



TOWN OF BROOKLINE

Massachusetts

Memorandum

To: Human Services Subcommittee - Advisory Committee
From: Sigalle Reiss, Director of Public Health and Human Services
Erin Gallentine, Commissioner of Public Works
Date: September 29, 2022
Re: Warrant Article 3 STM 2- Rodent Control
Cc: Chas Casey, Town Administrator
Melissa Goff, Deputy Town Administrator

The COVID-19 pandemic led to changes in behavior, patterns, and outcomes associated with initially temporary and now seemingly permanent life, work, and study habits throughout the world. Some of these changes have exacerbated rodent activity, especially in urban areas. Initially, the rodent population was impacted as restaurants, offices, and commercial areas closed at the beginning of the pandemic. The food source decreased significantly in these areas, and rodent populations moved further into residential neighborhoods, parks, and public grounds. Since there was more competition for food, rodents became more active during the day and around human activity. As social distancing became critical and people longed to stay connected to family, friends, and school, more meals were served and eaten outdoors at schools, parks, playgrounds, and even at the home. This provided an increased food supply spread out over a wider area. Today commercial areas are reopened and outdoor dining establishments have become very popular as potentially safer dining options. However, outdoor dining has also become a contributing factor that also needs to be monitored and managed as part of the Town's rodent control program. Inspectional service calls related to sanitation, waste storage, rodent populations, and noise have increased to the Public Health and Human Services Department and the Department of Public Works due to changes in conditions created by human activity. During the past year, many neighborhoods and town departments have raised concerns regarding the impact of increased rodent activity.

Warrant Article 3 STM 2 attempts to mitigate rodent activity in public parks by increasing the quantity of rodent-proof trash containers provided in public parks and open spaces and reducing the amount of open-top trash receptacles that provide an ample and accessible food source for rodents. In addition, the Warrant Article proposes increased trash and litter collection to reduce the problem of overflowing trash containers by the addition of a second small trash packer and operator. This second shift would provide for increased collection and disposal capacity for the Town across both parks and commercial areas. The Warrant Article is based upon an ARPA proposal that was submitted by the Department of Public Works.

The Human Services Subcommittee chaired by Susan Granoff, held a public hearing on Tuesday, September 20, 2022. The petitioners presented Warrant Article 3 STM2 followed by questions raised by both members of the subcommittee and the public. Staff from both the Department of Public Health and Human Services and Department of Public Works were present. The hearing was continued to Friday, September 30, 2022. A host of questions were asked of Town Staff at the meeting leading to the request to continue the hearing. A follow-up list of questions was sent to the Departments with a request to provide answers in writing. Below please find an overall summary of the Town's current approach to rodent control and responses to the questions sent by the Advisory Committee. The questions are in bold and Town staff responses are provided in blue.

In Brookline, rodent control is a collaborative effort across many town departments. The Department of Public Health and Human Services' responsibilities include responding to rodent complaints and investigating surrounding areas to identify contributing factors such as non-compliant trash storage, areas that provide rodent shelter and other harborage, and evidence of activity such as borrows and rodent droppings. When investigating each complaint, it is standard practice for the Public Health Department to identify and enforce multiple contributing factors on multiple properties. The Public Health Department sends order letters to all responsible owners, which then require extensive follow-up and continued enforcement. Referrals for trash storage violations are sent to the Department of Public Works. The Department of Public Works inspects improperly stored trash and recycling for both municipal and private customers. Staff inspect, educate, enforce and then follow-up on the areas of concern for ultimate compliance. Rodent activity identified on town-owned property such as parks, school grounds, parking areas and public grounds is referred to the Public Buildings Department and the Department of Public Works for treatment and clean-up. Private construction projects of concern are referred to the Building Department. This time-consuming process quickly overwhelms existing staff and pulls them away from other critical programs. The Environmental Health Division is diverted from important public health issues such as food and housing inspections, and plastics ban enforcement. Public Works staff are diverted from managing critical daily operations such as the sanitation and recycling program serving over 14,000 customers per week, permitting and reviewing private waste haulers, managing the transfer station and household hazardous waste collection, and other daily tasks.

