

AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, May 28, 2019
12:00 Noon

12:00 I. Call to Order

12:01 II. Privilege of the Floor – Anyone may address the Board of Health (max. 3 mins.)

12:04 III. Approval of April 23, 2019 Minutes (2 mins.)

12:06 IV. Dual Department Head Update – County Administration (15 mins)

12:21 IV. Financial Summary (9 mins.)

12:30 V. Reports (15 mins.)

Administration

Health Promotion Program

Medical Director's Report

Division for Community Health

Children with Special Care Needs

County Attorney's Report

Environmental Health

CSB Report

12:45 VI. New Business

12:45 **Administrative Action:** (40 mins)

1. Review of Proposed 2020 Environmental Health Division Fees (excluding plan review fees) (10 mins)
2. Tompkins County Health Department Request for Discretion to Waive OWTS Application Replacement Fees (10 mins)
3. Camp Comstock Request for Waiver of Article 6.06(f)(1) for Installation and Use of a Permanent Holding Tank (10 mins)
4. North Lansing Enterprise Request for Waiver of Annual Water System Operation Fee (10 mins)

1:25 **Environmental Health** (40 mins.)

Enforcement Action:

1. Resolution #EH-ENF-19-0009 – Bun Appetit Bakery, V-Groton, Violation of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)

2. Resolution #EH-ENF-19-0011 – 11 Ellis Drive, T-Dryden, Violation of Subpart 5-1 of New York State Sanitary Code (Water) (5 mins)
3. Resolution #EH-ENF-19-0012 – Finger Lakes Marine Service, T-Lansing, Violation of Subpart 5-1 of New York State Sanitary Code (Water) (5 mins)
4. Resolution #EH-ENF-19-0014 – Ithaca Bakery, V-Lansing, Violations of BOH Orders #EH-ENF-18-0027 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
5. Resolution #EH-ENF-19-0015 – Mix Social Dining, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0051 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
6. Resolution #EH-ENF-19-0016 – CU Klarman Hall Café, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0045 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
7. Resolution #EH-ENF-19-0017 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-18-0039 and of Subpart 5-1 of New York State Sanitary Code (Water) (5 mins)
8. Resolution #EH-ENF-19-0018 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-18-0038 and of Subparts 7-3 and 7-4 of New York State Sanitary Code (Mass Gathering) (5 mins)

2:05

Adjournment

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MINUTES
Tompkins County Board of Health
April 23, 2019
12:00 Noon
Rice Conference Room

Present: Shawna Black; David Evelyn, MD, MPH; Edward Koppel, MD; Michael McLaughlin, Jr.; Janet Morgan, PhD; Christina Moylan, PhD, President; Susan Merkel; Dr. Melissa Dhundale

Staff: Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Samantha Hillson, Director of Health Promotion Program; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Deb Thomas, Director of Children with Special Care Needs; Jonathan Wood, County Attorney; Shelley Comisi, Administrative Assistant; Brittni Griep, LGU Administrative Assistant

Excused: Brenda Grinnell Crosby, Public Health Administrator;

Guests: Makensy Jabbour, Community Health Services Intern; Skip Parr, Senior Public Health Sanitarian;

Call to Order: Dr. Moylan called the regular meeting of the Board of Health (BOH) to order at 12:00 p.m.

Privilege of the Floor: No one was present for Privilege of the Floor.

Approval of March 26, 2019 Minutes: Dr. Janet Morgan moved to approve the March 26, 2019 meeting minutes as written. Mr. McLaughlin seconded that motion. Dr. Melissa Dhundale and Ms. Sue Merkel abstained from providing their approval. All others in attendance voted to approve the March 26, 2019 meeting minutes.

Introductions: Board members and guests introduced themselves and gave a brief overview of their professional history for the newest Board member, Dr. Melissa Dhundale.

Financial Summary: Mr. Kruppa provided a summary of the Financial Summary within the packets provided to the BOH, as Ms. Grinnell Crosby was absent today. He stated that we are closing out 2018, which should be concluded by next month's meeting. We are in month three of 2019 and everything is on track from his perspective. Ms. Crosby included a note, stating that the County is working out the P-Card issue.

Administration Report: Mr. Kruppa apologized for not providing a written report this month as he was in Albany as the agenda and packet was being prepared. He stated that he was in Albany because the New York State Department of Health held their first

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convening of collaborators around the opioid issues. Mr. Kruppa brought Ms. Angela Sullivan from the Alcohol and Drug Council and Mr. Bill Rusen from Cayuga Addiction Recovery Services. They were there to discuss what the DOH sees for the future of trying to address this issue. The drug user Health Group is trying to lead the issue for the DOH because there is not a lot of new information on this. Drug user Health Group focuses on harm reduction in regards to this issue. There was a lot of talk amongst the group in Albany that the current model is broken and treatment for patients is not working. It was agreed upon that harm reduction is an option and things seem to be shifting in that direction. Participants were able to educate DOH on issues within their communities and Mr. Kruppa and other participants are hopeful that there will be more collaborations like this in the future. Ms. Merkel asked about the validity of providers dealing with patients and potential scams to patients. Mr. Kruppa detailed the physician's requirements and stated that most of the physicians doing this work are doing it for the right reasons. Dr. Morgan then asked for an example of the shift in the language surrounding substance abuse issues and the change in terms. Mr. Kruppa stated that it's about putting the person first.

Health Promotion Program Report: Ms. Hillson reported:

- The community health survey has closed. It was closed at the beginning of April. There was a good response from that survey. The next steps include the partnering with HORN research, who will do analysis on the results as well as about 30 interviews.
- As part of the Kresge Foundation in Emerging Leaders in Public Health Grant, an RFP was sent out last week on April 15 with the closing date of May 3rd. The request is looking for some consultants to come in and help us develop a framework for addressing social determinates of health as well as supporting health equity as a department.
- Ms. Hillson announced that Streets Alive is taking place this weekend on Cayuga and Tompkins Streets in Ithaca.

Medical Director's Report: Dr. Klepack stated that influenza is still deemed to be wide-spread. Medical practitioners are still advised to use masks if they are not immunized. Dr. Klepack's report shows decreases in parameters regarding influenza, although the designation is still wide spread. Dr. Koppel stated that they have had the lowest influenza season in sometime, which he attributed possibly due to higher immunization rates. Ms. Merkel stated that she had read something that stated that the second strain was one that was not covered by the vaccine. Dr. Klepack then stated that the panel for the legalization of marijuana is being held on Monday, April 29th at the Borg Warner Room at the library. He stated that he believes it will be an open, honest discussion regarding the complexities of the issue. There was discussion afterward regarding immunization and vaccines regarding what is currently happening in Rockland County. Mr. Kruppa stated there were a number of things that happened there that have been challenged legally, including excluding people from school. Rockland's Executive declared a state of emergency, which has been overturned. Public Health law gives pretty broad authority and had Rockland used that law to address the emergency, they would have been more successful. The CDC will be at a conference the first week of May to

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educate on how to properly use public health law. There was then discussion regarding the Ithaca City School district in regards to their immunization rates, as three schools were cited with less than desirable rates. Dr. Dhundale has been knee-deep in reviewing the exemptions regarding immunizations in that school district. Mr. Kruppa verified that there are ongoing efforts in our community regarding immunization rates. Ms. Bishop stated that there is currently Bill #2371 pending, which would repeal all non-medical exemptions for vaccinations. Dr. Moylan asked if the health department could supply information to the school districts regarding exemptions for vaccinations.

Division for Community Health Report: Ms. Bishop discussed a lead prevention video that was produced by Oneida County Cooperative Extension. She stated that she would send this video to Ms. Griep for distribution to the Board. Additionally, Ms. Bishop stated that she had one correction to her written report in the first sentence of her report and that was the change HER to EHR. Ms. Bishop extended kudos to Dr. Klepack regarding his letter to the editor regarding community immunity, laid out in laymen's terms.

Children with Special Care Needs Report: Ms. Thomas had nothing to add to her written report.

County Attorney's Report: Mr. Wood had nothing to report. Mr. Wood stated that he looked up section 2164 of public health law regarding children and immunizations in schools and he stated that there is not a lot of leeway with that law. It states that if a NYS certified physician states that a child would be harmed by an immunization, it does not need to be given. The religious exemption of that law states that a certificate or proof of religion does not need to be given.

Environmental Health Report:

- Ms. Cameron stated that she wanted to mention that Grassroots was coming up. They took enforcement last year, with a deadline of April 1st. The facilitators of the festival were sort of on time but they did not submit everything required. They were given a new deadline of Wednesday, to submit other requirements. There has been discussion of having an emergency operations center on site for Grassroots this year.

Report on the Community Services Board (CSB) Meeting: Mr. Kruppa provided a brief update on the April 1st meeting. Stated that Ms. Amie Hendrix, Deputy County Administrator, was present and provided an update on the dual role for the Public Health and Mental Health role. The committee dual meeting is scheduled for May 1st for the collaboration discussion regarding the dual role for the Public Health and Mental Health commissioner role. Mr. Kruppa stated that there was an update regarding the OMH audit given at the CSB Meeting. Citations that Mental health may receive are very minor and overall it was much better than the previous audit, with a few exemplaries expected from the audit. Mr. McLaughlin stated that he would attend the next Community Services Board meeting, which is scheduled for May 6th at 5:30 p.m.

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Resolution #EH-ENF-19-0006 – TOSA Apartments, T-Dryden, Violation of Subpart 5-1 of the New York State Sanitary Code (Water): This was a violation of missing samples. Dr. Koppel moved to accept the revised resolution as written; seconded by Dr. Morgan.

Ms. Cameron provided a revised copy of the case summary to the Board members that provided information on a recent boil water order (Attachment).

The vote to accept the resolution carried unanimously.

Resolution #EH-ENF-19-0008 – Sushi Osaka, C-Ithaca, Violation of Subpart 14-1 of the New York State Sanitary Code (Food): This was a temperature violation, no temperature logs (rice was out of temperature). There was also bare hand contact cited.

Dr. Koppel moved to accept the resolution as written; seconded by Dr. Evelyn; and carried unanimously.

Adjournment: At 12:55 p.m. Dr. Moylan adjourned the meeting.



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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0006

**Tosa Apartments
Tony Busse, Owner
1289 Ellis Hollow Rd, (T) Dryden**

Revised April 2019

Date	Action
4/19/2019	TCHD spoke with the water treatment specialist working with TOSA apartments. It was determined that the chlorine pump was installed incorrectly and the strength of the chlorine solution in the chlorine crock was not adequate.
4/16/2019	<p>Prior to releasing the Boil Water Order, TCHD checked the chlorine residual. There was no chlorine residual in the water.</p> <p>TCHD emailed the leasing agent the findings and instructed them to re-establish the chlorine residual, collect two additional samples and submit them to the TCHD.</p> <p>The operator was strongly encouraged to work with a water treatment specialist to troubleshoot the system.</p>
4/15/2019	Two total coliform sample reports received by TCHD from TOSA Apartments.
4/4/2019	<p>Notice of Violation issued for failure to maintain chlorine disinfection. Notice required chlorine residual to be re-established, samples to be collected, and results to be submitted by 4/11/19.</p> <p>TCHD emailed information regarding UV disinfection provided to the owner and leasing agent.</p>
4/2/2019	<p>TCHD performed a scheduled inspection of the water system. There was no free chlorine residual in the system. Boil Water Order issued by TCHD.</p> <p>TCHD followed-up via email to the owner and leasing agent regarding the findings of the inspection including lack of understanding of system operation by the operator.</p>
3/29/2019	TCHD received a satisfactory 1 st quarter total coliform sample and the 2019 annual nitrate sample from TOSA Apartments.
3/21/2019	Draft Resolution sent by TCHD.
3/14/2019	TCHD received a phone call from Tony Busse. Information that was shared with Alanie Woodin was provided to him. Mr. Busse indicated that he would sign the stipulation agreement.

