

**Warrant Article 3 (STM 2)**  
**Resolution relating to trash management and rodent control**

**Report of Human Services Subcommittee**

**Recommendation:** FAVORABLE ACTION by a vote of 5-0-0 on the substitute resolution offered by petitioners of Warrant Article 3 (STM 2)

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| <p><b>Executive Summary:</b></p>        | <p>WA 3 (STM 2) is a resolution that recognizes that Brookline is in the midst of a major and growing rat infestation problem which poses serious public health and sanitation threats, creates property damage, and reduces the quality of life of many Brookline residents. It welcomes the recent announcement of the Town's Rodent Control Action Plan and thanks Town staff for what they have been doing to address this problem, but it also acknowledges that much more needs to be done. It urges that additional funding in the FY24 budget be allocated to fund rodent control and trash management measures to combat rat infestation and calls for a variety of other measures, including more stringent regulations related to solid waste disposal and rodent control measures and increased fines, fees, and penalties to encourage compliance and to increase revenue for Town efforts to combat the rat crisis.</p> <p>This is a substitute motion for the petitioner's original article, which was a budget amendment that proposed to appropriate \$388,648 of FY23 budget funds to buy 23 Big Belly trash bins and a compacting trash vehicle and to hire a DPW staff person to fulfill the tasks related to the use and maintenance of the above. Given the budgetary constraints of the FY23 budget, including the absence of sufficient new revenues to pay for additional trash management and rodent control measures, as well as the Town's publication of the Rodent Control Action Plan on October 12 and the October 18 Select Board decision to reallocate \$200,000 in ARPA funds for implementing the proposed recommendations for the first six months of the Plan, the petitioners believe that their substitute resolution is a better approach.</p> |
| <p><b>Voting Yes will . . .</b></p>     | <p>Put Town Meeting on record as recognizing the severity of Brookline's rat infestation problem and as supporting a robust and comprehensive effort to combat it, including increased funding for Town departments on the front lines of this fight, tougher regulations and penalties, and improved compliance by businesses, restaurants, property owners/managers, and residents with the Town's sanitation regulations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>Voting No will . . .</b></p>      | <p>Tell the residents of Brookline, the Town Administrator, and the Select Board that Town Meeting doesn't think the Town should be allocating any more funding or resources to combating the Town's rat infestation problem than it currently does and sees no need for the Town to revise its regulations related to rodent control and trash management or to take any of the other measures urged by petitioners.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>Financial impact [if any]</b></p> | <p>No direct impact because this is now a resolution and not a budget amendment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| <b>Legal implications</b> [if any] | None. |
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**Introduction**

Brookline (like many of its neighboring municipalities) is currently in the midst of a major and growing rat infestation problem which poses serious public health and sanitation threats, creates property damage, and has reduced the quality of life of many Brookline residents.

Complaints of rat sightings in Brookline received by the Department of Public Works (DPW) and the Department of Public Health and Human Services (“the Health Department”) have increased by over 300% since 2019 according to these departments. During the late spring and early summer of 2022, many Town Meeting Members were contacted by frightened and increasingly desperate constituents demanding that the Town do more to reduce this infestation.

*The Original Warrant Article 3.* The petitioners, all of whom are Brookline Town Meeting Members, brought their original article in response to these concerns. Although they recognized that the Town's rat infestation problem would require a multi-pronged approach, their discussions with the DPW and the Health Department led them to focus their article on addressing one highly visible contributing factor to the Town's current rat infestation situation: the overflowing waste containers in the Town's public parks due to behavioral changes during the Covid-19 pandemic which led to an increased use of our parks for outdoor dining and a relocation of rodent food sources from restaurants that were producing less food waste to outdoor areas where food waste was more plentiful.

The petitioners' original warrant article was a budget amendment that proposed to appropriate \$388,648 of FY23 budget revenues to buy 23 Big Belly trash bins and a compacting trash vehicle and to hire a DPW staff person to fulfill the tasks related to the use and maintenance of the above. By filing this as a warrant article, the petitioners hoped that the resulting required public hearings of the Advisory Committee and the Select Board would give residents a forum in which to air their concerns while focusing the attention of key Town government decision makers on the increasing urgency of the Town's rat infestation problem.

*The Rodent Control Action Plan.* After the article's public hearing on September 20, 2022 and a public meeting by the Human Services Subcommittee that was continued to September 30, the department heads of the DPW and the Health Department published a Rodent Control Action Plan on October 12, which was presented by Town Administrator Charles Carey to the Select Board for its consideration. The Plan had been developed through the combined efforts of the numerous Town department members of the Town's multi-department Rodent Control Task Force.

