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COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

SUPERIOR COURT DEPARTMENT  
DOCKET NO. 2577CV00758A

CITY OF BEVERLY, MASSACHUSETTS, )  
 acting on authority from )  
 Its Director of Public Health; )  
 CITY OF MALDEN, MASSACHUSETTS )  
 acting on authority from )  
 Its Director of Public Health; )  
 CITY OF GLOUCESTER, MASSACHUSETTS, )  
 acting on authority from )  
 Its Director of Public Health; )  
 CITY OF PEABODY, MASSACHUSETTS, )  
 acting on authority from )  
 Its Director of Health and Human Services; )  
 TOWN OF DANVERS, MASSACHUSETTS )  
 acting on authority from )  
 Its Director of Public Health; )  
 TOWN OF CANTON, MASSACHUSETTS, )  
 acting on authority from )  
 Its Director of Public Health )

Plaintiffs

v.

VERIFIED COMPLAINT

623 Landfill, Inc. an indirect and )  
 wholly-owned subsidiary of Republic Services, )  
 Inc.; )  
 and Allied Waste Services of Massachusetts, LLC, )  
 d/b/a Republic Services of Revere, d/b/a Republic )  
 Services of Holbrook with offices at 320-A Charger )  
 Street, Revere, MA 02151; and )  
 Republic Services, Inc. )

Defendants

INTRODUCTION

This is an action brought by the City of Beverly, acting on authority from its Director of Public Health, City of Malden, Massachusetts acting on authority from its Director of Public Health,

City of Gloucester, Massachusetts, acting on authority from its Director of Public Health, City of Peabody, acting on authority from its Director of Health and Human Services, Town of Danvers, Massachusetts, acting on authority from its Director of Public Health, Town of Canton, Massachusetts, acting on authority from its Director of Public Health (collectively, “the Municipalities”) to abate public health nuisances within the Municipalities (“Municipal Property”) pursuant to G.L. c. 111, §§ 30, 122, 130.

### PARTIES

1. The City of Beverly, Massachusetts is a municipal corporation with a principal place of business at 191 Cabot Street, Beverly, Massachusetts (“Beverly”). Beverly is acting on authority from its Director of Public Health, which has the same mailing address.
2. The City of Malden, Massachusetts is a municipal corporation with a principal place of business at 215 Pleasant Street, Malden, Massachusetts (“Malden”). Malden is acting on authority from its Director of Public Health, which has the same mailing address.
3. The City of Gloucester, Massachusetts is a municipal corporation with a principal place of business at 9 Dale Avenue, Gloucester, Massachusetts (“Gloucester”). Gloucester is acting on authority from its Director of Public Health, which has the same mailing address.
4. The City of Peabody, Massachusetts is a municipal corporation with a principal place of business at 24 Lowell Street, Peabody, Massachusetts (“Peabody”). Peabody is acting on authority from its Director of Health and Human Services, which has the same mailing address.
5. The Town of Danvers, Massachusetts is a municipal corporation with a principal place of business at 1 Sylvan Street, Danvers, Massachusetts (“Danvers”). Danvers is acting on authority from its Director of Public Health, which has the same mailing address.

6. The Town of Canton, Massachusetts is a municipal corporation with a principal place of business at 801 Washington Street, Canton, Massachusetts (“Canton”). Canton is acting on authority from its Director of Public Health, which has the same mailing address.
7. The Defendant, 623 Landfill, Inc. an indirect and wholly-owned subsidiary of Republic Services, Inc. (“623 Landfill” or “Defendant”), organized under the laws of Virginia with a principal place of business at 18500 North Allied Way, Phoenix, Arizona 85054.
8. The Defendant, Allied Waste Services of Massachusetts, LLC, d/b/a Republic Services of Revere (“Allied Waste” or “Defendant”), organized under the laws of Massachusetts with a principal place of business at 155 Federal Street, Suite 700, Boston, Massachusetts.
9. The Defendant, Allied Waste Services of Massachusetts, LLC, d/b/a Republic Services of Holbrook with offices at 320-A Charger Street, Revere, MA 02151 (“Allied Waste” or “Defendant”), organized under the laws of Massachusetts with a principal place of business at 155 Federal Street, Suite 700, Boston, Massachusetts.
10. The Defendant, Republic Services, Inc. is a Delaware corporation with its principal place of business located at 18500 North Allied Way, Phoenix, Arizona 85054.
11. The Municipal Property is located within the Municipalities, including public ways.

### **JURISDICTION**

12. The Superior Court has jurisdiction to decide this matter under G.L. c. 111, §§ 122, 130 and G.L. c. 214, § 1 (General Equity Powers).

### **FACTS**

13. The Municipalities executed a contract for Residential Curbside Recycling & Trash Collection with 623 Landfill, Inc. an indirect and wholly-owned subsidiary of Republic Services,

Inc., or Allied Waste Services of Massachusetts, LLC, d/b/a Republic Services of Revere and d/b/a Republic Services of Holbrook with offices at 320-A Charger Street, Revere, MA 02151. (“Municipal Recycling & Trash Collection Contracts”)

14. According to the terms of the Municipal Recycling & Trash Collection Contracts, the Defendants, in exchange for good and valuable consideration, agreed to furnish all equipment, labor, materials, management, and supervision necessary to collect and dispose of trash and recycling for certain Service Recipients within the Municipalities, on a weekly basis, through at least, June 30, 2026.

15. Upon information and belief, the Defendants contracted with dozens of private businesses and residences within the Municipalities to collect and dispose of trash and recycling on a regular basis.

16. Beginning on July 1, 2025, the Defendants ceased collecting recycling within the Municipalities.

17. Beginning on July 1, 2025, the Defendants have provided only intermittent trash collection within the Municipalities.

18. To date, Defendants continue to fail to provide regular weekly trash collection within the Municipalities.

19. The Defendants have repeatedly informed Municipal officials of its intent to collect trash in certain neighborhoods and from specific streets on specific days of the week within the Municipalities.