Inclusion Through Diversity

3/13/2019	TCHD received phone call from Alanie Woodin, Leasing Agent for TOSA Apartments. The enforcement process, sampling requirements, and monitoring requirements were discussed with her. Alanie indicated she would relay the information to the owner.
3/1/2019	Stipulation agreement sent by TCHD. Office conference scheduled for 3/13/19.
2/8/2019	Tony Busse called TCHD and asked for the specific items they were delinquent on. Went over both the missing sampling result submissions and missing MOR submissions. He stated he would research his files and supply us with the items he could find. He also shared the contact information of the new apartment manager that would handle taking and submission of all future samples and MOR's forms.
1/28/2019	NOV #EH-NOV-18-0061 issued for missing 4 th quarter total coliform result, for missing MORs for June, July, and August and the missing annual nitrate result for 2018.
1/14/2019	Reminder email sent by TCHD for missing 4th quarter total coliform sample result.
1/14/2019	October, November and December MORs received by TCHD.
12/21/2018	NOV #EH-NOV-18-0096 issued for missing October MOR
12/13/2018	Reminder email sent by TCHD for missing all missing 2018 MORs and 2 nd quarter total coliform result. Missing information was required to be provided by 1/11/19.
12/5/2018	Email sent by TCHD reminding owner that we had not yet received an annual nitrate result and that this sampling must be completed before the end of 2018. The reminder also stated that sampling results must be submitted to the Health Department by 1/10/2019.
12/5/2018	NOV #EH-NOV-18-0096 issued for missing October MOR.
11/15/2018	Reminder email sent by TCHD for missing October MOR.
10/18/2019	Two satisfactory 3 rd quarter total coliform samples and September MOR were received by TCHD.
10/17/2018	Reminder email sent by TCHD for missing 3 rd quarter total coliform sample result.
9/20/2018	Reminder email sent by TCHD for missing July and August MORs.
8/3/2018	NOV #EH-NOV-18-0061 issued for missing 2 nd quarter total coliform sample result and missing June MOR.
7/19/2018	Reminder email sent by TCHD for missing 2 nd quarter total coliform sample result and June MOR.
6/22/2018	April and May MORs received by TCHD.
6/18/2018	Reminder email sent by TCHD for missing May MOR.
6/01/2018	NOV #EH-NOV-18-0040 issued for missing April MOR.
5/18/2018	Reminder email sent by TCHD for missing April MOR.
4/9/2018	January, February and March MORs received by TCHD.
3/23/2018	NOV #EH-NOV-18-0018 issued for missing January and February MORs.
3/12/2018	Reminder email sent by TCHD for missing February MOR.
3/9/2018	NOV #EH-NOV-18-0010 issued for missing January MOR and missing reports and samples from 2017.
2/26/2018	Satisfactory 1 st quarter total coliform sample was received by TCHD.
2/21/2018	Reminder email sent by TCHD for missing January MOR.
2/01/2018	Satisfactory total coliform surveillance sample collected by TCHD. Water system inspection performed by TCHD.
TOSA Apartments is a public water system with 6 service connections. Ground water from two drilled wells is treated with chlorine for disinfection.	

Board of Health
May 28, 2019
Financial Report

2018 / 13th Period

The county audit is nearing completion. No further changes expected on the department books.
This is the final report for 2018.

Board of Health
May 28, 2019
Financial Report

April 2019 / Month 4

There is nothing significant to report at this time. Quarterly claims and the Article 6 state aid claim is in process according to contract terms.

Percentage of Year 100.00%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	1,365,704	1,072,528	78.53%	162,848	137,062	84.17%	1,202,856	935,466	93.70%
4011 EMERGING LEADERS IN PH	61,140	7,887	12.90%	61,140	7,887	12.90%		0	
4012 WOMEN, INFANTS & CHILDREN	554,604	536,102	96.66%	554,605	536,500	96.74%	-1	-398	39,750.00%
4013 OCCUPATIONAL HLTH.& SFTY.	95,308	71,375	74.89%	0	0	0.00%	95,308	71,375	74.89%
4014 MEDICAL EXAMINER	19,237	19,234	99.98%	0	0	0.00%	19,237	19,234	99.98%
4015 VITAL RECORDS	73,444	71,058	96.75%	108,000	112,256	103.94%	-34,556	-41,197	119.22%
4016 COMMUNITY HEALTH	1,632,679	1,530,956	93.77%	371,330	412,558	111.10%	1,261,349	1,118,398	88.67%
4018 HEALTHY NEIGHBORHOOD PROG	189,310	158,521	83.74%	189,310	157,916	83.42%		606	
4047 PLNG. & COORD. OF C.S.N.	1,367,582	1,302,964	95.28%	396,520	376,367	94.92%	971,062	926,598	95.42%
4048 PHYS.HANDIC.CHIL.TREATMNT	8,000	0	0.00%	4,000	0	0.00%	4,000	0	
4090 ENVIRONMENTAL HEALTH	1,666,570	1,600,865	96.06%	594,293	610,830	102.78%	1,072,277	990,035	92.33%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,183,293	1,151,372	97.30%	-1,183,293	-1,151,372	97.30%
Total Non-Mandate	7,033,578	6,371,490	90.59%	3,625,339	3,502,745	96.62%	3,408,239	2,868,745	84.17%
2960 PRESCHOOL SPECIAL EDUCATI	5,181,203	4,918,436	94.93%	2,885,000	3,098,408	107.40%	2,296,203	1,820,028	79.26%
4017 MEDICAL EXAMINER PROGRAM	247,092	206,897	83.73%	0	0	0.00%	247,092	206,897	83.73%
4054 EARLY INTERV (BIRTH-3)	655,000	529,433	80.83%	318,500	280,531	88.08%	336,500	248,902	73.97%
Total Mandate	6,083,295	5,654,766	92.96%	3,203,500	3,378,939	105.48%	2,879,795	2,275,827	79.03%
Total Public Health	13,116,873	12,026,256	91.69%	6,828,839	6,881,685	100.77%	6,288,034	5,144,571	81.82%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	101,528	25,786	2960 Preschool	262,767	-213,408
4012 WIC	18,502	18,105	4054 Early Intervention	125,567	37,969
4013 Health & Safety	23,933	0	4017 Medical Examiner	40,196	0
4014 Medical Examiner	3	0		<u>428,529</u>	<u>-175,439</u>
4015 Vitals	2,386	-4,256			
4016 Community Health	101,723	-41,228			
4018 Healthy Neighborhood	30,789	31,395			
4047 CSCN	64,618	20,153			
4048 PHCP	8,000	4,000			
4090 Environmental Health	65,705	-16,537			
4095 State Aid	0	31,921			
	<u>417,187</u>	<u>69,341</u>			
Total Public Health Balances					
	Available Budget			Revenues Needed	
	845,716			-106,099	

Tompkins County Financial Report for Public Health

Percentage of Year 33.33%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	1,510,496	500,726	33.15%	268,363	47,291	17.62%	1,242,133	453,435	41.16%
4011 EMERGING LEADERS IN PH	0	5,679	0.00%	0	0	0.00%		5,679	
4012 WOMEN, INFANTS & CHILDREN	530,783	146,384	27.58%	530,783	67,617	12.74%		78,768	
4013 OCCUPATIONAL HLTH.& SFTY.	134,434	35,359	26.30%	0	0	0.00%	134,434	35,359	26.30%
4015 VITAL RECORDS	74,924	20,179	26.93%	108,000	30,024	27.80%	-33,076	-9,845	29.76%
4016 COMMUNITY HEALTH	1,686,474	410,103	24.32%	395,805	23,279	5.88%	1,290,669	386,824	35.70%
4018 HEALTHY NEIGHBORHOOD PROG	172,369	45,555	26.43%	172,368	0	0.00%	1	45,555	351,095.00%
4047 PLNG. & COORD. OF C.S.N.	1,433,845	403,180	28.12%	388,551	40,779	10.50%	1,045,294	362,401	36.62%
4048 PHYS.HANDIC.CHIL.TREATMNT	8,000	0	0.00%	4,000	0	0.00%	4,000	0	
4090 ENVIRONMENTAL HEALTH	1,721,985	481,537	27.96%	625,478	122,732	19.62%	1,096,507	358,804	34.26%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,256,911	0	0.00%	-1,256,911	0	
Total Non-Mandate	7,273,310	2,048,700	28.17%	3,750,259	331,722	8.85%	3,523,051	1,716,979	48.74%
2960 PRESCHOOL SPECIAL EDUCATI	4,996,060	1,137,574	22.77%	2,968,051	482,383	16.25%	2,028,009	655,192	59.93%
4017 MEDICAL EXAMINER PROGRAM	205,500	56,938	27.71%	0	0	0.00%	205,500	56,938	27.71%
4054 EARLY INTERV (BIRTH-3)	655,000	215,269	32.87%	318,500	0	0.00%	336,500	215,269	63.97%
Total Mandate	5,856,560	1,409,782	24.07%	3,286,551	482,383	14.68%	2,570,009	927,399	36.09%
Total Public Health	13,129,870	3,458,482	26.34%	7,036,810	814,104	11.57%	6,093,060	2,644,378	43.40%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	951,919	221,072	2960 Preschool	3,298,358	2,485,668
4012 WIC	370,410	463,166	4054 Early Intervention	439,731	318,500
4013 Health & Safety	99,075	0	4017 Medical Examiner	47,898	0
4014 Medical Examiner	0	0		<u>3,785,986</u>	<u>2,804,168</u>
4015 Vitals	54,745	77,976			
4016 Community Health	1,202,479	372,526			
4018 Healthy Neighborhood	108,858	172,368			
4047 CSCN	1,010,271	347,772			
4048 PHCP	8,000	4,000			
4090 Environmental Health	1,223,642	502,746			
4095 State Aid	0	1,256,911			
	<u>5,029,400</u>	<u>3,418,537</u>			

Total Public Health Balances	
Available Budget	Revenues Needed
8,815,386	6,222,706

Public Health Director Report May 2019

- I took a tour of the Southern Tier Aids Program’s Health Hub and had a constructive conversation with leadership about how to make connections between the newer harm reduction models with existing providers. I plan to meet with other community partners to develop a plan for improved communication and cross organizational collaboration.
- Dr. Moylan was the keynote speaker at our April All Staff meeting. She did an excellent job of challenging us to think differently about how we communicate about social determinants of health. She used the BOH agenda as an opportunity for us to demonstrate the importance of SDOHs. It was a very engaging conversation and Sam and I believe it will be the place we point back to gauge success in the transformative process being funded by the Kresge grant.
- I attended the first annual Public Health Partnership Conference. It was the first time NYSACHO and the NYS Public Health Association held a joint meeting. There were over 250 attendees and next year the Conference of Environmental Health Directors and the NYS Rural Health Association will be joining. The goal is to create a premier NY public health conference.
- Sam and I met with Drs. Moylan and Auyash from IC and Gen Meredith from Cornell to develop a process for capturing feedback from student field experiences about social determinants of health. It has been a promising conversation and we hope to couple it with future efforts to gather feedback from staff to turn their experiences and observations into action.
- Sam and I attended the third convening of the Kresge cohort in North Carolina. It was an opportunity to learn from our colleagues around the country that are attempting the same transformative work. We are also reviewing responses to our RFP for consultant help with developing content for senior leadership and all staff retreats as well as strategic planning.

HEALTH PROMOTION PROGRAM – MMM 2019

Samantha Hillson, Director, PIO
 Ted Schiele, Planner/ Evaluator
 Susan Dunlop, Community Health Nurse
 Maya Puleo, Healthy Neighborhoods Education Coordinator
 Pat Jebbett, Public Health Sanitarian

Community Outreach

- We worked with these community groups, programs, and organizations during the month

Groups, Programs, Organizations	Activity	Date
Homeless and Housing Taskforce	Early Intervention Homelessness Prevention Program	4/3
Lead Poisoning Prevention Network	NYS to decrease BLL action to 5 ug/mL from 10/15.	4/25
Link for Health: Cornell Center for Health Equity and CCE local and NYC are submitting an NIH grant for a study about nutrition and physical activity.	The approach creates linkages between primary care physicians and extension nutrition staff. This referral system can be a model for linking primary care to other community-based services.	4/23
Collective Impact-Childhood Nutrition	Regular meeting	4/5, 4/25
Community Coalition for Healthy Youth. Lead orgs: TCYS, ADC, BOCES, TCHD	Initiative for marijuana use prevention among youth	4/11
The Ripple Effect Committee. Lead orgs: Cornell Life/Work Balance, Human Services Coalition	Meetings to review updated Ripple Effect data, committee structure.	4/5, 4/29
Finger Lakes Children’s Environmental Health Center	Meeting discussed childhood asthma awareness and treatment programs geared to improve indoor air quality	4/11
Senior Expo	Tabled	4/11

TCHD Intra-departmental Participation and Support

Division, Program, Initiative	Activity	Date
Streets Alive! Water Taste Test. In collaboration with Environmental Health Div.	Trumansburg Water Treatment was voted best and will represent Tompkins at the state competition held to raise awareness about drinking water sources and safety.	4/28
All Staff Workgroup: A cross-division represented group that informed the group activity for the All Staff meeting.	Review the Oct. 2018 All Staff meeting about SDOH; consider how to build on that activity at the spring meeting.	4/15

Immunization Coalition	Quarterly meeting	4/2
HPP Team Meeting	Monthly meeting	4/4

Diabetes Prevention Program (DPP) (Dunlop, CDC Certified Lifestyle Coach)

- Post core program: final meeting of the year-long program (4/10)

Community Health Assessment (CHA) & Community Health Improvement Plan (CHIP)

- CHA Steering Committee with Horn Research: Discussion focused on key informant interviews and survey update (4/11)
- The Community Health Survey was closed 4/15. About 1,050 surveys were completed. Review of the data is ongoing.
- Key informant interviews are complete. As of 4/30, over 25 were conducted by Lisa Horn, Horn Research. Review of the information is ongoing.

