.mass.gov/doc/hazard-communication-sample-program>.

Proof of Correction Action: Submit to DLS a copy of the completed and compliant written hazard communication program and documentation certifying that employees have been provided with effective information and training on hazardous chemicals in the workplace.

SAFETY AND HEALTH PROGRAM MANAGEMENT

The following recommendations are provided as part of good standard work practices. Public sector employers are encouraged to develop a Safety and Health Management System which includes:

Management Leadership

- Establish a department and city-wide Safety & Health Policy.
- Establish management and employee accountability.
- Authorize a joint labor-management Safety Committee.
- Set goals for safety.

Control Risk

- Establish written safety procedures for department tasks.
 - Sample safety programs are available at www.mass.gov/dols/wshp.
- Provide safe and adequate equipment to perform job tasks:
 - Operations equipment
 - Safety equipment
- Inspect and maintain equipment on a preventive maintenance schedule.
- Pre-plan job tasks.
- Follow established industry standards for workplace safety.
- Conduct periodic workplace inspections and control hazards.
- Provide new hire and annual training regarding workplace safety.

Measure Performance

- Monitor department injury patterns and injury costs. A worksheet for determining injury
 - Patterns and injury costs in your city/town is available at www.mass.gov/dols/wshp.
- Conduct accident investigations and determine preventive strategies.
- Conduct periodic self-audits to evaluate safety conditions.
- Compare performance to annual safety goals.

References for Safety and Health Program Management:

- ANSI Z10 "Occupational Health and Safety Management"
- OSHA: [https://www.osha.gov/shpguidelines/docs/OSHA SHP Recommended Practices.pdf](https://www.osha.gov/shpguidelines/docs/OSHA_SHP_Recommended_Practices.pdf)
- OSHA: [https://www.osha.gov/leadingindicators/docs/OSHA Leading Indicators Guidance-07-03-2019.pdf](https://www.osha.gov/leadingindicators/docs/OSHA_Leading_Indicators_Guidance-07-03-2019.pdf)
- OSHA: [https://www.osha.gov/shpguidelines/docs/SHP Self-Evaluation Tool.pdf](https://www.osha.gov/shpguidelines/docs/SHP_Self-Evaluation_Tool.pdf)

DEFINITIONS USED IN THIS WRITTEN WARNING

CORRECTIVE ACTION: A Corrective Action may be issued when a workplace safety and health conditions is not in compliance with OSHA regulations. Corrective Actions are not issued for lack of industry best practice.

CORRECTION DUE DATE: A Correction Due Date has been established for each hazardous condition listed in a Written Warning or Civil Citation in which a corrective action is required. The Respondent must notify DLS promptly in writing that appropriate corrective action has been completed within the time frame set forth. A Corrective Action Response Form is attached for your convenience but alternative means of correspondence are accepted.

OSHA REGULATION: 454 CMR 25.00 incorporates by reference the standards set forth under the Occupational Safety and Health Act of 1970, 29 U.S.C. c.651 et seq', including the general duty clause under 29 U.S.C. §654, where "each employer (a) shall furnish to each of its employees employment and a place of employment which are free from recognized hazard that are causing or are likely to cause death or serious physical harm to its employees; (b) shall comply with occupational safety and health standards promulgated under this act. Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued pursuant to 29 U.S.C. c.651 which are applicable to the employee's own actions and conduct." OSHA Regulations are available at www.osha.gov.

PROOF OF CORRECTIVE ACTION: Send supporting documentation, such as photographs, training records, written programs or purchase orders to the address listed on the Corrective Action Response Form.

EXPLANATION OF INSPECTION PROCESS

WRITTEN WARNING: The purpose of the Written Warning is to notify the employer of conditions which could cause a work-related injury or illness, and to correct those conditions before an injury or illness could occur. Fines and penalties are generally not issued by the DLS Workplace Safety and Health Program for the first instance in which DLS notifies the employer of a violation, so that those funds could be applied towards correction.

CIVIL CITATION and CIVIL PENALTY: Failure to comply with the requirements set forth in this Written Warning and the corrective measures set forth in the associated Order to Correct within the period specified may result in the issuance of a civil citation with monetary penalties and other civil penalties as provided by law, pursuant to MGL c. 149, § 6 and set forth in 454 CMR 29.04(1).

EXTENSION OF DUE DATES: An extension of Correction Due Dates for a particular item may be requested in writing if the Respondent can demonstrate progress towards correction of the hazard, and give assurance that interim safeguards are in use to protect employees from the hazard.

RETALIATION: 454 CMR 25.0 prohibits retaliation against employees. No person shall discharge or in any manner discriminate against any employee because the employee has: filed any complaint under or related to 454 CMR 25.00; instituted or caused to be instituted any proceeding under or related to 454 CMR 25.00; testified or is about to testify in any proceeding under or related to 454 CMR 25.00; or exercised on his or her behalf or on behalf of others any right afforded to 454 CMR 25.00.

UNION PARTICIPATION: It is the employer's responsibility to share the Conditions Requiring Corrective Action with employees and employee representatives.

PUBLIC RECORDS REQUEST: Requests for public records can be made by phone or using our online form. Please provide your email and phone in case we need more information to fulfill your request. 617-626-6975 or <https://www.mass.gov/forms/departments-of-labor-standards-public-records-request>

CORRECTIVE ACTION RESPONSE FORM

Return to:

Edward MacKeil

Massachusetts Department of Labor Standards

167 Lyman Street, Westboro, MA 01581

Email: edward.mackeil@mass.gov

(Email response is preferred)

Case File Name: Town of Warren

Case File Number: W-23S-14155

Inspection Date: May 9, 2023

Item No. 01

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 02

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 03

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 04

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 05

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 06

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 07

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Item No. 08

Correction Due Date: July 28, 2023

Correction Date: _____

Corrective Action Taken: _____

Request for Extension: An extension of the time frame set for the correction of the serious hazards may be requested in writing if you have made a good faith effort to correct the hazards, show that the delay was beyond your control, and give assurance that interim safeguards are in use to protect employees from the hazard. To request an extension, send a request in writing to edward.mackeil@mass.gov.

Signature _____ Date _____

Signature Required



BOARD OF SELECTMEN MEETING

CHARLES E. SHEPARD MUNICIPAL BUILDING

DATE: 7/13/23

Attendee: Joseph Hendrick Jr.

Attendee: _____

Attendee: Jim McKeon EMD

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____

Attendee: _____