The Rodent Control Action Plan proposes a series of short-term (now-2 months), mid-term (2-6 months), and long-term (1-2 years) actions in response to the Town's increased rodent activity. The recommended actions during the next 6 months include: contracting with a pest control specialist who will conduct a site evaluation analysis of target areas to identify suitable pest control measures and use

smart traps to capture rodents and gather additional data; hiring a food safety consultant to identify best practices for enforcement of solid waste regulations and to help enforce these regulations; bringing online by mid-November 2022 a dedicated public Rodent Recourse website to provide information to residents about prevention, resources, reporting a rodent sighting, and complaint response and status reports; purchasing five Big Belly trash bins; updating outdoor dining regulations (which has already been completed); revising the Town's solid waste regulations; and using door knob hangers to provide additional neighborhood outreach about what the Town is doing in their area to combat rodents and what residents can do to reduce rodent activity.

These actions will take place during the next six months and will be funded with up to \$200,000 in re-purposed ARPA funds, as approved by the Select Board on October 18 and recommended by the Health Department, which has determined that \$184,000 in Covid testing funds currently allocated to the Health Department could be reallocated to rodent control because Covid test kits have continued to be provided by the state.

The long-term (1-2 years) proposed measures include hiring an inspectional services and code enforcement supervisor and a trash packer operator, and purchasing additional Big Belly trash bins, a small garbage truck with a toter lift, and a vehicle for the enforcement supervisor. Annual costs for these measures are estimated to total \$288,250 plus one-time costs of \$180,000.

*The Petitioners' Substitute Resolution.* Because of these recent developments (the Rodent Control Action Plan and the Select Board's decision to reallocate up to \$200,000 in Health Department ARPA funds for implementing the proposed recommendations for the first six months of the Plan), and given the budgetary constraints of the FY23 budget including the absence of sufficient new revenues to pay for additional trash management and rodent control measures, the petitioners no longer wish to move their original budget amendment that would have required specific additional FY23 expenditures.

Warrant Article 3 (STM 2) is now a resolution, which the Town Moderator has determined is within the scope of the original article. The proposed resolution recognizes that Brookline is in the midst of a major and growing rat infestation problem that poses public health and sanitation threats, creates property damage, and reduces the quality of life of many Brookline residents; welcomes the recent announcement of the Town's Rodent Control Action Plan; and thanks Town staff for what they have been doing to address this problem; but acknowledges that much more needs to be done.

The substitute resolution specifically urges that the Town Administrator prepare a FY24 Financial Plan “that includes sufficient funding for fighting rat infestation, including inspections, enforcement, rodent-resistant trash receptacles, education and communication, rodent baiting, trapping, and removal, and any other best practices for rodent control.” It also calls for the development of more stringent regulations related to rat infestation and solid waste disposal by the DPW and the Department of Health; asks the Select Board to review all fees, fines, and penalties related to trash management and rodent control so as to provide much stronger incentives for compliance with Town sanitation regulations and bylaws and to increase revenues for measures to combat rat infestation; urges consideration of the Town's need to fight rat infestation when decisions are made regarding the allocation of ARPA funds, Community Preservation Act revenues, and other available sources of funding; and asks Brookline businesses, restaurants, residents, property owners, and property managers to follow Town sanitation regulations and to take all necessary steps to minimize rat infestation.

## Evaluation Methodology/Research

- Memorandum to Human Services Subcommittee from Sigalle Reiss and Erin Gallentine dated 9/29/22 (responding to Subcommittee questions)  
[https://www.brooklinema.gov/DocumentCenter/View/36699/WA-3\\_Rodent-Control\\_Human-Services-Subcommittee-Memo\\_09292022FINALwMAP?bidId=](https://www.brooklinema.gov/DocumentCenter/View/36699/WA-3_Rodent-Control_Human-Services-Subcommittee-Memo_09292022FINALwMAP?bidId=)
- Memorandum from Charles Carey to Select Board with attached Memorandum from Erin Gallentine and Sigalle Reiss detailing proposed Rodent Control Action Plan dated 10/12/22  
<https://www.brooklinema.gov/DocumentCenter/View/36700/20221012-Rodent-Control-Action-Plan-Recommendation-Memorandum?bidId=>
- Petitioners Questionnaire Responses dated 10/26/22  
<https://www.brooklinema.gov/DocumentCenter/View/36695/Advisory-Committeequestionnaire-for-WA3STM2resolution27October2022?bidId=>
- Petitioners Substitute Resolution dated 10/27/22  
<https://www.brooklinema.gov/DocumentCenter/View/36696/WA3STM2Resolution27October2022?bidId=>
- Petitioners Revised Explanation dated 10/27/22  
<https://www.brooklinema.gov/DocumentCenter/View/36697/WA3STM2RevisedExplanation27October2022?bidId=>