Healthy Lungs for Tompkins County

- Harmonicas for Health (H4H): Planning new class starting June 12 at Finger Lakes Independence Center.

Healthy Neighborhoods Program

- One-year extension for the HNP grant will run from April 1, 2019–March 31, 2020. An RFA will be released to cover the period beginning April 1, 2020.
- A Project Assistant will be hired for the summer months. They will help increase the reach of our canvassing efforts, and help complete home visits.
- Consolidated Planning with Ithaca City Urban Renewal Agency to discuss coordinated planning, aligning goals, overlap between funding for housing repair and HNP. (4/2)
- Training & Outreach
 - Salvation Army food pantry, and WIC Clinic (4/4, 11 reached)
 - Streets Alive! Event (4/28, 75 reached)

April 2019

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018*
# of Initial Home Visits (including asthma visits)	33	130	110	413
# of Revisits	17	50	64	163
# of Asthma Homes (initial)	0	12	15	43
# of Homes Approached	0	99	130	1,422

*Covers the calendar year (January through December); the HNP grant year is April-March.

Tobacco Free Tompkins

- Tobacco-Free Property signs delivered to CCE-TC, Conifer Village and Ellis Hollow Apartments, Willowbrook Senior Housing, Dryden.
- City of Ithaca: development of a “palm card” that can be given directly to individuals who are in violation of Ithaca City Code Ch. 280, regulation of smoking in certain outdoor

locations. The card will be carried by police officers and others who interact with the public in an official capacity on and immediately around The Commons. The front of the 3"x5" card says, "For the health of our residents, visitors, and children, City law prohibits smoking here and in all "T-Free Zones." The reverse side has a map showing all smoke-free areas downtown. County property and certain private properties with smoke-free policies are also identified on the map as "smoke-free."

- Cornell University: Campus Welfare Committee meetings 4/8 & 4/12. University Assembly meeting 4/9. A community-wide survey of attitudes about a tobacco-free campus will be conducted at the start of the 2019-2020 academic year.

Media, Website, Social Media

- Press Releases: [Seeking a Dog Apr 02 2019](#), [Pets Rabies Clinics Spring 2019](#), Rabid fox alert, [Marijuana LWV Panel Discussion 2019-04-29](#)
- Public Outreach and Education with Dr. Klepack to discuss communication plan (4/23).
- New webpage created for the NYS [Septic System Replacement Program](#), which provides funding to support septic replacement on eligible Cayuga Lake properties.

Meetings and Trainings

- All Staff Meeting (4/25): Presentation by Dr. Moylan – challenging the department to better represent the work we do in relation to health equity and social determinants of health. Empathy Map group discussion/activity: staff reflected on their own experience and that with clients.
- Emotional Intelligence Training (4/30): Facilitated by Amy Kohut, management team participated, 15 competencies of emotional intelligence.
- Continuing Education (CE) credits
 - Is Increased Intake of Whole Grains Tied to Lower Cancer Risk?- 0 .25 C.E.- Medscape
 - What You Should Know About Adult Immunization- 1.0 C.E. – University Of Albany School of Public Health
 - Raising Community Voices to Reduce Maternal Mortality- 1.0 C.E. University of Albany- School of Public Health

Emerging Leaders in Public Health (ELPH) Cohort III – Kresge Foundation

- ELPH RFP for consultant to advance transformative concept: Proposals accepted until 5/3/2019
- Informational meeting with Food bank of the Southern Tier to better understand their recent strategic planning process: Lead, Feed, Strengthen (4/1)
- Leadership Coaching
- Individual Team Meeting (4/23)
- Action Learning Set (4/10)
- ELPH Webinar: Advancing Health Equity Practices in Government Organizations: [Human Impact Partners](#)

Medical Director's Report
Board of Health
MAY 2019

Presentation at the Tompkins County monthly meeting of the Medical Society of the State of New York:

I presented the 15th of May on the subject of preventive healthcare and socioeconomic determinants of health outcomes with emphasis on the role our Health Department plays in delivering services and partnering with our community to improve the public's health. I will detail for them the community health assessment (CHA) and community health improvement plan (CHIP) process. Our CHA and CHIP springs from the lead of NYS and its priorities. We take those leads and do our own evaluation regarding which are most important to address in our region. Thus, there is some synergy with the state but, based on our local strengths and weaknesses, a focused plan for our area. The audience will be physicians in all specialties.

Activities:

A quarterly **Jail Review** was conducted on April 30th with no deficiencies found.

April 29th, I presented as part of a **panel on the subject of the legalization of recreational Marijuana**, sponsored by the League of Women Voters. We had about 50 persons in attendance and an unknown number of people listening on WRFI radio. The panelists were a specialist from Addiction treatment, Jim Sharp, the TC Sheriff, Derek Osborne, our County District Attorney, Matt Van Houten, and a representative from Cornell's school of Industrial and Labor Relations, Nellie Brown, as well as me. Generally, people on the panel were of the opinion that legalization was very likely to happen, and that it would have impacts on law enforcement, the legal process (especially concerning investigations for probable cause). Concerns were expressed with regards to the difficulties employers would face and the impact on workman's compensation. M's Brown helped detail the complexities of drug testing, drug detection and impaired workplace performance.

Regulation of the production and distribution of THC was deemed by all attending to be of importance and issues and details regarding this were detailed

Change in Public Health Law regarding blood lead levels:

As part of the 2020 enacted Budget for NYS the Legislature amended Public Health Law to lower the definition of an elevated blood level to 5 micrograms per deciliter. This is a change

from the previous level of 10. Investigation of a greater number of people will result prompted by the data that low levels of blood lead have effects on our central nervous systems. These impacts include IQ and altered behavior.

It's estimated that the number of children, statewide, requiring investigation will go from 3000 children to an expected 18,200 per year. In addition, it will trigger environmental management activities from a current level of 1,100 to 18,200. It's estimated that local Health Departments spend \$2,123 per environmental investigation. The cost to perform case coordination for children detected with an elevated level is approximately \$713 per child. The number of locations requiring remediation is predicted to increase with a commensurate increase in dollars spent by household owners and landlords (estimated typical costs range from \$600-\$10,000 per child detected). For expenses incurred by the local health unit, the regulation envisions that State Aid will fund a portion of it (less than 36percent)

By changing the level triggering environmental management from 15 micrograms per deciliter to 5, the state believes it will provide an additional 16,200 children with environmental management services. TCHD has used a level of 10 for many years so the impact of this drop to 5 will be somewhat different for us. However Nursing is predicting they will need an additional .3 to .5 FTE. EH is predicting we will need an additional 0.3 FTE. There is concern that the firm that we contract with for XRF testing in the homes will not be able to meet the additional demands. It is more complicated than just getting more equipment or an additional person.

Division for Community Health
May 28, 2019 Board of Health Meeting

Karen Bishop, Director of Community Health
April 2019 Report

Administration –

- Continued review of documentation forms built in the beta EHR and began creating the electronic chart structure.
- Participated on twice weekly EHR software vendor conference calls.
- Continued participation on the county Performance Evaluation Team exploring performance evaluation methods and tools for recommendation to the County Administrator to consider for county employees.
- Participated in the Immunization Coalition meeting held on April 2. The coalition developed the following: Mission statement: To reduce the spread of vaccine-preventable disease across the lifespan through immunization education, advocacy, collaboration and community engagement. Vision statement: Our community protected from vaccine-preventable diseases. Since its April 2 meeting, coalition members including myself have written letters/emails to Governor Cuomo and NYS legislators in both Assembly and Senate in support of eliminating religious exemptions to vaccines.
- Updated the Standing Orders for Administering MMRV Vaccine regarding two precautions: avoiding pregnancy for 1 month following vaccination for female vaccine recipients of childbearing age; if vaccine recipients develop a rash post MMRV vaccination, they should stay away from those with weakened immune systems and unvaccinated infants/children until the rash disappears. Dr. Klepack approved and signed the updated standing order which was then shared with staff nurses.
- Showed the video “Lead Poisoning, the Perfect Predator” to the Lead Poisoning Prevention Network on April 25.
- Faxed to local medical providers information to assist them to prepare for a suspect case of measles accessing their office/facility.

Statistical Reports –

- Division statistical reports – see attached reports.

WIC –

WIC program staff strive to serve all eligible families within Tompkins County to decrease food insecurity.

- Developed a new outreach initiative to families of newborns delivered at Cayuga Medical Center. WIC staff send a letter to parents congratulating them on the birth of the baby then one week later WIC staff call the mother to see if interested in WIC benefits.
- One nutritionist completed one week certified lactation counselor training. Two of three nutritionists are currently certified lactation counselors.
- No-show rate for April was 12% which means 81% of the participants enrolled on the program were served. This no-show rate is the lowest in 2 years, which means more families are accessing WIC services!
- Target caseload for Tompkins County WIC Program: 1500 participants

of participants enrolled in the program as of 4/30/19: 1211

of participants actively utilizing WIC benefits as of 4/30/19: 1062

May 2019 BOH Report

Community Health Services

By Melissa Gatch, Supervising Community Health Nurse

Lead Poisoning Prevention- No open lead cases.

Communicable Disease-

- **Influenza:** Influenza activity level was downgraded to *regional* as of week ending May 10th. Weekly surveillance is showing a slow decline. On May 3 the NYS commissioner declared influenza no longer prevalent which lifted the mask requirement for unvaccinated health care workers. Season to date, Tompkins County has had 764 confirmed cases of influenza; compared to same time last season of 1,011 confirmed cases- a 32% decrease this season. In NYS there have been six pediatric flu related deaths reported this season.
- **Measles Outbreak in NYS:** The measles outbreak continues to expand in NYS. As of May 15, 2019, the case count is as follows: **225** in Rockland County, **28** in Orange County, **17** in Westchester County, **2** in Sullivan County, **1** in Greene County and **470** cases in NYC primarily in the Borough Park and Williamsburg neighborhoods of Brooklyn. The majority of NYS cases are among the Orthodox Jewish community, where vaccination rates are lower and community immunity has not been established. Locally, we investigated one low risk suspect measles case in April on a 40 year old female who presented to local urgent care on 4/26/19 reporting a raised rash on her arms and abdomen as well as a cough. Suspect case reported no travel history outside of Tompkins County; no sick contacts and had previously received 2 MMR's. Measles testing was completed; sent to Wadsworth lab; all tests returned with negative results. Over the last few weeks Community Health staff have provided educational sessions to Ithaca City School District nurses, CMC Convenient Care staff and Hammond Health Center providers on *what to do if you suspect measles*. Staff have also fielded many calls from Tompkins County residents with questions related to the MMR vaccine. Two measles health advisories were blast faxed to all local health care providers on 4/27 and 5/1.
- **Pertussis:** 19 year old female presented to college health center with a cough for 15 days. Other symptoms reported were paroxysms, post-tussive vomiting and whoop. Student was tested, treated and housed in off-campus apartment for 5 days isolation. Final results were negative, however, based on case definition with cough >14 days, paroxysms, post-tussive vomiting and whoop, case is considered probable. Eight contacts were identified and prophylaxis recommended. One contact had symptoms of runny nose and cough for several days; she was evaluated, tested, treated and isolated until PCR results came back negative.
- **Syphilis:** Four syphilis cases in April; 1 primary, one secondary and 2 early latent cases. All cases were in MSM; age range from 25- 54 years of age. All cases were evaluated, tested and treated appropriately.
- **HIV Testing/Counseling:** During the month of April the Health Department offered **9** clinic dates at multiple testing sites. There were **17** people tested, all with negative results.
- **Health Advisories and Informational Messages Blast Faxed to Providers:**
 - Weekly Influenza Surveillance Report
 - Measles Outbreak interim guidance

- Measles - preparing for a suspect measles case in your practice

Tuberculosis- (1 active TB case)

- 63 year old from China; came to US in 1990. Presented to family provider in North Dakota in February 2018 due to cough, weight loss, fatigue and SOB. Work up included an abnormal chest xray; positive QFT; and abnormal CT scan. Sputum was **negative** for MTB at that time. He presented again to provider in North Dakota in October 2018 with a resurgence of cough and weight loss. Bronchoscopy completed in December 2018 with specimens collected; AFB smear negative, and culture positive for MTB at 8 weeks, initial sensitivities came back as Rifampin resistant. Case started on 4-drug treatment (Moxifloxacin for Rifampin due to drug resistance) on March 6, 2019. An interjurisdictional report was received from North Dakota on April 22 that client was moving back to NY to be with his family. However, on April 23 case was hospitalized locally with chest pain and SOB; he was discharged on April 25 without changes to his TB treatment regime. Case was admitted to TCHD for TB case management on April 26. He has been followed daily for DOT, except weekends. Awaiting final culture conversion and drug sensitivities.