20. In reliance on these assurances, Municipal officials have informed Municipal residents when to place trash curbside for collection by the Defendants.

21. The Defendants have repeatedly failed to collect the trash in accordance with the assurance provided to the Municipalities.
22. As a direct result of the Defendants' inactions, trash and recycling remain on Municipal sidewalks and in public ways.
23. As a direct result of the Defendants' inactions, private dumpsters within the Municipalities are overflowing with trash and recycling.
24. As a direct result of Defendants' inactions, the Municipalities have received numerous complaints from Municipal residents including, but not limited to, evidence of:
  - a. Rodents in the areas accumulated trash;
  - b. Areas of harborage for rats;
  - c. Public sidewalks being blocked by excess trash and recycling;
  - d. Malodors; and
  - e. Overflowing dumpsters.

See Attached Affidavits of Municipalities (Exhibits 1-6).

25. The conditions of overflowing refuse in the Municipalities constitutes a public health nuisance for the following reasons:
  - a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
  - b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
  - c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;

- d. Improperly contained trash and recycling can lead to potential water contamination through leachate; and
- e. Accumulation of trash and recycling on the Municipalities' sidewalks diminish accessibility.

See Attached Affidavits of Municipalities (Exhibits 1-6).

**COUNT I  
CLAIM FOR INJUNCTIVE RELIEF  
ABATEMENT OF PUBLIC HEALTH NUISANCE (General Laws Chapter 111, Section  
122, 130)**

26. The facts asserted in paragraphs 1 through 25 are hereby incorporated and reasserted as if fully restated herein.
27. Pursuant to G.L. c. 111, §30: "Boards of health may appoint agents or directors of public health to act for them in cases of emergency or if they cannot conveniently assemble, and any such agent or director shall have all the authority which the board appointing him had; but he shall in each case within two days report his action to the board for its approval, and shall be directly responsible to it and under its direction and control. An agent or director of public health appointed to make sanitary inspections may make complaint of violations of any law, ordinance or by-law relative to the public health.
28. Pursuant to G.L. c. 111, §122: "The board of health shall examine into all nuisances, sources of filth and causes of sickness within its town...which may, in its opinions, be injurious to the public health, shall destroy, remove or prevent the same as the case may require..."

29. Pursuant to G.L. c. 111, §130: “The superior court, either before or pending a prosecution for a common nuisance affecting the public health, may enjoin the maintenance of such nuisance until the matter is decided or the injunction dissolved.”

30. As of the date of verification of this complaint, the nuisance conditions caused by the Defendants still exist in the Municipalities, and as such, constitute a continuing violation of G.L. c. 111.

31. The nuisance conditions caused by the Defendants have directly impacted the public health and safety of the Municipalities.

**WHEREFORE**, the Plaintiffs, request that this Court:

1) After a hearing, enter a Preliminary Injunction, ordering the Defendants and their agents, representatives and anyone acting at their direction to:

- a. Immediately collect all trash and recycling within the Municipalities as required by any contract;
- b. Immediately perform and provide all Contracted Services;
- c. Immediately cease and desist from any further activity within the Municipalities causing nuisance conditions.

2) Enter an Order scheduling this matter for a speedy trial.

3) After a trial on the merits, enter final judgment in favor of the Municipalities in the form of permanent injunctive relief.

4) Award the Municipalities its costs and attorneys fees.

5) Order such other and further relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

City of Beverly, acting on authority from its  
Director of Public Health,  
By its Attorneys,

*/s/ Beth A. Oldmixon*

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City of Malden, acting on authority from its  
Director of Public Health,  
By its Attorney,

*/s/ Alicia M. McNeil*

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City of Gloucester, acting on authority  
from its  
Director of Public Health,  
By its Attorney,

*/s/ Suzanne P. Egan*

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City of Peabody, acting on authority from its  
Director of Health and Human Services,  
By its Attorney,

*/s/ Donald L. Conn*

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Town of Danvers, acting on authority from,  
Its Director of Health  
By its Attorney,

*/s/ Kathleen E. Connolly*

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Town of Canton, acting on authority from its  
Director of Public Health,  
By its Attorney,

*/s/ Paul DeRensis*

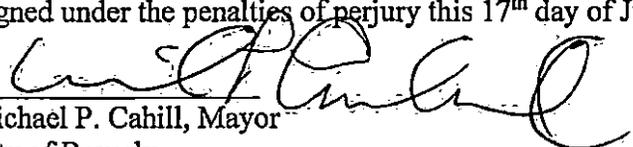
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**VERIFICATION**

I, Michael P. Cahill, Mayor of the City of Beverly, Massachusetts, hereby state I have read the foregoing Verified Complaint, that I have personal knowledge of the facts set forth therein, that the facts are true and, as to any facts stated upon information and belief, I believe them to be true.

Signed under the penalties of perjury this 17<sup>th</sup> day of July 2025.

  
\_\_\_\_\_  
Michael P. Cahill, Mayor  
City of Beverly

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

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 Street, Revere, MA 02151; and )  
 Republic Services; )

Defendants

**AFFIDAVIT OF LAURA DELLECHIAIE, CITY OF BEVERLY DIRECTOR OF BOARD OF HEALTH**

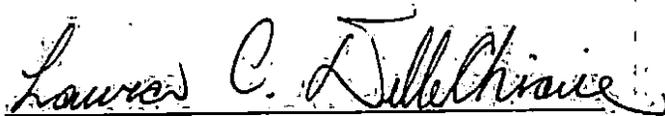
I, Laura DelleChiaie, for my affidavit under oath state:

- 1) I have been employed as the Director of Public Health for the City of Beverly Board of Health (“Beverly Board of Health”) since March 6, 2023..
- 2) The information stated herein is true to the best of my knowledge, information and belief.
- 3) I am aware that beginning on July 1, 2025 Republic Services ceased collecting and disposing of recycling from City and private service recipients.
- 4) I am aware that beginning on July 1, 2025 Republic Services has provided only intermittent and inconsistent of collection and disposal of trash from City and private service recipients.
- 5) Upon my direction, on July 15, 2025, Board staff contacted food establishments within the City and requested information about the status of dumpsters and other refuse and recycling binds serviced by Republic. The result of that outreach is attached hereto as **Exhibit A**.
- 6) Upon my direction, on or about July 15 and 16, 2025, Board staff conducted on-site inspections of dumpsters located within the City. Board staff reported to me that many dumpsters are overflowing with refuse and uncollected recycling products are exposed to the elements. See photographs attached hereto as **Exhibit B**.
- 7) As a direct result of inactions of Republic, the City has received numerous complaints from City residents including, but not limited to, evidence of:
  - a. Rats in the areas accumulated trash;
  - b. Areas of harborage for rats;
  - c. Odors; and
  - d. Overflowing dumpsters.

8) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the City constitutes a public health nuisance for the following reasons:

- a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
- b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
- c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
- d. Improperly contained trash and recycling can lead to potential water contamination through leachate.;
- e. Accumulation of trash and recycling on the City sidewalks diminish accessibility.

Signed under the penalties of perjury this 17th Day of July, 2025.



Laura C. DelleChiaie, MPH  
Director of Public Health

Exhibit A

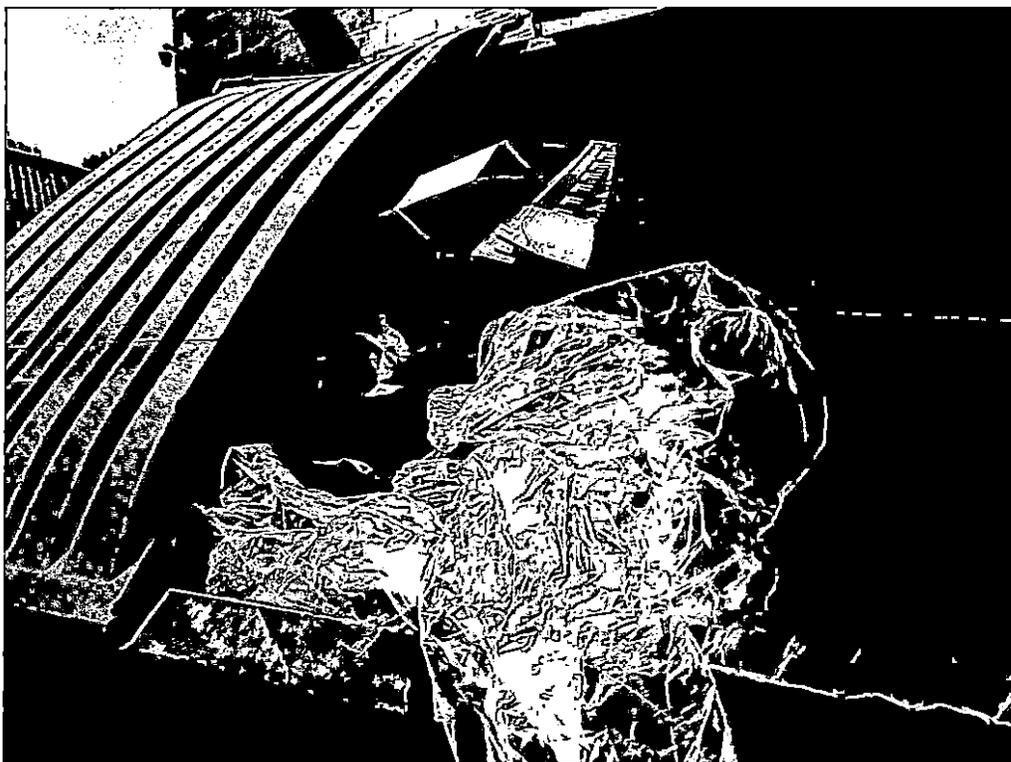
Street Num	Street Name	Establishment Legal Name	Rep?	Dumpster Status (full, overflowing, empty)?	Next Pickup Date?	Issues Getting Republic Out?	Issues noted
70	BALCH ST	McKeown School					
41	BECKFORD ST	AD Bene Inc					
43	BECKFORD ST	Domino's Pizza					
43	BECKFORD ST	Crossing's Corner Market					
43	BECKFORD ST	CROSSING CORNER MARKET					
39	BOW ST	Abanian Boston Community Int.	Y				
17	BRIDGE ST	The Pawn Shop	Y				
119	BRIDGE ST	At Your Convenience					
811	BRIDGE ST	Room to Bloom					
77-81	BRIDGE ST	Tesoro Cucina					
41	BRIMBAL AVE	Hannah School					
42	BRIMBAL AVE	blueberry Hill rehabilitation and health care center					
131	BRIMBAL AVE	131 brimbal llc					
143	BRIMBAL AVE	Vittori-Rozal Post 56 Bulding Ass.					
144	BRIMBAL AVE	CAFFE NERO	Called No Answer 7/16				
144	BRIMBAL AVE	Rossini Restaurant	Y	no			
61	CABOT ST	Super Petroleum	Y				
129	CABOT ST	LUCKY DOGS	Y				opens at 4pm
150	CABOT ST	el jalisco mexican grill	Y	Full	7/24/25	No	N/A
201	CABOT ST	Markale Restaurant					
214	CABOT ST	Bonefish Hams	Y	no	3x week	no	two pickups since last thursday
245	CABOT ST	YMCA	Y	Empty	Unknown	No	
261	CABOT ST	Delphine's Kitchen	Y	no dumpster but has curbside	no idea	yes	
278	CABOT ST	Dear Boba	yes	dumpster the landlord provides it	thursdays	no	no issues
278	CABOT ST	CABOT LODGE	Y	Empty	Unknown	No	not overflowing
284	CABOT ST	wraparia	Y	dumpster	thursdays	no	no issues
286	CABOT ST	Cabot Performing Arts Center	closed for reno				
292	CABOT ST	Pathways for Children	called no answer 7/16				
294	CABOT ST	Little Italy	Y	Over Flowed	Scheduled 7/17/25	Yes	No pick up since strike started and normally pick up every two weeks.
298	CABOT ST	The Indo Pub	called no answer 7/16				
324	CABOT ST	Super Sub Shop	Y	overflowing		no	currently looking for other companies to pick up trash
377	CABOT ST	Mikes Pizzeria	Y	Empty	Unknown	Yes	Last picked up 7/10/25 after several calls
389	CABOT ST	Cabot Convenience	called no answer 7/16				
392	CABOT ST	Kitchen Table	Y				opens at 5
407	CABOT ST	TD Family Market	called no answer 7/16				
502	CABOT ST	Beverly Middle School					
545	CABOT ST	Shore Country Day School					
588	CABOT ST	Honey's Market	Y	Empty	Tomorrow	No	They normal ypick up every day and they have missed a few days but no complaints
719	CABOT ST	Moraine Farm					
123-129	CABOT ST	The Lucky Dog Sports Bar					
131-135	CABOT ST	The Pawn Shop	Y	no			
131-135	CABOT ST	Cabot pizza and spanish food	Y				
199-194	CABOT ST	Bonny Breads	Y	dumpster thru landlord they deal with republic rep..they did a pickup 7/15			they are working on it and respondind to issue...not ideal but doing there best
275-283	CABOT ST	Sblended	Y	no dumpser just curbside pick up was 2 weeks ago	unknown		
282A	CABOT ST	TAKAMI					
13-15	CHAPMAN ST	Pioneer Charter School of Science					
105	CHERRY HILL DR	Colonial Gardens					
108	CHERRY HILL DR	Cafe Services @ Anzella					
90	COLON ST	HILL COUNTRY MARKET LLC					