## Discussion

The Human Services Subcommittee held a public hearing on the original warrant article on Tuesday, September 20, at 5:15 pm via Zoom. Due to time constraints, the Subcommittee's public meeting that immediately followed was continued to Friday, September 30, at 3:30 pm via Zoom. This public meeting was further continued to Thursday, October 27, at 5:30 pm via Zoom at which time the Subcommittee considered the current substitute resolution of the petitioners.

*September 20 public hearing/public meeting attendees:* Human Services Subcommittee members: Susan Granoff TMM 7 (Chair), Katherine Florio TMM 10, David-Marc Goldstein TMM 8, and Mark Penzel TMM 2 (absent: Donelle O'Neal TMM 4); Petitioners: Anthony Ishak TMM 1, Sassan Zelkha TMM 14, Sean Lynn-Jones TMM 1, Chuck Swartz TMM 9, Carolyn Goodwin TMM 8, Kate Silbaugh TMM 1, Don Weitzman TMM 8, and Jon Margolis TMM 7; Town of Brookline staff: Erin Gallentine (Commissioner of the Department of Public Works); Sigalle Reiss (Director of the Department of Public Health & Human Services); Alexandra Vecchio (Director of Parks & Open Space Division, DPW); and Kevin Johnson (Director of Highway & Sanitation Division, DPW); Members of the public: Elizabeth Mora, John Harris TMM 8, John Kleschinsky, Fran Perler, Carla Benka TMM 14, John Evangelakos, Leonard Bernstein, Alec Lebovitz TMM 8, Ben Ho, Elissa Yanover, Stephen Ault, Harriet Rosenstein, and Carey Goldberg.

The recording of the September 20 public hearing can be found here:

[https://brooklinema.zoomgov.com/rec/share/iEtz9piMpqZkObqXvOYP1aa3koK\\_OzXGvWNohzEf\\_J6d-d9Ugn9clZV6xvfCaTX.mfjFbAy2w4nWhn-F](https://brooklinema.zoomgov.com/rec/share/iEtz9piMpqZkObqXvOYP1aa3koK_OzXGvWNohzEf_J6d-d9Ugn9clZV6xvfCaTX.mfjFbAy2w4nWhn-F)

Passcode: 0^IVCTPS

*September 30 continued public meeting attendees:* Subcommittee members: Susan Granoff, Katherine Florio, David-Marc Goldstein, and Mark Penzel (absent: Donelle O'Neal); Petitioners: Sean Lynn-Jones, Anthony Ishak, Carolyn Goodwin, Jonathan Margolis, Chuck Swartz, Don Weitzman, and Kate Silbaugh; Town of Brookline staff: Sigalle Reiss (Director of the Department of Public Health & Human Services), Alexandra Vecchio (Director of Parks & Open Space Division, DPW), Kevin Johnson (Director of Highway & Sanitation Division, DPW), Melissa Goff (Deputy Town Administrator); Members of the public: Neil Gordon TMM 1, AC, John Harris, Elizabeth Mora, Marilyn Rosenbaum, Fran Perler, Perry Grossman TMM 5, Kim Kronenberg, and John Kleschinsky.

The recording of the September 30 public meeting can be found here:

[https://brooklinema.zoomgov.com/rec/share/-cmVtRvwtn90Zxswr-Hnr8c\\_cPGmhFWmUDbsCyFYz5nRDTBVQ-s6RODbFI5\\_HOS.yZFcKCFItWEqxSom](https://brooklinema.zoomgov.com/rec/share/-cmVtRvwtn90Zxswr-Hnr8c_cPGmhFWmUDbsCyFYz5nRDTBVQ-s6RODbFI5_HOS.yZFcKCFItWEqxSom)  
Passcode: 8wQyC!K2

*October 7 continued public meeting attendees:* Subcommittee members: Susan Granoff, Katherine Florio, David-Marc Goldstein, Donelle O'Neal, and Mark Penzel; Petitioners: Sean Lynn-Jones and Carolyn Goodwin; Member of the public: Alec Lebovitz.