LTBI (Latent Tuberculosis Infection): There were **14** Tuberculin Screening Tests (TST) placed during the month of April; all negative results.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 01MAY19
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=April

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
AMEBIASIS	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
CAMPYLOBACTERIOSIS**	1	11.5	4	45.8	3	34.4	2	22.9	3	34.4
CRYPTOSPORIDIOSIS**	0	0.0	1	11.5	5	57.3	0	0.0	2	22.9
DENGUE FEVER**	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	1	11.5	0	0.0	0	0.0	1	11.5	0	0.0
ENCEPHALITIS, OTHER	0	0.0	1	11.5	0	0.0	1	11.5	1	11.5
GIARDIASIS	5	57.3	2	22.9	0	0.0	2	22.9	1	11.5
HAEMOPHILUS INFLUENZAE, NOT TYPE B	1	11.5	0	0.0	0	0.0	1	11.5	0	0.0
HEPATITIS B,CHRONIC**	1	11.5	0	0.0	2	22.9	2	22.9	1	11.5
HEPATITIS C,CHRONIC**	3	34.4	6	68.7	2	22.9	3	34.4	4	45.8
INFLUENZA A, LAB CONFIRMED	75	858.8	33	377.9	30	343.5	28	320.6	30	343.5
INFLUENZA B, LAB CONFIRMED	6	68.7	29	332.1	64	732.8	36	412.2	43	492.4
INFLUENZA UNSPECIFIED, LAB CONFIRMED	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
LEGIONELLOSIS	0	0.0	0	0.0	1	11.5	1	11.5	1	11.5
LISTERIOSIS	0	0.0	1	11.5	0	0.0	0	0.0	0	0.0
LYME DISEASE** *****	0	0.0	1	11.5	0	0.0	2	22.9	1	11.5
PERTUSSIS**	1	11.5	0	0.0	0	0.0	0	0.0	0	0.0
SALMONELLOSIS**	0	0.0	1	11.5	0	0.0	1	11.5	1	11.5
SHIGELLOSIS**	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
STREP, GROUP B INVASIVE	1	11.5	1	11.5	1	11.5	0	0.0	1	11.5
STREP PNEUMONIAE, INVASIVE**	0	0.0	0	0.0	1	11.5	2	22.9	1	11.5
TUBERCULOSIS***	1	11.5	0	0.0	0	0.0	0	0.0	0	0.0
SYPHILIS TOTAL.....	4	45.8	1	11.5	0	0.0	1	11.5	1	11.5
- P&S SYPHILIS	2	22.9	0	0.0	0	0.0	0	0.0	0	0.0
- EARLY LATENT	2	22.9	1	11.5	0	0.0	1	11.5	1	11.5
GONORRHEA TOTAL.....	14	160.3	7	80.2	2	22.9	4	45.8	4	45.8
- GONORRHEA	14	160.3	7	80.2	2	22.9	4	45.8	4	45.8
CHLAMYDIA	52	595.4	45	515.3	39	446.6	35	400.8	40	458.0

*Based on month case created, or December for cases created in Jan/Feb of following year

**Confirmed and Probable cases counted

***Not official number

**** In 2016, 25 counties investigated a sample of positive laboratory results; in 2017, 27 counties sampled; in 2018, 30 counties sampled; in 2019, 33 counties sampled.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 01MAY19

Through April

Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
AMEBIASIS	0	0.0	0	0.0	0	0.0	1	2.9	0	0.0
ANAPLASMOSIS**	0	0.0	0	0.0	1	2.9	0	0.0	0	0.0
CAMPYLOBACTERIOSIS**	5	14.3	10	28.6	7	20.0	3	8.6	7	20.0
CRYPTOSPORIDIOSIS**	2	5.7	4	11.5	7	20.0	5	14.3	5	14.3
DENGUE FEVER**	0	0.0	0	0.0	1	2.9	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	1	2.9	0	0.0	0	0.0	2	5.7	1	2.9
ENCEPHALITIS, OTHER	0	0.0	1	2.9	0	0.0	1	2.9	1	2.9
GIARDIASIS	6	17.2	5	14.3	2	5.7	2	5.7	3	8.6
HAEMOPHILUS INFLUENZAE, NOT TYPE B	2	5.7	1	2.9	0	0.0	1	2.9	1	2.9
HEPATITIS B,CHRONIC**	3	8.6	3	8.6	9	25.8	7	20.0	6	17.2
HEPATITIS C,ACUTE**	1	2.9	2	5.7	1	2.9	0	0.0	1	2.9
HEPATITIS C,CHRONIC**	10	28.6	21	60.1	23	65.8	23	65.8	22	63.0
INFLUENZA A, LAB CONFIRMED	738	2112.6	453	1296.7	387	1107.8	327	936.1	389	1113.5
INFLUENZA B, LAB CONFIRMED	25	71.6	558	1597.3	141	403.6	54	154.6	251	718.5
INFLUENZA UNSPECIFIED, LAB CONFIRMED	1	2.9	0	0.0	2	5.7	2	5.7	1	2.9
LEGIONELLOSIS	0	0.0	0	0.0	1	2.9	1	2.9	1	2.9
LISTERIOSIS	0	0.0	1	2.9	0	0.0	0	0.0	0	0.0
LYME DISEASE** *****	5	14.3	8	22.9	0	0.0	7	20.0	5	14.3

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
MENINGITIS, ASEPTIC	1	2.9	1	2.9	0	0.0	0	0.0	0	0.0
MUMPS**	0	0.0	2	5.7	0	0.0	0	0.0	1	2.9
PERTUSSIS**	3	8.6	1	2.9	1	2.9	0	0.0	1	2.9
SALMONELLOSIS**	1	2.9	3	8.6	0	0.0	3	8.6	2	5.7
SHIGELLOSIS**	0	0.0	1	2.9	0	0.0	1	2.9	1	2.9
STREP, GROUP A INVASIVE	1	2.9	2	5.7	1	2.9	1	2.9	1	2.9
STREP, GROUP B INVASIVE	2	5.7	4	11.5	1	2.9	1	2.9	2	5.7
STREP PNEUMONIAE, INVASIVE**	2	5.7	4	11.5	4	11.5	4	11.5	4	11.5
TUBERCULOSIS***	1	2.9	1	2.9	1	2.9	0	0.0	1	2.9
YERSINIOSIS	1	2.9	0	0.0	0	0.0	0	0.0	0	0.0
ZIKA VIRUS (SYMPTOMATIC)**	0	0.0	0	0.0	0	0.0	1	2.9	0	0.0
SYPHILIS TOTAL.....	8	22.9	2	5.7	1	2.9	5	14.3	3	8.6
- P&S SYPHILIS	4	11.5	0	0.0	0	0.0	2	5.7	1	2.9
- EARLY LATENT	4	11.5	2	5.7	0	0.0	2	5.7	1	2.9
- LATE LATENT	0	0.0	0	0.0	1	2.9	1	2.9	1	2.9
GONORRHEA TOTAL.....	40	114.5	44	126.0	28	80.2	15	42.9	29	83.0
- GONORRHEA	40	114.5	44	126.0	28	80.2	15	42.9	29	83.0
CHLAMYDIA	171	489.5	157	449.4	143	409.3	122	349.2	141	403.6
CHLAMYDIA PID	0	0.0	1	2.9	0	0.0	0	0.0	0	0.0
OTHER VD	1	2.9	0	0.0	0	0.0	0	0.0	0	0.0

*Based on month case created, or December for cases created in Jan/Feb of following year

**Confirmed and Probable cases counted; Campylobacter confirmed and suspect

***Not official number

**** In 2016, 25 counties investigated a sample of positive laboratory results; in 2017, 27

counties sampled; in 2018, 30 counties sampled; in 2019, 33 counties sampled.

Division for Community Health
PROGRAM Statistical Highlights for Board of Health - 2019

Community Health Services Program Statistics	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2019	Total 2018	Total 2017
Maternal Child / MOMS Services															
Client Caseload	67	66	67	68											
# of Client Admissions	19	12	18	12									61	143	181
# of Client Discharges	12	17	11	15									55	152	217
Maternal & Infant Office Visit**	5	2	11	5									23	79	99
Maternal & Infant Home Visit	68	48	59	60									235	618	918
Total Home & Office Visits	73	50	70	65	0	0	0	0	0	0	0	0	258	697	1017
SafeCare															
# of Clients in program	8	9	10	8									35	14	
# Home Visits	12	9	17	14									52	186	
On-Call (Weekend) Nursing Visits to Patients															
Maternal & Infant On Call Visits	0	0	0	0									0	0	0
Rabies On Call Vaccinations	1	1	0	0									2	50	36
TB DOT On Call Visits	0	0	0	0									0	18	9
Total # On-Call Visits	1	1	0	0	0	0	0	0	0	0	0	0	2	68	45
Total Home, Office, SafeCare, On-Call Visits	86	60	87	79	0	0	0	0	0	0	0	0	312	951	1062
Childbirth Education															
# of Childbirth Education Classes	0	0	0	0										0	3
# of Childbirth Education Moms*	0	0	0	0										0	13

DOT = Direct Observe Therapy Visits

MOMS = Medicaid Obstetrical and Maternal Services

Shaded areas indicate revisions from the previous report

* CBE Moms is duplicated count

** Office visit includes intake visits

Community Health Services Clinic Statistics	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2019	Total 2018	Total 2017
Immunization Program (does not include counts for rabies vaccinations or PPD)															
Immunization Clients Served: Children	23	9	30	21									83	344	274
Immunization Clients Served: Age19 +	20	20	16	16									72	610	599
Total Immunization Clients	43	29	46	37	0	0	0	0	0	0	0	0	155	954	873
Immunizations Administered: Children	44	19	58	53									174	606	553
Immunizations Administered: Age 19 +	28	26	18	19									91	663	668
Total Immunizations Administered	72	45	76	72	0	0	0	0	0	0	0	0	265	1269	1221
# of Influenza Immunizations	17	3	9	4									33	661	591
# of All Other Immunizations	55	42	67	68									232	608	630
Rabies Vaccination Program (Internal data, reporting to NYSIIS may be ongoing)															
Post-Exposure Clients	2	5	4	2									13	167	139
Post-Exposure Vaccinations	5	13	6	3									27	352	277
Tuberculosis Program															
Cumulative Active TB clients	2	2	2	3									2	7	5
Active TB Admissions	0	0	0	1									1	5	4
Active TB Discharges	0	1	0	0									1	4	3
Current Active Clients	2	1	1	2									N/A	N/A	N/A
TB Direct Observe Therapy Home Visits	21	10	0	4									35	417	353
# of Tuberculosis Screening Tests	11	10	21	14									56	236	231
Anonymous HIV Counseling & Testing Clinics															
# of HIV Clinics - including Walk-Ins	10	10	13	9									42	97	89
# of Clients Counseled & Tested	1	8	15	17									41	81	73
HIV Positive Eliza & Western Blot	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Women, Infants, Children Clinic															
Monthly New Enrollments													0		535
Total Participants Served													0		5230
Participants w/Active Checks													0		1160
Total Enrolled (Summary is an Average)													0		1399
% No-Show															
% Active Participation															
% Caseload Target (FY17 Target = 1500)															

123 Red numbers indicate preliminary data; subject to revision

UA = Unavailable at this time



yellow cells are averages

This count includes TB DOT office visits for one client

Not yet available in NYWIC, new WIC system which went live in October

Children with Special Care Needs Division — (607) 274-6644

Children with Special Care Needs Highlights April 2019

Staff Activities

Staff Committees & Meetings

- CSCN Software committee meets weekly (Michele Card, Cindy Lalonde, Barb Wright, Deb Thomas, Greg Potter IT Director and Roger Cotrofeld, IT)
- CSCN Staff meeting 4/15/19
- All Staff Meeting 4/25/19
- Margo Polikoff attended Be the One—Summit Planning Meeting on 4/26/19