Street Num	Street Name	Establishment Legal Name	Rep?	Dumpster Status (full, overflowing, empty)?	Next Pickup Date?	Issues Getting Republic Out?	Issues noted
90	COLON ST	Chef Costantino's Kitchen LLC					
90	COLON ST	SeniorCare Inc					
35	CONANT ST	Midnight Tease LLC					
35	CONANT ST	Second Congregational Church					
100	CUMMINGS CENT	Flip The Bird					
100	CUMMINGS CENT	Encompass Health Rehabilitation of Beverly					
100	CUMMINGS CENT	Soal Cafe					
100	CUMMINGS CENT	Element Care					
100	CUMMINGS CENT	Grass Market					
100	CUMMINGS CENT	Tony's 2 Go					
500	CUMMINGS CENT	Tony's 2 Go					
1	DODGE ST	Beverly Food Mart Inc/Sunoco					
3	DODGE ST	PANINI PIZZA CO		dumpster,	fri	no	no issues
3	DODGE ST	china wok		dumpster,	unsure	no	no issues
19	DODGE ST	CVS PHARMACY #915					
44	DODGE ST	Altoyn Beverly					
47	DODGE ST	Tropical Smoothie Cafe		dumpster was picked up last week	usually wed or thursday	no	the T-mobile dumpster that is next to him is over flowing
55	DODGE ST	JERSEY MIKES SUBS		no answer			
55	DODGE ST	PAPER STORE		1 trash dumpster, 1 cardboard dumpster, cardboard is over flowing, trash was picked up friday 7/11	fridays		so far they havent missed a trash pick up and they are still waiting on a recycling pick up
138	DODGE ST	Grassy Roots	Y				
54	DUNHAM RD	North Shore Bistro LLC					
17	EAST CORNING S	William J. Creed & Sons, Ltd.					
6	ECHO AVE	The Children's Center for Communication					
20	EISENHOWER AV	Cove Elementary School					
240	ELLIOTT ST	The Center Butcher Shop, LLC	Y	Overflowing	Unknown	Yes	Have not picked up and they normally pick up weekly
244-246	ELLIOTT ST	mike's FAMOUSE ROASBEEF AND PIZZA	Y	they picked up 7/10	thursdays	no	
244-246	ELLIOTT ST	Quick Mart	Y	Full	Unknown	Yes	Have not picked up and they normally pick up 2x month
38	ENON ST	Earth 247	Y	dumpster is ok	tuesdays	no	
43-45	ENON ST	REV Kitchen & Bar	Y	no	unsure	yes	normally emptied mondays & thursdays
43-45	ENON ST	GOURMET GARDEN					
45	ENON ST	THE NAIL COMPANY & SPA	Y	still full on 7/15	usally every 2 weeks	yes	last pick up - 3 weeks.
157	ESSEX ST	Woodbery Food Market		yes recycling	unknown	yes	
199	ESSEX ST	rick's pizza subs and roast beef	Y				
199	ESSEX ST	Beverly Shop 'N Go	Y				
232	ESSEX ST	Next Generation Children's Center					
254	ESSEX ST	The Castle-A Board game Cafe in YMCA					
410	ESSEX ST	Harry Ball Field					
453-455	ESSEX ST	Sony's Mobil					
286	HALE ST	The Meeting Place					
285	HALE ST	Wylie Inn					
295	HALE ST	Tupper Manor					
376	HALE ST	Raymond J. Bourque Arena					
407	HALE ST	La Chantrelle (Misslewood) at Endicott College					
429	HALE ST	SAGE Dining Services @ Landmark School					
590	HALE ST	Prides Crossing Condoctors					
600	HALE ST	Affiliated Managers Group					
642	HALE ST	Captain Dobby's Ice Cream	yes	trash barrels, they just picked up today 7/16	wednesdays	no	
717	HALE ST	Hula Street Tavern					
730	HALE ST	Elites Pizza	Y	Overflowing, last picked up 4 weeks ago	Unknown	yes	smell is horrible, republic will not answer calls or just hang up. Olger Mema (owner doesnt know what to do) ha doenst want to cause trouble to his neighbors.

