

Gerard F. Cody, R.E.H.S./R.S.
Public Health Director

Ann Martin, R.N./M.S.N.
Public Health Nurse

Carol Cronin
Principal Clerk

Peggy Montlouis, MBA
Community Health Educator



Town of Randolph

Public Health Department

41 South Main Street • Randolph, MA 02368

Main Telephone: 781-961-0924

www.townofrandolph.com

Board of Health

Dr. David Kaplan, M.PH/Ph.D./C.H.O./R.S. *Chair*

Barbara Mahoney, R.N./M.H.A

Dov Yoffe, R.N./A.S.D

Patricia M. Cedeño-Zamor, Ph.D/M.S.W/M.H.A

June 21, 2021

Rosemont Court Tenant Organizing Committee
527 West Elm Street
Brockton, MA 02301

RE: Dumpster and Litter on Property

Dear Rosemont Court Tenant Committee Members:

I am writing to acknowledge receipt of your letter dated June 10, 2021. The letter details concerns about the management of the dumpster area for the apartment complex.

Attached, you will find an **Order to Correct Violations of Board of Health Article III, Dumpsters**, that was sent to the property manager for Rosemont Square Apartments.

Thank you for contacting the Randolph Public Health Department about this issue. If you have any questions concerning this matter, you may contact this office at (781) 961-0924 or gcody@randolph-ma.gov.

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cc: File
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June 21, 2021

Jaclyn Manchester, Community Manager
Rosemont Square Apartments
2 Chestnut Way
Randolph, MA 02368

RE: Dumpster and Litter on Property

Dear Ms. Manchester:

As you know, there have been chronic complaints about the rubbish & garbage storage area at your complex located at 2 Chestnut Way. It is my understanding that there are two thirty yard cubic dumpsters that are designed to compact the trash and it is serviced by your vendor, *Waste Management* and they are scheduled to be emptied twice per week. The site is monitored by maintenance staff and contractors six, (6) days per week.

The existing program in place does not appear to be sufficient to service the needs of the apartment complex. There also appears to be unauthorized dumping of products such as tires, water heaters and other items that are typically not found in an apartment complex residential solid waste profile. Below, you will find Violations of Randolph Board of Health Article III, Dumpsters, that are in need of correction;

Violations

Dumpster Area

Two dumpsters estimated to be thirty cubic yards, (30) cubic yards have been observed to chronically have rubbish and garbage including but not limited to paper, plastic and related debris scattered around the dumpster area. Bags and boxes were observed on the ground in front of the dumpster. Dumpsters must be covered at all times, kept from overflowing and the storage area is to be maintained free of scattered debris.

Article III, § 5 states in part that *“It shall be the responsibility of the owner or agent whose property is being serviced to maintain the dumpster area free of odors, scattered debris, overflow and all other nuisances.”* It shall also be the responsibility of the property owner to maintain the dumpster area free from any condition that may be considered an attraction for rodents or other pests. **Article III, §3 states in part that** *“Each dumpster must be of sufficient size and capacity to eliminate overflowing, and the property or authorized agent of the premises utilizing the services must take appropriate action immediately to empty contents when full.”*

Article III, §6 states in part that “ *It shall also be the responsibility of the owner or agent whose property is being serviced by the dumpster to maintain the dumpster’s lid in a closed and locked condition at all times except when actually in the process of placing refuse in the dumpster.* ”.

Article III, §7 states in part that “*Dumpsters are to be for the use of only those individuals who are authorized by the owner whose property is being serviced. All unauthorized use shall be considered a trespass of private property. Said owner may post a sign stating that unauthorized use is prohibited by order of the Board of Health*”.

In Violation of Article III §7, §6, §5 and §3, you are hereby ordered to complete the following tasks;

- 1.) Monitor and keep clean all solid waste dumpster areas seven, 7, days per week.
- 2.) As noted in Article III, §3 it is the property owner’s responsibility to provide *sufficient size and capacity to eliminate overflowing*. Increase the frequency of pickups and increase the capacity to hold trash to eliminate overflowing. Increase capacity by adding dumpsters at other locations throughout the complex to decentralize the rubbish & garbage accumulation area. The increased capacity areas must be set up and operational by Friday July 9, 2021.
- 3.) Daily, clean up and remove all sources of litter on the property. Submit a written plan to remove the litter on the property by June 30, 2021.
- 4.) Create a program to prevent and deter the unauthorized dumping at the dumpster area. As noted in Article III §7, post signs to prohibit unauthorized use of the dumpster and to deter illegal dumping by June 30, 2021.
- 5.) Submit a written Integrated Pest Management Plan, (*IPM*) for eliminating pests at the dumpster area by Wednesday June 30, 2021.

Failure to correct this violation and make a good faith effort within the given time period will result in the filing of an application for a criminal complaint against the property owner with the local Trial Court of Massachusetts District Court Department.

If you have any questions concerning this matter, you may contact this office at (781) 961-0924 or gcody@randolph-ma.gov.



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