Staff Training

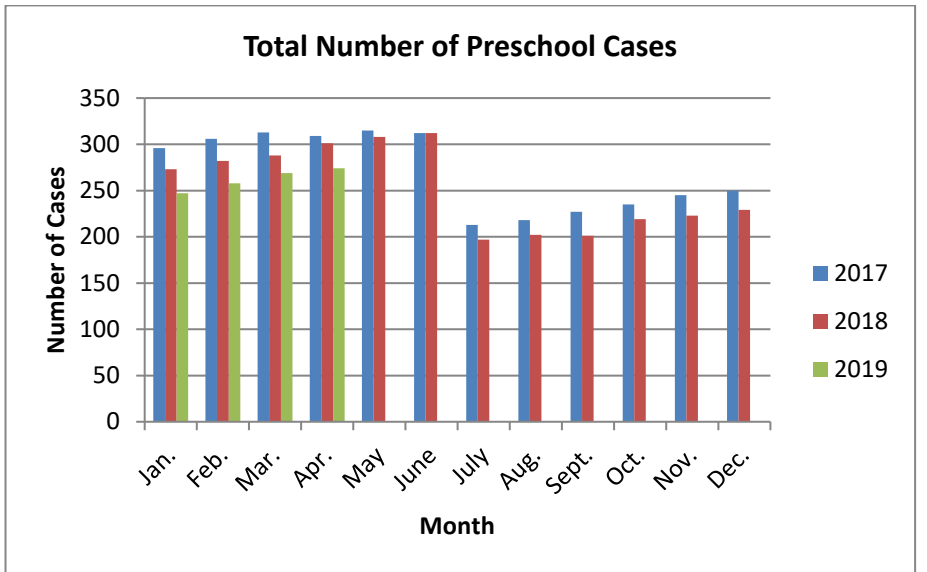
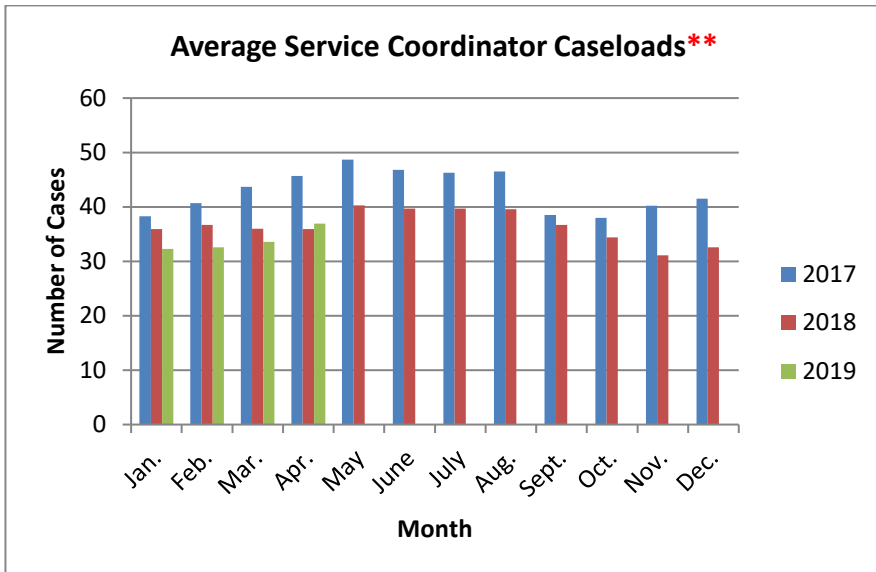
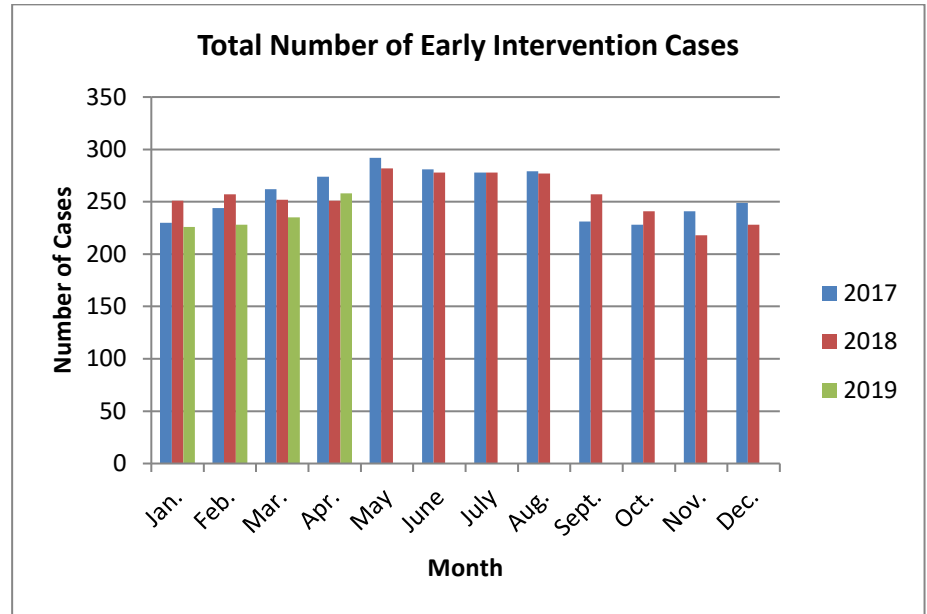
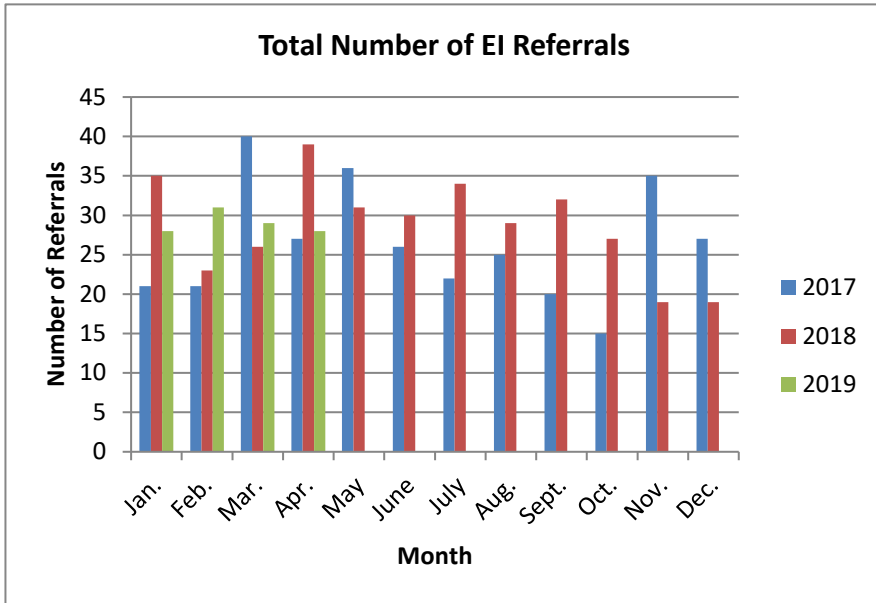
- Margo Polikoff attended Eviction for Dummies and Early Intervention Homelessness Prevention Program—LawNY @ Tompkins County Mental Health on 4/3/19
- Linda Taylor and Matt Phillips attended the Intermediate Excel Training 4/18/19 & 4/25/19

Deb Thomas:

- Senior Leadership meeting 4/17/19
- CSCN program meeting with Frank Kruppa 4/3/19
- Early Childhood Development Coalition in Ithaca 4/1/19
- NYS DOH BEI State wide Early Intervention Meeting 4/10/19
- Preschool Cost Report webinar 4/3/19
- S2AY Network in Penn Yan 4/2/19
- Met with Frank Kruppa for Performance Evaluation 4/19/19
- Board of Health Meeting 4/23/19
- Children's Medicaid Health Homes webinar 4/23/19

Children with Special Care Needs

Statistics Based on Calendar Year



****Average Service Coordinator Caseloads showing decrease due to increase in fully oriented Ongoing Service Coordinators**

**Children with Special Care Needs Division
Statistical Highlights 2019**

EARLY INTERVENTION PROGRAM

Diagnosed Conditions (continued)	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
-- Spina Bifida	1	1	1	1										
-- Te Fistula	0	1	0	0										
-- Torticollis	3	4	3	4										
Early Intervention Discharges														
-- To CPSE	0	0	0	0									0	78
-- Aged out	2	0	1	3									6	4
-- Declined	2	2	2	4									10	67
-- Skilled out	1	0	2	1									4	39
-- Moved	3	2	2	5									12	25
-- Not Eligible	7	4	6	7									24	118
-- Other	0	2	0	0									2	28
Total Number of Discharges	15	10	13	20	0	0	0	0	0	0	0	0	58	359
Child Find														
Total # of Referrals	0	0	0	0									0	14
Total # of Children in Child Find	8	7	6	3										
Total # Transferred to Early Intervention	0	0	0	0									0	5
Total # of Discharges	2	2	1	3									8	2

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkinscountyny.gov>

Ph: (607) 274-6688
Fx: (607) 274-6695

ENVIRONMENTAL HEALTH HIGHLIGHTS

April 2019

Rabies Control Program

There was one confirmed case of rabies in Tompkins County during April 2019. A sick fox was found in front of a home in Cayuga Heights, euthanized by the NYS DEC and submitted through the Cornell Wildlife Research lab. No human exposures were associated with the fox.

The Rabies Program is once again utilizing Facebook to promote the Spring Rabies Clinics, as well as information in regard to bat remediation, avoiding contact with wildlife, and preventing dog bites. Several posts were “boosted” at \$10 a post. This increases the exposure of the message to members of the community. The two boosted rabies posts had exposures of 2,200+ and 1,500+ with over 100 interactions. Over 100 pets were pre-registered for the five May clinics scheduled in the towns of Lansing, Danby, Dryden, Enfield, and Ithaca by April 30, with pre-registration staying open until the night of the clinic. At this time, we are not tracking reach through Twitter, but are utilizing the platform.

Key Data Overview				
	This Month	YTD 2019	YTD 2018	TOTAL 2018
Bites¹	26	91	70	306
Non Bites²	4	28	20	226
Referrals to Other Counties	0	5	7	37
Submissions to the Rabies Lab	11	45	35	222
Human Post-Ex Treatments	1	17	16	144
Unvaccinated Pets 6-Month Quarantined³	0	2	1	3
Unvaccinated Pets Destroyed⁴	0	0	0	0
Rabid Animals (Laboratory Confirmed)	1	5	2	18

¹“Bites” include all reported bites inflicted by mammals and any other wounds received while saliva is present.

²“Non-bites” include human exposures to saliva of potentially rabid animals. This also includes bats in rooms with sleeping people or young children where the bat was unavailable for testing.

³When an otherwise healthy, unvaccinated pet has contact with a rabid animal, or suspect rabid animal, that pet must be quarantined for 6 months or euthanized. Quarantine must occur in a TCHD-approved facility (such as a kennel) at the owner's expense. If the pet is still healthy at the end of 6 months, the exposure did not result in rabies and the pet is released.

⁴ Pets must be euthanized if they are unvaccinated and have been in contact with a rabid or suspect rabid animal and begin to display signs consistent with rabies. Alternatively, a pet is euthanized if a prescribed 6-month quarantine cannot be performed or the owners elect euthanasia instead of quarantine.

Reports by Animal Type												
	Bites				Animals sent to the NYS Rabies Laboratory				Rabid Animals			
	Mo	YTD 2019	YTD 2018	Total 2018	By TCHD	By Cornell	Totals		Mo	YTD 2019	YTD 2018	Total 2018
							Mo	YTD				
Cat	9	34	23	115	0	1	1	3	0	0	0	0
Dog	16	54	41	158	0	1	1	4	0	0	0	0
Cattle	0	0	0	1	0	0	0	3	0	1	0	0
Horse/Mule	0	0	0	0	0	0	0	0	0	0	0	0
Sheep/Goat	0	0	0	0	0	0	0	0	0	0	0	0
Domestic	0	0	0	0	0	0	0	0	0	0	0	0
Raccoon	0	0	0	5	0	0	0	2	0	1	0	5
Bats	1	2	1	10	5	0	5	23	0	1	0	7
Skunks	0	0	2	3	0	0	0	1	0	0	1	1
Foxes	0	0	1	6	0	1	1	3	1	2	1	3
Other Wild	0	1	2	8	0	3	3	6	0	0	0	2
Totals	26	91	70	306	5	6	11	45	1	5	2	18

Food Program

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<http://www.tompkinscountyny.gov/health/eh/food/index>) or through the Tompkins County Mapping Portal (<https://tompkinscounty.maps.arcgis.com/apps/Style/index.html?appid=2768bd8c8b584d8a9155b60281ba477b>). Inspections can be sorted to meet the needs of the viewer (by facility, date, etc.) by clicking on the column heading of interest. These are valuable tools for easily providing information to the public.