Street Num	Street Name	Establishment Legal Name	Rep?	Dumpster Status (full, overflowing, empty)?	Next Pickup Date?	Issues Getting Republic Out?	Issues noted
151H	HALE ST	Beantrust Coffeebar	y	barrell service usually on thursdays, last time picked up was 3 weeks ago at beginning of strike	Unknown	yes	got permission from neighbor to put trash out on a random pick up on a saturday.
85	HERRICK ST	Ledgewood Rehabilitation & Skilled Nursing Center					
85	HERRICK ST	Beverly Hoopital Cafeteria					
89	HERRICK ST	Herrick House					
17	HULL ST	Centerville School					
3	JUDSON ST	Herman A Spear American Legion Post 331	YES	n	tuesday-	?	
5H	JUDSON ST	Captain Dush's Inc					He has spoken to Republic and they were unsure about future pick-up
134	MCKAY ST	Beverly Golf and Tennis Club GFM					
1	MONUMENT SQ	Harborlight House					
111	NEW BALCH ST	The Saints Academy					
85	OBER ST	Sally's Lobster Shack					
55	OBER ST	Lynch Park Carriage House					
4	OCEAN ST	St. Peter's Episcopal Church					
10	PARK ST	Beverly Depot Restaurant	opens at 4pm				
35	PARK ST	Beverly Bootsrape Community Services	Y	overflowing recycling, no trash problems	7/16/25	yes for recycling, no for trash	random pickups
31A	PARK ST	Backbeat Brewing Company LLC	Y	Empty	Next Week	no	Last picked up 7/9/25
46	PUTNAM ST	North Beverly Elementary School					
90	RANTOUL ST	Toscana Express	Y	Dumpsters over flowing trash and recycling	doesn't know	yes	he just found a junk removal company who will empty it. Normally its twice a week monday and thursday - haven't seen republic since the strike started - they do share dumpsters with Que Mas.
95	RANTOUL ST	Coastal Mass Brewing	closed on thursdays				
131	RANTOUL ST	Sala Resobar	Opens at 4pm				
140	RANTOUL ST	HS Chocolates dba Harbor Sweets	Y	Overflowing	unknown	yes	
109	RANTOUL ST	Creve	no- its hitz				
189	RANTOUL ST	OTTO Pizza	Y	Contracted private company	7/21/25	Yes	
202	RANTOUL ST	Joe's Pizza					
211	RANTOUL ST	latu	Y	Half	7/16/25	Only one time	
230	RANTOUL ST	MEXA	Opens at 5PM				
258	RANTOUL ST	ANMOL INDIAN RESTAURANT	Y (Closed Tuesdays)				
277	RANTOUL ST	Beverly Jade Chinese Restaurant	Hung up phone				
283	RANTOUL ST	Spoleto pizza and pasta	Y	Not overflowing	7/17/25	no	
302	RANTOUL ST	Beverly Peabody Eike 1306					
434	RANTOUL ST	CVS PHARMACY #751	Y	Half	7/17/25	Yes	
437	RANTOUL ST	SALTY SEAGULL	y	2 dumpsters trash and recycling...they came last week 7/8. Normally they pick up Monday or Tuesday.	unknown	yes	
503	RANTOUL ST	Non Poke	Y	Empty	7/29/25	No	
110-114	RANTOUL ST	que mas	Y	dumpsters over flowing	doesn't know	yes	shares with Toscana they hired a junk removal company
175-181	RANTOUL ST	BORAH'S	did not pick up phone				
276-278	RANTOUL ST	Jacobs Corner	did not pick up phone				
285-289	RANTOUL ST	takumi	closed				
338-342	RANTOUL ST	Punta Cane Dominican Grill	Y	dumpster was picked up last wednesday....	wednesday	no	
7	RESERVOIR RD	Beverly Athletic Club					
RTE 128	RTE 128 NORTH S	MFG Corporation (DBA Rapid Refill)					
RTE 128	RTE 128 NORTH S	Burger King # 5058					
105	SAN FONZO DR	Cafe Services @ Arcells Market					
20	SOHIER RD	SeniorCare Inc					
100	SOHIER RD	Beverly High School					
112	SOHIER RD	Northshore Education Consortium					
126	SOHIER RD	Northshore Education Consortium					
150	SOHIER RD	Cafe Services @ CPI					
32	TOZER RD	Cafe Services @ Cafe Tozer					
3	TRASK LN	Cafe Services Inc @ Cell Signaling Technology					

Street Num	Street Name	Establishment Legal Name	Rep?	Dumpster Status (full, overflowing, empty)?	Next Pickup Date?	Issues Getting Republic Out?	Issues noted
7-11	WALLIS ST	Of Cabot Comedy & Events	Closed				
7-11	WALLIS ST	La Victoria Tequerie	Y		m-w-f for trash/rec	no	Issues with recycling taking longer than usually. Recycling picked up today.
1	WATER ST	Mission Boathouse	Y			yes	has not been in since two Saturdays ago. 6/24 last pick up by Republic. Using omega construction used to remove rubbish
5	WEST DANE ST	Kid Dream LLC					
1	WEST ST	West St Cafe	yes	curbside pick up -no dumpster.	friday	yes	normal pick up is friday hasnt seen them since strick began
8	WEST ST	Wild Oats Health Food Store	Y	Overflowing recycling	7/16/25	Yes	
9	WEST ST	Vidakas	Y	Overflowing recycling	7/16/25	Yes	
24	WEST ST	Andain Thai Inc	Closed on 7/15/25				
36	WEST ST	The Avocado Pit LLC	Y	Overflowing	Unknown	yes	They have been paying a private company to pick up
121	WEST ST	Sally's Lobster Shack					
40	WOODLAND AVE	Ayers Ryal Side Elementary School					
15	YANKEE DIVISION	Honey Dew #766					
15	YANKEE DIVISION	Subway					