A multi-department Rodent Task Force meets monthly to address the increase in complaints and problem areas across Town. The Task Force has reviewed standard operating procedures, inspections, enforcement actions, problem areas, and issues of capacity. The current staff is not able to handle the volume of complaints and rodent sightings. Both staff and the community are frustrated with the current situation and the lack of progress in improved management and communication.

The new Town Administration team, which has been in place for two weeks as of today, has prioritized improving communications between staff and the public, especially on matters of intense interest like pest control. Additionally, in conjunction with the Rodent Task Force, it is working to develop the data necessary to make an effective multi-pronged targeted response to the problem. The whole team is evaluating what funds are available to take action now and developing a budget accordingly. In discussions with the Town Administrator, he expressed concerns that given the Town's limited funding, if this warrant article were to pass, it would limit staff's ability to pivot to comprehensive and effective solutions based on what the data reveals.

Questions Submitted by the Human Services Subcommittee Regarding WA3 STM2

1) Is there a monthly map of the reported rodent sightings that could be generated, and are there clusters (say, around specific restaurants), or are they pretty much evenly spread throughout North Brookline?

Most of the rodent sightings have been reported in North Brookline. The Town has generated a map that demonstrates the number and location of citations issued through the Accela permitting software. A sample of the map is attached. The Health and Human Services Division is also working on a heat map by precinct and weighted by 1,000 residents to account for density (similar to how Boston maps its zip code per 1,000 residents). The Department of Public Works is creating a new category in BrookOnLine for Rodent sightings. This will enable staff to create a work order, inspect the property and close both the work order and BrookOnLine leading to better communication with the resident that the Town has acted on the complaint. Once established this can be used to map complaints.

2) What can be done about the trash problem *at night*- specifically restaurants and residential properties NOT on Town service putting trash out loosely on the sidewalk (not in barrels or totes) after inspectors have gone home for the day, but it is picked up before inspectors come to work? See also question 5.

The Town has a By-Law in place already for both on and off Town service accounts that states all waste must be in sealed watertight containers (2.A.1 under Solid Waste Regulations). The problem with night inspections/enforcement is:

1. Lack of staff to fill this shift
2. There is no permanent designated P.M. Inspector
3. Any staff assigned would be on an overtime rate increasing operating budgets

DPW could enforce based on generated complaints thru BrookOnline/GIS with proper visual documentation, but in the past, this has had authenticity complications. For example, photos were taken at the wrong location or past photos being used to suggest a current "infraction".

2A) Is this night enforcement something the Police can/would be willing to ticket?

This would be a question for the Chief of Police. We have reached out to see if this is a possibility but does not seem likely. This function sometimes involves opening up and going through the trash to determine ownership prior to issuing a citation.

3) What % of the rodent complaints in your opinion are caused by:

- residents on Town service
- residents Not on Town service
- commercial areas (esp. restaurants) 60% - restaurants/large residential dumpsters/outdoor dining
- construction sites 10%
- ordinary food related litter 20% - litter/food waste in parks/open space/public grounds
- Boston properties along the Town line 10%

4) How many total citations are issued each year (warnings and fines)? Does any department other than Health (eg. Police) issue citations?

The Highway and Sanitation Division issued 142 citations for improperly stored trash, or related solid waste violations, between January 1, 2022 and September 15, 2022 for a total of \$5080.

Previous citation figures were:

CY '21- 450

CY '20- 792

CY '19- 600

The number of citations has decreased due to staffing capacity.

4A) in the case of an eating establishment, is the fine issued to the property owner or the restaurant?

Enforcement fines are usually the responsibility of the permit holder, the food establishment that holds the license. If there is a component that is the responsibility of the property owner, the restaurant owner needs to work with the property owner to resolve the violations per the lease agreement. Ultimately, the restaurant owner is responsible for compliance.

4B) Are health citations (and any other citation) discussed when a restaurant wants to renew their license?

Yes, all fines must be paid before renewal and there is a surcharge if establishments are brought in for a hearing.