Routine facility inspections are conducted to protect public health. The inspections are made without advance notice to ensure that food processes are adequate, safe, and meet code requirements. It is important to keep in mind that inspections are only a "snapshot" in the entire year of a facility's operation and they are not always reflective of the day-to-day operations and overall condition of the operation.

The following inspections were conducted with no critical violation(s) noted:

- | | |
|---|---|
| The Antlers, T-Dryden | Just a Taste Wine & Tapas Bar, C-Ithaca |
| Apollo Restaurant, C-Ithaca | Kendra's Culinary Creations, T-Lansing |
| CU – Cook House, C-Ithaca | Little Thai House, C-Ithaca |
| CU – Flora Rose House, C-Ithaca | Miyake Japanese Restaurant, C-Ithaca |
| CU – Jansen's at Bethe House, C-Ithaca | Napoli Pizzeria, C-Ithaca |
| CU – Keeton House, C-Ithaca | New Roots Charter School, C-Ithaca |
| CU – Risley Dining, C-Ithaca | Red's Place, C-Ithaca |
| Econolodge Food Service, V-Lansing | Serendipity Catering, T-Ithaca |
| Gimme! Coffee – Cayuga St., C-Ithaca | St. Catherine Greek Orthodox Church, C-Ithaca |
| Gimme! Coffee – State St., C-Ithaca | Statler Hotel – Banfi's, C-Ithaca |
| Green Street Pharmacy, C-Ithaca | Statler Hotel – Terrace Dining, C-Ithaca |
| IC – Egbert Union Dining Hall, T-Ithaca | Super 8 Motel, C-Ithaca |
| IC – Terrace Dining Hall, T-Ithaca | Tamarind, C-Ithaca |
| IC – Towers Dining Hall, T-Ithaca | |

The Hazard Analysis Critical Control Point (HACCP) Inspection is an opportunity for the establishment to have the health department review food processes in the facility to make sure that all potential hazards are identified and to assure that the best food safety practices are being used.

HACCP Inspections were conducted at the following establishments:

None in April

Re-Inspections are conducted at any establishments that had a critical violation(s) to ensure that inadequate or unsafe processes in a facility have been corrected.

The following re-inspections were conducted with no violations noted:

Burger King – Ellis Hollow Road #12983, T-Ithaca
 Casablanca Mediterranean Cuisine & Pizzeria, C-Ithaca
 Collegetown Bagels – Aurora St., C-Ithaca
 Dryden Veterans Memorial Home, T-Dryden
 Dunkin Donuts – Groton, V-Groton
 Friends & Pho, V-Lansing
 Holiday Inn – Max's, C-Ithaca

Ithaca Marriott Food Service, C-Ithaca
 Jack's Grill, C-Ithaca
 Jade Garden, C-Ithaca
 Moe's Southwest Grill, C-Ithaca
 Old Mexico, C-Ithaca
 Panda Tea Lounge, C-Ithaca
 Pontillo's Pizzeria, V-Groton
 U-Tea, C-Ithaca

Critical violations may involve one or more of the following: the condition of food (e.g. food that may be at improper temperatures on delivery or damaged by rodents), improper food cooking and storage temperatures (e.g. food cooked to and/or held at improper temperatures), improper food preparation practices (e.g. preparing ready-to-eat foods with bare hands), and water and/or sewage issues (e.g. low disinfection levels in the water system). These critical violations relate directly to factors that could lead to food related illness.

Critical Violations were found at the following establishments:

Collegetown Bagels – Aurora St., C-Ithaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 48°F. The product was discarded during the inspection.

Potentially hazardous foods were not stored under refrigeration. Product on a counter in the kitchen was observed to be at 70°F. The product was discarded during the inspection.

Potentially hazardous foods were not kept at or above 140°F in hot holding. Products in hot holding were observed to be at 121-128°F. The products were removed from service and rapidly reheated to 165°F before being returned to service.

Joe's Restaurant, C-Ithaca

Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Process was corrected during the inspection.

Jade Garden, C-Ithaca

Enough hot holding equipment was not present to keep hot foods above 140°F. Product on top of a rice warmer was observed to be at 84-87°F. The product was moved to refrigerated storage to be rapidly chilled to 45°F or less before use.

Moe's Southwest Grill, C-Ithaca

Potentially hazardous foods were not stored under refrigeration. Product in an ice bin with no ice on a serving counter was observed to be at 67°F. The product was moved to the walk-in to be rapidly chilled to 45°F or less during the inspection.

Ithaca Bakery, V-Lansing

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a display case for customer service was observed to be at 49-52°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not stored under refrigeration. Products on a counter for customer service were observed to be at 48-58°F. The products were removed from service and rapidly chilled to 45°F or less before use.

Seneca Place Food Service / Kilpatrick's, C-Ithaca

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in refrigerated storage was observed to be at 52-58°F. Product was rapidly chilled to 45°F or less.

Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept below 45°F as required. Products in a refrigerated storage unit were observed to be at 58°F. The products were discarded during the inspection.

15 Below Ice Cream, C-Ithaca

An accurate thermometer was not available to evaluate potentially hazardous food temperatures. An accurate thermometer was provided to the facility operator during the inspection.

Mehak Cuisine, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product for customer service was observed to be at 60°F. The product was removed from service and rapidly chilled to 45°F or less.

Vietnam / Hai Hong, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in a refrigerated storage unit to be used for customer service was observed to be at 53°F. The product was removed from service and rapidly chilled to 45°F or less.

CU – Klarman Hall Café, C-Ithaca

Potentially hazardous foods are not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 51°F. The product was discarded during the inspection.

Mix Social Dining, C-Ithaca

Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept below 45°F as required. Products in a refrigerated storage unit were observed to be at 49-54°F. The products were discarded during the inspection.

Rodeway Inn & Suites, T-Ithaca

An accurate probe thermometer was not available to evaluate potentially hazardous food temperatures.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Product out for customer service was observed to be at 113-129°F. The products were reheated to 165°F or above before being returned to service.

Sangam Restaurant, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 49-51°F. The products were removed from service and rapidly chilled to 45°F or less before use.

Hampton Inn, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product for customer service was observed to be at 52°F. The product was discarded during the inspection.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in hot holding was observed to be at 133°F. The product was removed from service and rapidly reheated to 165°F or above before use.

Panda Tea Lounge, C-Ithaca

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Hazelnut Kitchen, V-Trumansburg

Potentially hazardous foods were not cooled by an approved method. Product in the top of a flip top refrigerated unit was observed to be at 78-89°F. The product was moved to the walk-in cooler to be rapidly chilled to 45°F or less using an approved method.

Burger King – Ellis Hollow Rd #12983, T-Ithaca

Food was adulterated on premises. Product was observed to be stored inside an ice bin with ice used for customer drinks. The ice was discarded during the inspection.

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Potentially hazardous foods were not cooled by an approved method. Product in a refrigerated unit was observed to be at 116-119°F. The product was being cooled using an unapproved method and was discarded during the inspection.

Frosty Cow, T-Dryden

Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. The product was discarded during the inspection.

Coltivare, C-Ithaca

Cooked or prepared foods are subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Enough refrigerated storage was not maintained so that potentially hazardous foods were stored below 45°F as required. Products in a refrigerated storage unit were observed to be at 50-52°F. The products were discarded during the inspection.

Coal Yard Café, C-Ithaca

Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Product was discarded during the inspection.

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 49°F. The product was rapidly chilled to 45°F or less during the inspection.

Potentially hazardous foods were not stored under refrigeration. Product on a counter was observed to be at 53°F. The product was placed into cold holding to be rapidly chilled to 45°F or less before use.

SUMO Japanese Steakhouse & Sushi, V-Lansing

Food workers did not use proper utensils to eliminate bare hand contact with prepared foods. The product was discarded during the inspection.

Collegetown Bagels – East Hill Plaza

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 48-50°F in one location and 49°F in a second location. All items were moved to the walk-in cooler to be rapidly chilled to 45°F or less before use.

De Tasty Hot Pot Restaurant, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in a refrigerated storage unit was observed to be at 54°F. The product was removed from service and rapidly chilled to 45°F or less.

Potentially hazardous foods were not cooled by an approved method. Product cooling on a counter in the kitchen was observed to be at 103°F. The product was moved to the walk-in cooler to be cooled to 45°F or less by an approved method.

Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F. Product in a refrigerated storage unit was observed to be at 56°F. The product was moved to the walk-in cooler to be rapidly chilled to 45°F or less.

Ko Restaurant, C-Ithaca

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 57°F. The product was rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not cooled by an approved method. Product stored on top of a freezer was observed to be at 87°F. The product was moved to the walk-in cooler to be rapidly chilled using an approved method.

Potentially hazardous foods were not stored under refrigeration. Product in a bucket by the stove was observed to be at 67°F. The product was moved to the walk-in cooler to be rapidly chilled to 45°F or less before use.

Simeon's on the Commons, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 56°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Temporary Food Service Operation Permits are issued for single events at one location. The Food Protection Program issued 57 temporary permits.

Temporary food operation inspections are conducted to protect public health. The inspections are made without advance notice to ensure that the food processes at the event are adequate, safe, and meet code requirements. The operation must correct Critical Violations during the inspection. When a Temporary Food Operation has Critical Violation/s, a re-inspection is conducted when the event is longer than one day.

The following inspections were conducted with no violation(s) noted:

CU - ALANA Intercultural Board at 2019 Culture Fest, C-Ithaca
CU - Chinese Students Association at 2019 Culture Fest, C-Ithaca

Critical Violations were found at the following establishments:**Cornell Students for Animal Rights at 2019 Dairy Alternative Day, C-Ithaca**

Potentially hazardous food was at an improper temperature. Products for customer service were observed to be above 45°F. Service was to be discontinued in one hour and remaining products discarded.

An accurate food thermometer was not available to measure temperatures of potentially hazardous foods.

Cornell Sikh Students Association at 2019 Culture Festival & Vaisakhi, C-Ithaca

An accurate food thermometer was not available to measure temperatures of potentially hazardous foods.

Inadequate facilities were available to maintain temperatures. The facility had a waiver to use time as a public health control but was not keeping a temperature log sheet and had no means to maintain potentially hazardous foods at or above 140°F in hot holding.

Cornell Students for Animal Rights at 2019 Politics of Nutrition, C-Ithaca

Potentially hazardous food was at an improper temperature. Products for customer service were observed to be above 49-67°F and 63-68°F. Products were removed from service and rapidly chilled to 45°F or less.

Pre-Operational Inspections are conducted, following a thorough review of proposed plans, at new or extensively remodeled facilities to ensure code compliance prior to opening to the public.

The following pre-operational inspections were conducted:

None in April.

Plans Approved:

Mama Said Hand Pies, C-Ithaca

New Permits Issued:

Bella Pizza, C-Ithaca

Blue Tusk Doughnuts, Throughout Tompkins

The Food Protection Program received and investigated three complaints related to issues and/or problems at permitted food service establishments.

Engineering Plans Received

- OWTS Plan for Temporary Holding Tank (Cargill) – Town of Lansing
- OWTS Plan for Temporary Holding Tank (Grassroots) – Town of Ulysses
- OWTS Plan for Temporary Holding Tank (Grassroots) – Town of Ulysses
- OWTS Plan for Temporary Holding Tank (Girl Scout Camp) – Town of Lansing
- OWTS Plan for New Construction – Town of Dryden
- OWTS Plan for New Construction – Town of Dryden
- Public Water System – Grassroots Across the Way
- Public Water System – Grassroots Onsite
- Public Water System – Town of Ithaca
- Public Water System – Town of Ithaca
- Public Water System – Dryden School District

Problem Alerts/Emergency Responses

- A boil water order (BWO) was issued to TOSA Apartments, T- Dryden, due to no chlorine in the distribution system on April 2nd. A water treatment specialist was hired to evaluate the system and make adjustment to the system. TCHD is awaiting satisfactory bacteriological test results.