**Mikes Pizzeria 377 Cabot St**



# Kid Dream 5 West Dane St

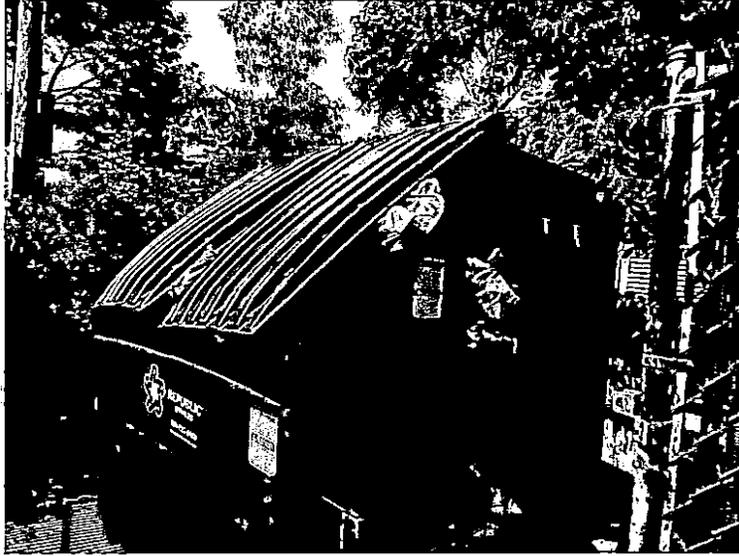


## Salty Seagull 437 Rantoul St



\*Recycling in top right corner picture for Salty Seagull is the only pickup that was responsible for Republic Services

# SuperSub 324 Cabot St



YMCA 325 Cabot St



**Corner Butcher 240 Elliot St**



**Mikey's Famous Roast Beef 250 Elliot St**



**Woodbury Market 157 Essex St**



# La Victoria Taqueria 6 Wallis St



**Shaws 71 Dodge St**



Beverly Shop and Go 199 Essex St



Nails & Co 45 Enon St



**McDonalds 40 Enon St**

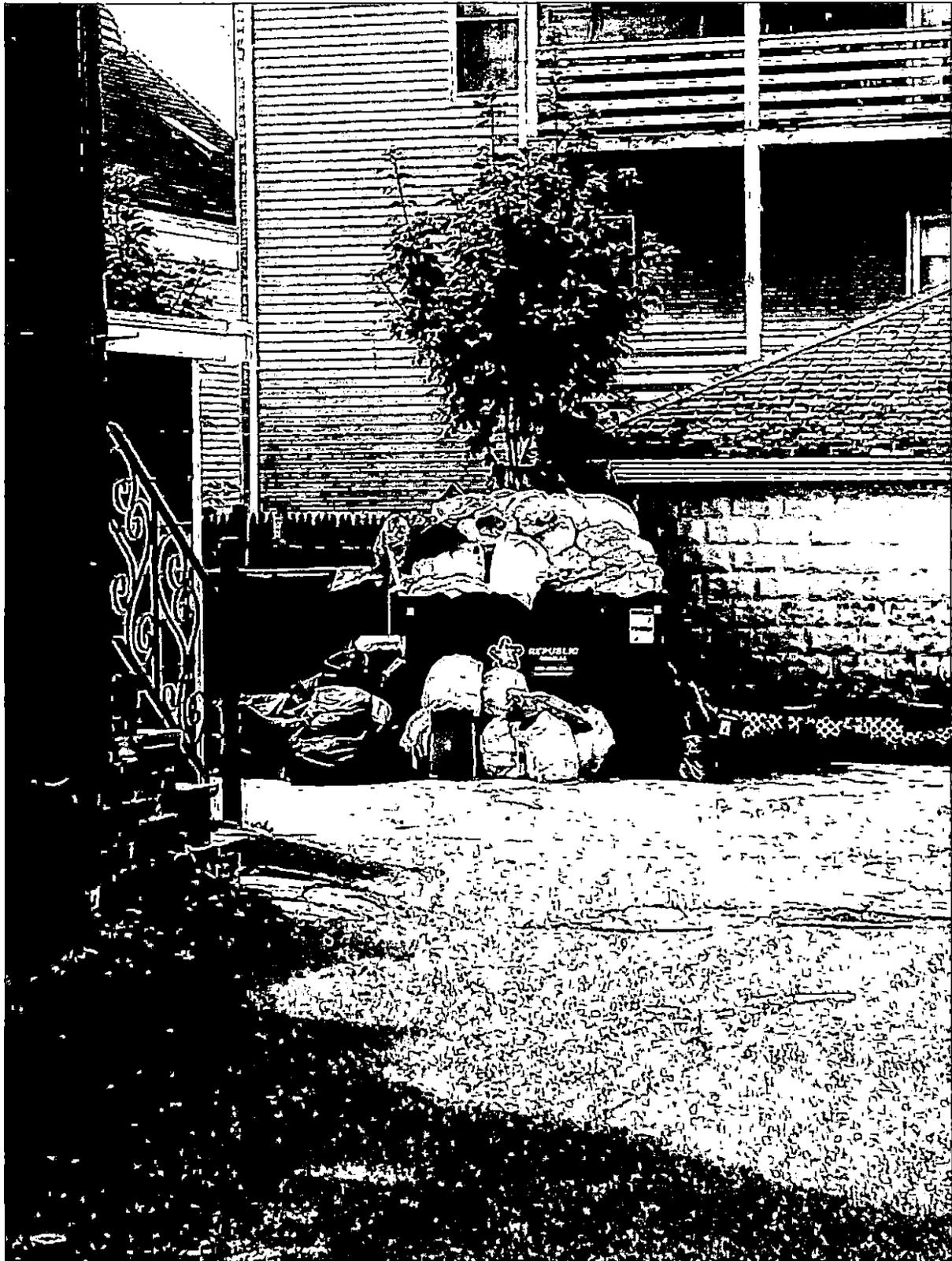




**The Beverly Collection: Apartments**  
**480 Rantoul Street, 7/16/25**



**Karma 2 Lash Bar & Spa, 410 Rantoul Street, 7/16/25**



Highland Ave, 7/16/25



**Moutlon Court, 7/16/25**



End of Pleasant Street (Near side of Rantoul St)



**Intersection of Summit and Cox Court, 7/16/25**



**The Alley between Advantage Self Storage and Coastal Mass  
Brewing, 7/16/25, Note:Bad Stench**



COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

SUPERIOR COURT DEPARTMENT  
DOCKET NO.