4C) Can we put in regulations that any establishment with outstanding/unpaid citations not have their license renewed as long as the fines are not paid?

We believe this authority already exists but will look to emphasize this in the updated Solid Waste Regulations. Please note that fines are just one tool to reach compliance. Establishments can pay fines, even daily fines, and not be "in compliance". Our goal is always compliance. To that end, we use a variety of methods from order letters, fines, mandatory consultants, and hearings to achieve compliance.

5) Can you (by regulation/ license renewal language, etc.) put in place rules that-

-require residences that are Not on Town service to use covered barrels/ toters like the Town currently requires? The problem with bags and loose trash on sidewalks in my neighborhood are definitely contributing to the problem.

Yes. Residents that are NOT on Town service are already required to use covered barrels, toters, or dumpsters. 2.A.1 under the Town of Brookline's Solid Waste Regulations would enforce this.

-require commercial property owners and/or the restaurants themselves to provide trash receptacles in front of restaurants and empty them out, say twice a day. Seems that the ones that are contributing to the problem should be the ones contributing to solving it.

Depending upon the restaurant and location this may be a public benefit that could be considered. This would require some additional thought as it would be both their patrons' and public trash.

If they have a haul-and-go service, we are not sure they could be mandated to pay for twice a day collection, but we can recommend additional daily pick-up and use enforcement where needed until violations are corrected.

...or would you need a By-Law change?

For these particular items a bylaw change is not required and stricter controls with greater clarity can be included in our revision to the Solid Waste Regulations.

6) What does the Town currently do in terms of traps, poison control? If the Town uses poison, what is used?

The Town currently uses carbon monoxide in the public parks and open spaces to treat and then fill/decommission burrows. The Town also uses a rodenticide called TakeDown Soft Bait with bromethalin (fast acting, non-anticoagulant neurotoxin) with bait boxes. Sometimes the Town uses snap traps in the bait boxes. The Town has over 100 boxes. The Building Department staff inspects each building property monthly and the High School property weekly. Time is spent nearly every day checking and resetting bait boxes.

7) Is there a rodent spokesman...er...spokesrat, that can come to our subcommittee meeting to give the rats' perspective? Perhaps all they want is some basic improvements to their living conditions. After all, housing costs in Brookline are so high, the average rat hole needs 700 roommates just to make ends meet. Perhaps if we gave them, say, basic health care, they would in turn agree to be better residents, like our turkeys. I'm not talking about a large investment, just basic health, vision, and rodental.

Sounds like that would only be fair.

8) Can you describe any inter-departmental cooperation? Can the Town collate the documented reports and responses in one place, and can that be put online, so residents can keep track?

The Rodent Task Force brings together Public Health and Human Services, Public Works, Building Department, Public Buildings and Schools. It also includes various divisions within each department. We work to discuss specific cases and hot spots but also town-wide strategies.

We are working on reporting online but have come across several challenges in data collection. We are working on a map by precinct. We cannot report out on each complaint and results, it is too cumbersome, with limited staff capacity, but we can report summaries of total actions taken.

9) If this article passes, how big an impact do you think it will have on reducing the rodent problem?

While this is something that the Town has identified as a need, it will only have a modest impact on the overall problem if executed in isolation. The solution will need to be multipronged and involve greater enforcement, education, technology, data and tracking. The team is working on a prioritized approach that would help address the problem from multiple angles.

It is also challenging to think about this only within the boundaries of the Town of Brookline as we know this is also a rising issue in the metro Boston area (and across the country). To that end, the Town is coordinating with neighboring communities to discuss best practices, successes and to align management strategies where we can.

10) Thinking long term, what else can we do to have a real impact on this problem? Seems to me that simply adding the big bellies is at best an expensive band-aid, and doesn't get to the real causes of the rodent population increases.

Town staff is looking into new technologies for baiting and documenting rat activity. Trash storage and collection compliance with private properties/businesses will be key in addition to management on Town-owned properties. Minimizing or eliminating food sources is the key component to reducing rodent activity.