Childhood Lead Program

CHILDHOOD LEAD PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018
A: Active Cases (total referrals):				
A1: # of Children w/ BLL>19.9ug/dl	0	0	0	1
A2: # of Children w/ BLL 10-19.9ug/dl	0	0	0	5
B: Total Environmental Inspections:				
B1: Due to A1	0	0	0	1
B2: Due to A2	0	0	0	5
C: Hazards Found:				
C1: Due to B1	0	0	0	1
C2: Due to B2	0	0	0	5
D: Abatements Completed:	0	0	0	0
E: Environmental Lead Assessment Sent:	0	0	0	2
F: Interim Controls Completed:	0	0	0	0
G: Complaints/Service Requests (w/o medical referral):	3	11	12	54
H: Samples Collected for Lab Analysis:				
- Paint	0	0	0	5
- Drinking Water	0	0	0	0
- Soil	0	0	0	0
- XRF	0	0	0	5
- Dust Wipes	0	0	0	6
- Other	0	0	0	1

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
3/26/19	Mix Social Dining	Mix Social Dining Inc	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 5/15/19.	Violation of BOH Orders due to repeat violation.
4/26/19	Sushi Osaka	Sushi Osaka 8 Inc.	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 6/15/19.	Monitoring Compliance
4/26/19	TOSA Apartments	Tony Busse	Public Water Supply – Sampling and Reporting Violations	\$500 (\$250 paid)	Payment due 6/15/19.	Monitoring Compliance

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkinscountyny.gov/health/eh>

Ph: (607) 274-6688
Fx: (607) 274-6695

REGULAR AND ELECTRONIC MAIL

April 30, 2019

Nilay Duzen
Cornell Turkish Students Association
235H Sibley Dome, Cornell University
Ithaca, NY 14850

RE: Notice of Violation #EH-NOV-19-0027 – Cornell Turkish Students Association

Dear Nilay Duzen:

On April 14, 2019, Tompkins County Health Department staff observed the Cornell Turkish Students Association to be serving food without a temporary food service permit at the Cornell University Culture Festival in violation of Subpart 14-2 of the New York State Sanitary Code. Subpart 14-2 of the New York State Sanitary Code defines a temporary food service establishment as "a place where food is prepared or handled and served to the public, with or without charge." The code further states that "a temporary food service establishment shall obtain and display a valid permit from an issuing official authorized by the State Commissioner of Health." The Health Department inspector observed the Cornell Turkish Students Association serving potentially hazardous food at a temperature of 74°F. Further, the Health Department had no prior information on how or where the food was prepared. At the direction of the Health Department inspector, the Cornell Turkish Students Association stopped serving food at this event.

You are hereby notified that if this group is found to be operating without a permit again it will result in enforcement action being taken against the Cornell Turkish Students Association. Additionally, you are required to, in coordination with Cornell Risk Management and the Campus Activities and Food Safety / Dining Offices, review information and complete training on the importance of preparing and serving food safely and on how to obtain temporary food permits from the Tompkins County Health Department. This training must be completed by August 31, 2019. Please notify the Health Department when this training is completed.

Please contact me at 607-274-6688 if you have any questions.

Sincerely,



Kristee Morgan
Senior Public Health Sanitarian

pc: F:\EH\FOOD (SF)\TEMP FSE (STF)\Facilities\CU - Turkish Students Association\04-29-19 NOV.docx
ec: Elliot Young, CU Risk Management; TCHD: Liz Cameron, PE, Director of Environmental Health; Kristee Morgan; Mikhail Kern; Skip Parr
Scan: Signed copy to Accela

Reply all | Delete Junk | ...

RE: CU Culture Festival - Cornell Turkish Students Association

EY

Elliot C Young <ecy27@cornell.edu>

Today, 12:55 PM

Kristee Morgan; Elizabeth Cameron

Reply all |

Inbox

Kristee,

Thank you for the conversation on Friday (4/26/19) regarding the Cornell Turkish Students Association's failure to obtain a temporary food permit for the Culture Fest event on 4/14/19.

Per our discussion, Cornell Risk Management will collaborate with the Campus Activities and Food Safety / Dining offices to require the Cornell Turkish Students Association to review information and complete training on the importance of preparing and serving food safely and how to obtain temporary food permits from the Tompkins County Health Department. My understanding is that the Health Department will add these requirements into the Notice of Violation that will be issued to the Cornell Turkish Students Association.

Please let me know if you have any questions.

Sincerely,


Elliot C Young, JD, MSE, ARM-E | Risk Management Specialist | Office of Risk Management and Insurance
Cornell University, 395 Pine Tree Rd, Suite 210 Ithaca, New York 14850
Ecy27@cornell.edu | t: 607-254-1569 | c: 210-241-4531
Website: www.risk.cornell.edu

From: Kristee Morgan <kmorgan@tomkins-co.org>
Sent: Friday, April 26, 2019 3:41 PM
To: Elliot C Young <ecy27@cornell.edu>
Cc: Elizabeth Cameron <lcameron@tomkins-co.org>
Subject: CU Culture Festival - Cornell Turkish Students Association

Good afternoon Elliott,

This e-mail is a follow-up to our phone conversation with you earlier today regarding the Culture Festival at Cornell University which took place on April 14, 2019. This event was coordinated by the Cornell ALANA group. The Health Department issued three permits for the event, two additional groups withdrew their permit applications and two were unable to operate due to incomplete permit applications.

While conducting inspections at the event an inspector from the Health Department found the Cornell Turkish Students Association to be serving food without a permit. The group was serving potentially hazardous food at a temperature of 74°F. The Health Department does not know where or how this food was prepared. Service was discontinued during the inspection.

 Reply all |   Delete  Junk |  

participants of the need to obtain a temporary food permit. However, prior to the event, the Health Department had not been contacted by the Cornell Turkish Students Association to obtain a temporary food permit application. During our discussion it was determined that Cornell Risk Management would place some requirements on the group moving forward and the Health Department would incorporate that into a Notice of Violation for the Cornell Turkish Students Association. Please respond at your earliest convenience with the course of action Cornell Risk Management intends to take in this situation.

Thank you again for your assistance,

Kristee Morgan

*Tompkins County Health Department
Division of Environmental Health
55 Brown Road
Ithaca, NY 14850*



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

Date: May 20, 2019
Memo to: Members of the Tompkins County Board of Health
From: C. Elizabeth Cameron, P.E., Director of Environmental Health *E. Cameron*

Subject: Recommended Environmental Health Division Fees for 2020 – Permit Fees Only

We are presenting the proposed EH fees in two parts this year. The information in this packet addresses our proposed operating fees. Proposed plan review fees will be presented at the Board of Health meeting in June to allow us additional time to consider some alternatives in how our plan review fees are structured.

The proposed modifications to the operating fees include:

- Increasing the High Risk Food Service permit fee by \$20 and decreasing the Low Risk Food Service permit fee by \$25.
- Increasing the baseline Temporary Residence permit fee by \$25.
- Increasing the Campground permit fee by \$10 and the Campground fee per unit by \$0.50.
- Increasing the Mass Gathering permit fee.

We are also proposing to eliminate the Duplicate Rabies Certificate fee. Rabies certificates are now generated and filed electronically, minimizing the costs involved in providing a duplicate certificate compared to our former file card system. Similarly, we are proposing to eliminate the fee for electronic copies of oversized files since we can now scan these files internally instead of sending them out.

Based on the proposed fees, the sources of estimated revenue for 2020 are:

Estimated Revenue:	
Operating/permit fees	\$347,770
Plan review/other fees	tbd
Fines/penalties/late fees/other	\$21,475
Subtotal*:	\$369,245
Less credit card processing cost	\$1,850

Total Estimated EH Revenue*: tbd

* Does not include revenue from grants and State Aid.

The following information is attached for your review:

- Table 1. Proposed Environmental Health Fee Schedule 2020 – Operating and Other Fees
- Table 2. Proposed Operating or Permit Fees Detail Sheet 2020
- Table 3. Proposed Plan Review Fees Detail Sheet 2020 – to be provided in June
- Table 4. Estimated vs. Actual Revenue and Expenses

F:\EH\ADMINISTRATION (ADM)\Program Administration (ADM-3)\Financial\Fees (SG-37)\Fees 2020\Permit fees to BOH.docx



ENVIRONMENTAL HEALTH DIVISION

55 Brown Road, Ithaca, NY 14850

Ph: (607) 274-6688; Fx: (607) 274-6695

On-line Services - <https://permits.tompkins-co.org/CitizenAccess/>

Draft for BOH Review May 2019

Effective January 1, 2020

Table 1 - 2019 Proposed Environmental Health Fee Schedule

2018 OPERATING PERMIT, PLAN REVIEW, AND OTHER FEES	
<p>Agricultural Fairground Operating Permit \$400 <input type="checkbox"/></p> <p>Campground Operating Permit \$150 plus \$2.75 per unit/site</p> <p>Campground Plan Review \$200 <input type="checkbox"/></p> <p>Children's Camp Operating Permit \$200 <input type="checkbox"/></p> <p>Mass Gathering Operating Permit* <i>(New Event)</i> \$4,100 <input type="checkbox"/></p> <p>Mass Gathering Operating Permit* <i>(Existing Event)</i> \$2,000 <input type="checkbox"/></p> <p><i>(*Plus \$80 per staff/hr for incident response, if needed)</i></p> <p>Mass Gathering Plan Review <i>(New Event)</i> \$6,100 <input type="checkbox"/></p> <p>Mass Gathering Plan Review <i>(Existing Event)</i> \$2,250 <input type="checkbox"/></p> <p>Mobile Home Park Operating Permit \$150 plus \$3.50 per unit/lot</p> <p>Mobile Home Park Plan Review \$460 plus \$30 per unit/lot</p> <p>Recreational Aquatic Facility Operating Permit</p> <p style="padding-left: 20px;">Swimming Pool/Bathing Beach \$335 <input type="checkbox"/></p> <p style="padding-left: 20px;">Slide and Wave Pool/Spray Park/Other Aquatic Facility \$360 <input type="checkbox"/></p> <p>Recreational Aquatic Facility Plan Review</p> <p style="padding-left: 20px;">Swimming Pool/Bathing Beach/Other Aquatic Facility Up to 5,000 square feet \$360 <input type="checkbox"/></p> <p style="padding-left: 20px;">Slide and Wave Pool/Spray Park/Other Aquatic Facility Over 5,000 square feet \$770 <input type="checkbox"/></p> <p>Temporary Residence Operating Permit \$175 plus \$3.50 per unit/site</p>	<p>Food Service Establishment Operating Permit</p> <p style="padding-left: 20px;">High Risk \$450 <input type="checkbox"/></p> <p style="padding-left: 20px;">Medium Risk \$375 <input type="checkbox"/></p> <p style="padding-left: 20px;">Low Risk \$210 <input type="checkbox"/></p> <p style="padding-left: 20px;">Additional Mobile Unit \$85 <input type="checkbox"/></p> <p>Food Service Establishment Plan Review</p> <p style="padding-left: 20px;">High & Medium Risk \$210 <input type="checkbox"/></p> <p style="padding-left: 20px;">Low Risk \$150 <input type="checkbox"/></p> <p style="padding-left: 20px;">Push Cart \$100 <input type="checkbox"/></p> <p>Temporary Food Service Establishment - Simple Menu</p> <p style="padding-left: 20px;">1 Day Event \$65 <input type="checkbox"/></p> <p style="padding-left: 20px;">Multiple Events; Consecutive or Non-Consecutive Days \$100 <input type="checkbox"/></p> <p style="padding-left: 40px;"><i>(up to 8 days in 120 days)</i></p> <p>Temporary Food Service Establishment - Complex Menu 1 Day or Multiple Days; Single Event \$150 <input type="checkbox"/></p> <p>Temporary Food Service Establishment - Late Application</p> <p style="padding-left: 20px;">Received less than 2 weeks, more than 3 days before event \$25 <input type="checkbox"/></p> <p style="padding-left: 20px;">Received 3 days or less before event \$50 <input type="checkbox"/></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center; margin: 0;">OTHER FEES</p> <p>Late Application/Water Fee <i>(May be waived at TCHD discretion)</i> \$50 <input type="checkbox"/></p> <p>Late Application/Expedited Permit 3 days or less \$100 <input type="checkbox"/></p> <p style="color: red;">Duplicate Rabies Certificate <i>(multiple certificates per occurrence)</i> \$10 <input type="checkbox"/></p> <p>Waiver/Variance Request <i>(Requiring Board of Health Action)</i> \$75 <input type="checkbox"/></p> <p>Waiver from NYS Appendix 75-A (OWTS) \$75 <input type="checkbox"/></p> <p style="padding-left: 20px;"><i>(Unless due to TCHD referral)</i></p> <p>Copies <i>(Cost per page)</i> \$0.25 <input type="checkbox"/></p> <p style="color: red;">Electronic copies of oversized files <i>(up to 10 pages)</i> \$20 <input type="checkbox"/></p> <p style="padding-left: 20px; color: red;">Each additional 10 pages \$10 <input type="checkbox"/></p> <p>Refund Request <i>(within 6 months of receipt)</i> \$25 <input type="checkbox"/></p> <p>Environmental Impact Statement Review \$25 <input type="checkbox"/></p> <p style="font-size: small;"><i>(Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)</i></p> </div>
TOTAL FEES - PAGE 1	
TOTAL FEES - PAGE 2	
TOTAL FEES DUE - PAGE 1 & 2	

Preparer/Date: _____
 pc: Support Staff

Notes:

1. A check mark indicates the fee applies to your facility. Fees are additive for all operations.
2. Checks should be made payable to: Tompkins County Health Department.
3. There will be a \$20 service charge on all returned checks.
4. Payment methods: check, cash, money order, or online w/credit card (Visa, MC, Discover).