CITY OF MALDEN, MASSACHUSETTS, )  
 )  
 Plaintiff )  
 v. )  
 )  
 623 Landfill, Inc. an indirect and )  
 wholly-owned subsidiary of Republic Services, Inc. )  
 and Allied Waste Services of Massachusetts, LLC, )  
 d/b/a Republic Services of Revere, )  
 )  
 Defendant )  
 )

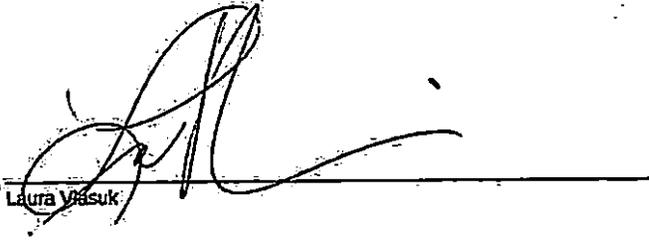
**AFFIDAVIT OF LAURA VLASUK, CITY OF MALDEN  
DIRECTOR OF HEALTH AND HUMAN SERVICES**

I, Laura Vlasuk, for my affidavit under oath state:

- 1) On or about May 19, 2025, I was appointed as the Director of the Department of Health and Human Services for the City of Malden (“City”). I have been employed in that position since that time.
- 2) The information stated herein is true to the best of my knowledge, information and belief.
- 3) I am aware that beginning on July 1, 2025 Republic Services ceased collecting and disposing of recycling from City and private service recipients.
- 4) I am aware that beginning on July 1, 2025 Republic Services has provided intermittent and inconsistent collection and disposal of trash from City and private service recipients.

- 5) There have been several complaints reported which have resulted in on-site inspections of dumpsters at restaurant establishments and multi-family dwellings located within the City. Upon inspection, many of the dumpsters were observed to be overflowing with refuse and uncollected recycling products and exposed to the elements.
- 6) As a direct result of Republic's inactions, the City has also received numerous complaints from City residents including, but not limited to, evidence of:
  - a. Rats in the areas of accumulated trash;
  - b. Areas of harborage for rats;
  - c. Odors; and,
  - d. Overflowing dumpsters.
- 7) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the City constitutes a public health nuisance for the following reasons:
  - a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
  - b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
  - c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
  - d. Improperly-contained trash and recycling can lead to potential water contamination through leachate; and,
  - e. Accumulation of trash and recycling on the City sidewalks diminish accessibility.

Signed under the penalties of perjury on this 16<sup>th</sup> day of July 2025.



Laura Vasuk

**Director of Health and Human Services  
215 Pleasant Street, Malden, MA 02148**

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

SUPERIOR COURT DEPARTMENT  
DOCKET NO.

CITY OF BEVERLY, MASSACHUSETTS, )  
 By and through its Board of Health; )  
 CITY OF MALDEN, MASSACHUSETTS )  
 By and through its Board of Health; )  
 CITY OF GLOUCESTER, MASSACHUSETTS, )  
 By and through its Board of Health; )  
 CITY OF PEABODY, MASSACHUSETTS,) )  
 By and through its Board of Health; )  
 TOWN OF DANVERS, MASSACHUSETTS )  
 acting on authority from )  
 Its Director of Public Health; )  
 TOWN OF CANTON, MASSACHUSETTS, )  
 By and through its Board of Health; and )  
 TOWN OF LYNNFIELD, MASSACHUSETTS, )  
 By and through its Board of Health )

Plaintiff

v.

AFFIDAVIT

623 Landfill, Inc. an indirect and )  
 wholly-owned subsidiary of Republic Services, )  
 Inc.; )  
 and Allied Waste Services of Massachusetts, LLC, )  
 d/b/a Republic Services of Revere; and )  
 Republic Services; )

Defendant

**AFFIDAVIT OF DOMINIQUE HURLEY,  
CITY OF GLOUCESTER HEALTH DIRECTOR**

I, Dominique Hurley, for my affidavit under oath state:

- 1) On or about August 2023, I was appointed as the Director of Board of Health for the City of Gloucester (“City”). I have been employed in that position since that time.
- 2) The information stated herein is true to the best of my knowledge, information and belief.

- 3) I am aware that the Defendants has a contract with the City to provide weekly trash and recycling collection services to the residents and various commercial establishments.
- 4) I am aware that beginning on July 1, 2025, the Defendants ceased collecting and disposing of recycling from City and private service recipients.
- 5) I am aware that beginning on July 1, 2025, the Defendants have provided intermittent and inconsistent collection and disposal of trash from City and private service recipients.
- 6) During the course of normal duties and upon receipt of complaints from residents or food establishments, Health Department staff conducted on-site inspections of dumpsters located within the City and noted that the Defendant did not pick up at several food establishments leaving dumpsters full and overflowing..
- 7) As a direct result of inactions of Defendants,as of this writing, the City has received over 1,100 complaints from City residents and businesses for un-picked up trash and recycling, many spanning multiple weeks.
- 8) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the City constitutes a public health nuisance for the following reasons:
  - a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
  - b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
  - c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
  - d. Improperly contained trash and recycling can lead to potential water contamination through leachate.;

- e. Accumulation of trash and recycling on the City sidewalks diminish accessibility.

Signed under the penalties of perjury this 17th Day of July, 2025.



Dominique Hurley  
Health Director

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

SUPERIOR COURT DEPARTMENT  
DOCKET NO.