The recording of the October 7 public meeting can be found here:

[https://brooklinema.zoomgov.com/rec/share/qp8GdEEpZ1u8iS50Ytb4drL9z1fsqd0LqJKC\\_laUYW3JeBPPUu9b9NTlg6PXbqUb.YdykASfewYQFwN3E](https://brooklinema.zoomgov.com/rec/share/qp8GdEEpZ1u8iS50Ytb4drL9z1fsqd0LqJKC_laUYW3JeBPPUu9b9NTlg6PXbqUb.YdykASfewYQFwN3E)  
Passcode: fQ\$Ehr2B

At the September 20 public hearing, the petitioners explained why they had decided to bring their budget amendment at this time and why they were seeking the specific appropriations that they were from the FY23 budget revenues in order to buy 23 Big Belly trash bins and a compacting trash vehicle and to hire a DPW staff person to fulfill the tasks related to the use and maintenance of the above. Much of the discussion that followed and the Subcommittee members' questions to the petitioners and the four Town staff who were present (Erin Gallentine, Commissioner of the Department of Public Works; Sigalle Reiss, Director of the Department of Public Health & Human Services; Alexandra Vecchio, Director of Parks & Open Space Division, DPW, and Kevin Johnson, Director of Highway & Sanitation Division, DPW) focused on details related to the specific budgetary appropriations being sought by the petitioners and the question of funding sources. This was also true of the discussion and questions during the continued public meeting on September 30. These discussions are not especially relevant to the substitute resolution that the petitioners have now introduced, so they are not discussed here.

Of greater relevance are the numerous comments from the public during the public hearing, which described at length the ways that rat activity was negatively impacting their daily lives. All of them asked for greater urgency in the Town's response to the current rat infestation. One commentator noted that he had lived in Brookline since 1985 and had never experienced this problem before. A professional cook stated that he thinks the take-out dining trend is a long-term behavioral change that was merely accelerated by Covid. Many members of the public stated that they believed a key cause of the rat infestation problem was the lack of Town enforcement of sanitation and food waste regulations, particularly with respect to restaurants, and the absence of follow up after complaints have been made. It was pointed out that restaurants often dispose of food waste late at night when there are no inspections, which makes it harder to enforce Town regulations; another commentator spoke of the failure of restaurants to adequately clean their grease disposal bins. There were also comments about

the need for the Town to prioritize rat control efforts in the worst-impacted locations in Brookline.

The heads of the DPW and the Health Department, Erin Gallentine and Sigalle Reiss, both emphasized that addressing the Town's rat problems would require a multi-pronged approach that included more than the purchase of new equipment. They spoke of the need to update regulations, to provide better enforcement, and to educate businesses and residents on how each can do their part to reduce the Town's rodent infestation. They also spoke about how the huge increase in outdoor dining has created new challenges for Town trash collection in outdoor spaces. Approximately three weeks after the September 20 public hearing, these two department heads published a Rodent Control Action Plan that established a time table for implementing specific solutions to many of the concerns expressed above.

At the October 27 continuation of the Subcommittee's public meeting, co-petitioner Sean Lynn-Jones explained the reasons that the petitioners had decided to submit their substitute resolution in place of their original budget amendment. (See the Introduction to this report and the petitioners' Revised Explanation for Article 3.) In response to a question from a Subcommittee member, the co-petitioner stated the petitioners chose not to include any specific target dates or dollars amounts or conditions of satisfaction in their "resolved" clauses because they see their resolution as a "floor, not a ceiling," and no one knows how bad the problem might be in future years. In addition, the last "whereas" clause of the resolution reminds Town Meeting that it has the power to amend the Town's FY24 budget "if that budget does not include adequate appropriations for rodent control and trash management, including but not limited to the appropriations recommended in the Rodent Control Action Plan."

The Subcommittee members agreed with the petitioners on the need for the Town to make rat control a greater priority and praised the petitioners for their well-drafted, realistic, forward-looking substitute resolution that supports the proposed Rodent Control Action Plan while recognizing that, at this point in time, additional FY23 General Fund revenues are not available for new trash management and rodent control spending.

### **Recommendation**

By a vote of 5-0-0, the Human Services Subcommittee recommends FAVORABLE ACTION on the substitute resolution offered by petitioners for Warrant Article 3 (STM 2).

### Roll Call Vote:

Yes: Florio, Goldstein, Granoff, O'Neal, Penzel

No: 0 Abstentions: 0 Absent: 0