How much is the rat infestation due to trash in public parks and from Town receptacles, as opposed to commercial establishments and building sites?

See percentages from #3 above. Our current estimate, based upon calls and site visits, is that the commercial areas, businesses, and restaurants are currently the most problematic regarding rodent activity.

Wouldn't our money be best spent addressing the latter problem?

Management of commercial establishments will be a significant factor in overall reduction of the rat population in the hot spot areas.

Public parks have seen a huge increase in use and volume of trash during and following the pandemic. Management of this will also be part of the overall approach for rodent management.

Public Works:

1. In your opinion, what steps would be the most effective steps to take and in what order to effectively address the rodent problem the town is facing?

While there are more steps this is a start. Note that many of these should occur simultaneously to influence change.

- Improve all levels of communication as to what the Town is doing and what the community can do to address the rodent population
- Hire short-term contractual services to do a baseline assessment and commence SMART technology treatment in hot spots. Map results.
- Hire short-term contractual services to increase inspections and enforcement
- Update Solid Waste Regulations
- Increase/Add trash collection service to address overflowing public barrels
- Phase in total removal of open-topped trash receptacles in parks w/ big bellies
- Treat burrows over the winter and early spring
- Assess rodent control requirements on public and private projects
- Incorporate rodent control into outdoor dining permits
- Assess current trash receptacles in the public way and determine where new or different models of trash and recycling receptacles are needed

2. What steps are other towns taking that are working? Would these steps work for Brookline? What would we need to do to get started?

- The Town has met with Cambridge's team, evaluated Somerville's program, and met with a vendor for SMART technology.
- The most effective programs seem to have a layered approach of
 - i. Prevention/Education
 - ii. Identification/Enforcement
 - iii. Reporting
 - iv. Town as Leader

Even with these steps other communities are still struggling with the rodent population. It will take continued effort over time.

3. If the funding stream is different for receptacles in parks vs receptacles on streets vs receptacles in other public areas (what public areas), where are each of these funded from?

- a. Is it wise to separate these streams? Or will solving this problem require a solution that includes all public and private areas of the town?

The park Big Bellies are generally funded through park renovation projects. Outside of full renovations, small orders have been placed each year with park/playground/school ground capital dollars to replace the old barrels with the new system. It is slow, but that is why we have the inventory that we currently have in the park.

The commercial area Big Bellies were funded through the CIP and made as one purchase to consolidate the barrels and provide rodent-proof containers. There is a single barrel provided in the Cannabis Mitigation account for trash receptacles close to the Brookline marijuana dispensaries, but otherwise there is no regular funding source for additions or replacements.

4. Do you agree with the petitioners that these 23 receptacles are the ones that are the most important to be replaced?

The Parks and Open Space Division team knows where the critical areas are with most rodent activity and open containers.

Currently, the Division is responsible for the collection of approximately 228 trash receptacles across Town with 73 Big Belly units, 101 open-top trash receptacles and 51 toters which are placed throughout the Town's parks, open spaces, town and school grounds. The toters were incorporated in areas that have a high volume of bulky trash such as pizza boxes (little league fields). They provide some level of rodent protection since they do have lids. Unfortunately, we are starting to see evidence of rodents chewing through the toters as well.

The DPW - Parks and Open Space Division has identified 40 areas with high use that would benefit from either additional trash receptacles or replacement of the existing open-top trash receptacles. This is based on staff assessments but is something we would like to understand and be informed by a data driven process. Currently, we are working with Big Belly to determine if they can help us perform a waste audit across all public grounds to help DPW assess where additional Big Belly units would be most impactful and determine what style of the Big Belly makes sense for any given location.

The 23 receptacles proposed in the Warrant Article include a list of Big Belly receptacles that are not on SMART technology as well as areas where staff and residents would like to add a Big Belly once funds become available. There are far more than 23 areas where we would like to see Big Belly units placed should the funds become available. In some cases, we would not necessarily replace those that are not on SMART technology and would instead prioritize areas with open-top trash receptacles since that is a bigger driver of the rodent issue.