CITY OF BEVERLY, MASSACHUSETTS,	)
By and through its Board of Health,	)
Plaintiff	)
v.	)
623 Landfill, Inc. an indirect and	)
wholly-owned subsidiary of Republic Services, Inc.)	)
and Allied Waste Services of Massachusetts, LLC, )	)
d/b/a Republic Services of Revere,	)
Defendant	)

**AFFIDAVIT OF SHARON CAMERON, CITY OF PEABODY DIRECTOR OF HEALTH  
AND HUMAN SERVICES**

I, Sharon Cameron, for my affidavit under oath state:

- 1) On or about August, 2005, I was appointed as the Director of Health and Human Services for the City of Peabody. I have been employed in that position since that time.
- 2) The information stated herein is true to the best of my knowledge, information and belief.
- 3) I am aware that beginning on July 1, 2025 Republic Services ceased collecting and disposing of recycling from City and private service recipients.
- 4) I am aware that beginning on July 1, 2025 Republic Services has provided intermittent and inconsistent of collection and disposal of trash from City and private service recipients.
- 5) Upon my direction, department staff contacted food establishments within the City and requested information about the status of dumpsters.

- 6) Upon my direction, department staff conducted on-site inspections of dumpsters located within the City. Board staff reported to me that many dumpsters are overflowing with refuse and uncollected recycling products are exposed to the elements.
- 7) As a direct result of inactions of Republic, the City has received numerous complaints from City residents including, but not limited to, evidence of:
  - a. Rats in the areas accumulated trash;
  - b. Areas of harborage for rats;
  - c. Odors; and
  - d. Overflowing dumpsters.
- 8) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the City constitutes a public health nuisance for the following reasons:
  - a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
  - b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
  - c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
  - d. Improperly contained trash and recycling can lead to potential water contamination through leachate.;
  - e. Accumulation of trash and recycling on the City sidewalks diminish accessibility.

Signed this 16<sup>th</sup> day of July, 2025, under the penalties of perjury.

A handwritten signature in cursive script, appearing to read "Sharon Cameron". The signature is written in black ink on a white background. Below the signature is a solid horizontal line.

Sharon Cameron

**AFFIDAVIT OF Frank Giacalone, Director of Public Health for the Town of Danvers**

I, Frank Giacalone, under oath de depose and state, based upon my personal knowledge, the following:

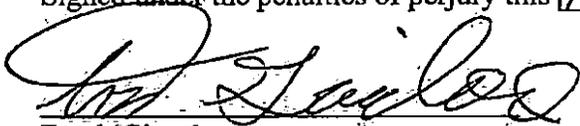
- 1) On or about January 24, 2022, I was appointed as the Director of Public Health for the Town of Danvers ("Town"). I have been employed in that position since that time.
- 2) The information stated herein is true to the best of my knowledge, information and belief.
- 3) I am aware that beginning on July 1, 2025 Republic Services ceased collecting and disposing of recycling, yard waste and bulky items from the Town and private service recipients.
- 4) I am aware that beginning on July 1, 2025 Republic Services has provided intermittent and inconsistent collection and disposal of trash, recycling, yard waste and bulky items from the Town and private service recipients. On July 1, 2, 3 and 5, 2025 they failed to collect any trash or recycling in the Town. On July 7, 2025, they resumed intermittent trash collection.
- 5) Upon my direction, Town staff conducted on-site inspections of dumpsters located within and registered to the Town and listing Republic as its service provider. Health staff observed several dumpsters overflowing with refuse and uncollected recycling products exposed to the elements. See photographs attached hereto as Exhibit B.
- 6) As a direct result of inactions of Republic, the Town, including its Department of Public Works, has received numerous complaints from Town residents including, but not limited to, evidence of:
  - a. Pests in the areas accumulating trash;
  - b. Areas of harborage for rats;

- c. Odors; and
- d. Overflowing dumpsters.

7) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the Town constitutes a public health nuisance for the following reasons:

- a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
- b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
- c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
- d. Improperly contained trash and recycling can lead to potential water contamination through leachate.;
- e. Accumulation of trash and recycling on the Town sidewalks diminish accessibility.

Signed under the penalties of perjury this 17 day of July, 2025.



Frank Giacalone,  
Director of Public Health  
Town of Danvers

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

SUPERIOR COURT DEPARTMENT  
DOCKET NO.

TOWN OF CANTON, MASSACHUSETTS,	)
By and through its Board of Health,	)
Plaintiff	)
v.	)
	)
Allied Waste Services of Massachusetts, LLC. d/b/a)	)
Republic Services of Holbrook with offices at 320-	)
A Charger Street, Revere, MA 02151	)
	)
Defendant	)

**AFFIDAVIT OF TOWN OF CANTON, DIRECTOR OF PUBLIC HEALTH**

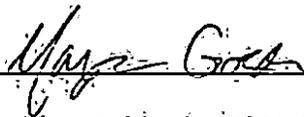
I, Margaret Goldstein, for my affidavit under oath state:

- 1) On or about October 2024, I was appointed as the Director of Public Health for the Town of Canton. I have been employed in that position since that time.
- 2) The information stated herein is true to the best of my knowledge, information and belief.
- 3) I am aware that beginning on July 1, 2025 Republic Services ceased collecting and disposing of recycling from Town and private service recipients.
- 4) I am aware that beginning on July 1, 2025 Republic Services has provided intermittent and inconsistent of collection and disposal of trash from Town and private service recipients.
- 5) As a direct result of inactions of Republic, the Town of Canton has received complaints from residents including, but not limited to, evidence of:
  - a. Areas of harborage for rats;
  - b. Odors; and

c. Overflowing dumpsters.

6) It is my opinion, based on my education and training, that the conditions of overflowing refuse in the Town of Canton constitutes a public health nuisance for the following reasons:

- a. Accumulation of trash and recycling can lead to an increase in pest activity in and around the area of accumulation;
- b. The attraction of pests causes an undue risk to the general public through potential exposure to various diseases carried by pests;
- c. The accumulation of trash and recycling generates severe malodor affecting the public's quality of life;
- d. Improperly contained trash and recycling can lead to potential water contamination through leachate.;
- e. Accumulation of trash and recycling on the Town sidewalks diminish accessibility.

  
\_\_\_\_\_  
Margaret Goldstein, Director of Public Health

Signed this 16<sup>th</sup> day under the pains and penalties of perjury