5. What additional pieces of equipment would you like to see added to this WA, if adequate funding were available?

This is something that we would have to review with the Town Administrator and Deputy Town Administrator

6. **This purchase will not be until FY 2024 – what is the earliest date you estimate all these items will be fully up and running?**
 - a. **When will order be placed?**
 - b. **If the equipment were purchased today, when would you expect to receive it?**
 - c. **Do you expect this will still be the timing in FY24?**
 - d. **If not, what delays should we be prepared for?**

We would have the proposal in hand and place the order once the new fiscal year was opened in July 2023. We anticipate 3-4 months for delivery. We are not sure if there would be changes in supply next fiscal year.

7. **If a staff person will need to be hired, when can the town expect the person to be hired?**
 - a. **What delays are you currently experiencing when hiring staff?**
 - b. **Is compensation expected to be an issue with this position?**
 - c. **What steps can be taken in the interim so that these issues or delays can be addressed before FY24?**

It is a very difficult hiring market. It has taken multiple postings to find candidates interested in open DPW positions. There are multiple factors influencing this across all markets. In the interim, we could consider temporary changes in duties and a shift in schedules to increase the litter collection frequency. This will need to be evaluated further.

Public Health

1. **In your opinion, what steps would be the most effective steps to take and in what order to effectively address the rodent problem the town is facing?**

The DPW and Health and Human Services Departments are working with the Town Administrator and his team to propose a comprehensive multi-pronged approach that includes updating and enforcement of existing regulations, additional pest control on town owned property, specifically in hot spot areas, better data collection and reporting, litter control and trash collection and rodent proof receptacles.

2. **What steps are other towns taking that are working? Would these steps work for Brookline? What would we need to do to get started?**

We meet with Cambridge to discuss and learn about their efforts. Brookline is doing many of the same things, however they have significantly more staff dedicated to the effort. Cambridge also works with Modern Pest and uses Smart boxes in their parks and open spaces to treat for rodents and track data. We are currently talking to Modern to evaluate Brookline's needs. We expect this will be part of the overall proposal.

Cambridge is also offering free pest control to residents on properties with 3 or fewer units. This is the first year of the program and there is no real data available. I don't believe treatment on residential property is the primary issue. Most of the residents we work with are already doing treatment and/or employing responsible practices. While I am sure the program is appreciated, I am not sure it would help the overall problem. It

is the elimination of the food sources that are the main contributing factors such as food waste in public spaces or non-compliant dumpsters and/or restaurants.

- 3. In our last hearing you mentioned that rodent complaints were coming in through several different directions. What are these different sources?**
- a. Is any one person able to see all the complaints right now? Who is that person?**

For the most part, all rodent complaints come to the Public Health and Human Services Department, trash complaints are a combination of Public Works and Public Health depending on the location. Public Health currently uses a rat reports email and a dedicated phone line to leave voicemails. Public works uses BrookOnLine as well as referred complaints by the Public Health Department over email. We are going to pilot BrookOnLine for rodent complaints.

- b. What resources would you need to have a single webpage on the town website with a column for:**
- the date the complaint was received,
 - the date action was taken and
 - what that action was,
 - what follow up steps will be needed and
 - who is responsible for these follow up steps?

This is a very detailed report and would be too cumbersome to report out on any regular basis just due to the volume of complaints we receive. Instead we would propose more summary data over a period of time.

- # of complaints received
- # of complaints under investigation
- # of citation/order letters issued
- # of complaints resolved/reached compliance
- As well as maps of complaints.

- c. If it is staff time, do you have someone who can do this work now?**

The Department of Public Health and Human Services is currently working on better gathering data using the Accela system. Moving forward, inspectors will update the status of each record to allow us to produce a summary report.

- d. If not, could this work be done by consultants?**
- e. Assuming the budget were approved, how much time would you need? How much money? What would you need from other departments?**
- f. What can the petitioners or residents do to make this happen?**

The Town is looking into whether consultants could take on this role temporarily. The Departments are working on budget numbers with the Town Administrator's office. The Town will need to continue a multipronged multi-department approach to address the rodent problem both now and going forward.