Draft for BOH Review - May 2019

Table 2 - Environmental Health Division
Proposed Operating or Permit Fees Detail Sheet 2020

PROGRAM	FEES			# FACILITIES				STAFF TIME (days)		COST PER FACILITY			PROGRAM COST		REVENUE		REVENUE / PROGRAM COST	
	2020 PROPOSED	2019 FINAL	2018 FINAL	2020-EST TOTAL	2020-EST INVOICED	2018 TOTAL	2018 INVOICED	2020 ESTIMATE	2018 FINAL	2020-EST TOTAL	2020-EST INVOICED	\$2,018 FINAL	\$2,020 ESTIMATE	\$2,018 FINAL	\$2,020 ESTIMATE	\$2,018 FINAL	2020 ESTIMATE	2018 FINAL
FOOD SERVICE ESTABLISHMENTS (FSE)				613	488	622	486	555	554	\$501	\$629	\$631	\$307,036	\$306,477	\$179,030	\$172,015	0.58	0.56
High Risk	\$450	\$430	\$400	190	165	192	165	310	311	\$903	\$1,039	\$1,041	\$171,498	\$171,846	\$74,250	\$66,000	0.43	0.38
Medium Risk	\$375	\$375	\$375	320	230	323	227	205	206	\$354	\$493	\$502	\$113,410	\$113,902	\$86,250	\$85,125	0.76	0.75
Low Risk	\$210	\$235	\$235	95	85	99	86	40	37	\$233	\$260	\$241	\$22,129	\$20,729	\$17,850	\$20,210	0.81	0.97
Additional Mobile Unit/Puch Cart	\$85	\$85	\$85	8	8	8	8								\$680	\$680		
TEMPORARY FOOD SERVICE				350	120	353	118	155	153	\$245	\$715	\$715	\$85,749	\$84,405	\$14,500	\$14,995	0.17	0.18
Simple Menu 1 Day Event	\$65	\$65	\$65	210	25	210	23	90	90	\$237	\$1,992	\$2,165	\$49,790	\$49,790	\$1,625	\$1,495	0.03	0.03
Simple Menu Multiple Events	\$100	\$100	\$100	135	90	138	90	60	59	\$246	\$369	\$364	\$33,193	\$32,719	\$9,000	\$9,000	0.27	0.28
Complex Menu Single Event	\$150	\$150	\$150	5	5	5	5	5	3	\$553	\$553	\$379	\$2,766	\$1,897	\$750	\$750	0.27	0.40
Late Application < 2 weeks, > 3days	\$25	\$25	\$25	100	100	103	96								\$2,500	\$2,400		
Late Application 3 days or <	\$25	\$25	\$50	25	25	27	27								\$625	\$1,350		
TEMPORARY RESIDENCE	\$175	\$150	\$150	33	33	33	33	70	69	\$1,173	\$1,173	\$1,164	\$38,725	\$38,399	\$13,087	\$12,150	0.34	0.32
Per unit/site	\$3.50	\$3.50	\$3.50	2,089	2,089	2,089	2,057								\$7,312	\$7,200		
CAMPGROUNDS	\$150	\$140	\$140	10	10	10	10	35	33	\$1,936	\$1,936	\$1,851	\$19,363	\$18,511	\$3,582	\$3,103	0.18	0.17
Per unit/site	\$2.75	\$2.25	\$2.25	757	757	757	757								\$2,082	\$1,703		
MOBILE HOME PARKS	\$150	\$150	\$150	41	41	41	42	50	50	\$675	\$675	\$660	\$27,661	\$27,700	\$13,192	\$14,333	0.48	0.52
Per unit/lot	\$3.50	\$3.50	\$3.50	2,012	2,012	2,012	2,295								\$7,042	\$8,033		
AGRICULTURAL FAIRGROUND	\$400	\$400	\$360	1	1	1	1	5	5	\$2,766	\$2,766	\$2,705	\$2,766	\$2,705	\$400	\$360	0.14	0.13
MASS GATHERING (NEW)	\$4,100	\$4,100	\$4,100	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
MASS GATHERING (EXISTING)	\$2,000	\$1,650	\$1,650	1	1	1	1	31	30	\$16,893	\$16,893	\$16,799	\$16,893	\$16,799	\$2,000	\$1,650	0.12	0.10
CHILDREN'S CAMPS	\$200	\$200	\$200	35	4	35	4	110	108	\$1,739	\$15,213	\$14,872	\$60,854	\$59,488	\$800	\$800	0.01	0.01
SWIMMING POOLS/BATHING BEACHES	\$335	\$335	\$335	60	59	59	54	135	131	\$1,245	\$1,266	\$1,343	\$74,684	\$72,521	\$19,765	\$18,090	0.26	0.25
PUBLIC WATER SYSTEMS				152	147	152	143	570	573	\$1,181	\$1,221	\$1,265	\$179,514	\$180,942	\$28,690	\$28,270	0.16	0.16
Community Groundwater System	\$200	\$200	\$200	86	86	86	86	500	503	\$1,828	\$1,828	\$1,850	\$157,194	\$159,086	\$17,200	\$17,200	0.11	0.11
Community Surface Water System	\$1,800	\$1,800	\$1,800	3	3	3	3	10	10	\$1,053	\$1,053	\$1,053	\$3,160	\$3,160	\$5,400	\$5,400	1.71	1.71
Non-Community Water System	\$105	\$105	\$105	63	58	63	54	60	59	\$304	\$330	\$346	\$19,160	\$18,695	\$6,090	\$5,670	0.32	0.30
ON-SITE WASTEWATER SYSTEMS (OWTS)				215	195	211	197	690	696	\$1,775	\$1,958	\$1,955	\$381,720	\$385,206	\$72,725	\$73,660	0.19	0.19
New Construction/Conversion	\$425	\$425	\$425	110	100	108	102	355	356	\$1,785	\$1,964	\$1,933	\$196,392	\$197,167	\$42,500	\$43,375	0.22	0.22
Replacement System	\$335	\$335	\$335	90	80	87	81	285	287	\$1,752	\$1,971	\$1,961	\$157,667	\$158,829	\$26,800	\$27,135	0.17	0.17
Septic Tank/Pump Chamber Replacement	\$105	\$105	\$105	15	15	16	14	50	53	\$1,844	\$1,844	\$2,086	\$27,661	\$29,210	\$1,575	\$1,470	0.06	0.05
Holding Tank Permit Renewal	\$50	\$50	na	5	5	na	na								\$250	na		
Permit Transfer/Renewal	\$80	\$80	\$80	15	15	17	17								\$1,200	\$1,360		
Application Transfer/Renewal	\$80	\$80	\$80	5	5	4	4								\$400	\$320		
OPERATING PERMITS													\$1,109,217	\$1,108,747	\$347,770	\$339,425	0.31	0.31
PLAN REVIEWS															\$22,415	\$26,435		
OTHER REVENUE															\$21,475	\$38,804		
TOTAL OPERATING, PERMIT, PLAN REVIEW AND OTHER FEES													\$1,791,519	\$391,660	\$404,664	0.22	0.23	
ESTIMATED OFFICIAL PAYMENTS CREDIT CARD PROCESSING COST													\$1,850	\$1,651				
TOTAL ALL ENVIRONMENTAL HEALTH PROGRAM FEES													\$389,810	\$403,013	0.22	0.22		

NOTES:

2018 EH Annual Cost & Staff Time \$1,791,519.00 3238.4 Staff Cost = \$553.22 per day \$79.03 per hr
 2017 EH Annual Cost & Staff Time \$1,739,419.00 3312.2 Staff Cost = \$525.16 per day \$75.02 per hr
 2016 EH Annual Cost & Staff Time \$1,596,354.00 3225.5 Staff Cost = \$494.92 per day \$70.70 per hr
 PWS - Surface Water Staff Time is calculated by facility only. This is an underestimate of the total program costs.
 2018 Revenue Submitted through Official Payments \$59,377.00 15% of total revenue

Draft for BOH Review - May 2019
Table 4 - Environmental Health Division
Estimated vs Actual Revenue and Expenses

YEAR	ACTUAL			ESTIMATED			ACT REV / EST REV	ACT EXP / EST EXP
	REVENUE	EXPENSE	REV / EXP	REVENUE	EXPENSE	REV / EXP		
2014	\$364,311	\$1,650,820	22%	\$338,669	\$1,741,256	19%	108%	95%
2015	\$380,593	\$1,567,839	24%	\$348,977	\$1,821,928	19%	109%	86%
2016	\$388,791	\$1,596,354	24%	\$358,974	\$1,650,820	22%	108%	97%
2017	\$397,275	\$1,739,419	23%	\$373,683	\$1,567,839	24%	106%	111%
2018	\$403,013	\$1,791,519	22%	\$373,356	\$1,596,354	23%	108%	112%



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

Date: May 17, 2019
Memo to: Members of the Tompkins County Board of Health
From: C. Elizabeth Cameron, P.E., Director of Environmental Health *ECAM*

Subject: TCHD Discretion to Waive OWTS Replacement Application Fee – Early OWTS Failure

An Onsite Wastewater Treatment System (OWTS) permit application fee is required for all replacement OWTS. Currently, the Environmental Health Division assesses an \$335 fee for the Construction Permit for replacement systems.

A situation that is occasionally encountered by the OWTS Program is a premature failure of a newly installed OWTS. For example, on October 23, 2017, a Certificate of Completion was issued for a sewage system that was designed by a private engineer for 319 Lake Rd, Dryden, NY 13053. The system was put into operation and quickly failed. The failure could have been the result of poor installation practices by the contractor, neglect by the engineer or some type of other unknown circumstance. Situations like the issues at 319 Lake Rd. happen relatively infrequently and are a financial burden on the home owner. The owner of 319 Lake Rd, Dryden has requested a waiver from the fee.

In addition to waiving the fee for the owner of 319 Lake Road in Dryden, the Environmental Health Division would like to be able to waive the replacement fee, at our discretion, in cases where an OWTS fails within 2 years of its initial installation. This would allow the Department to use its professional discretion in determining when it is appropriate to issue a waiver from the \$335 OWTS Construction Permit Replacement fee when premature failure occurs.

We request the Board's approval for TCHD discretion for these situations. Thank you for your consideration of this request.

Attachment: 2019 fee schedule

F:\EH\SEWAGE (SSW)\Procedures (SSW-1P)\BOH request for discretion - Early Failure Replacement Application Fee.docx



ENVIRONMENTAL HEALTH DIVISION

55 Brown Road, Ithaca, NY 14850

Ph: (607) 274-6688; Fx: (607) 274-6695

On-line Services - <https://permits.tompkins-co.org/CitizenAccess/>

Effective January 1, 2019

FACILITY: _____

OWNER: _____

2019 WATER SYSTEM OPERATING, ON-SITE WASTEWATER TREATMENT, AND DEVELOPMENT FEES

On-Site Wastewater Treatment System Construction Permit

New Construction/Conversion	\$425	<input type="checkbox"/>
w/ Engineering Plans; no Site Evaluation	\$325	<input type="checkbox"/>
Replacement System	\$335	<input type="checkbox"/>
w/ Engineering Plans; no Site Evaluation	\$235	<input type="checkbox"/>
Septic Tank/Pump Chamber Replacement	\$105	<input type="checkbox"/>
Holding Tank Initial Permit & Plan Review	\$160	<input type="checkbox"/>

OWTS Permit/Application Renewal or Transfer

Permit Renewal (may be renewed 1x prior to expiration)	\$80	<input type="checkbox"/>
Permit Transfer (prior to expiration)	\$80	<input type="checkbox"/>
Application Renewal (may be renewed 1x prior to expiration)	\$80	<input type="checkbox"/>
Application Transfer (prior to expiration)	\$80	<input type="checkbox"/>
Holding Tank Permit Renewal	\$50	<input type="checkbox"/>

On-Site Wastewater Treatment System Plan Review

by Design Professional

0 - 499 gpd design rate	\$210	<input type="checkbox"/>
500 - 999 gpd design rate	\$260	<input type="checkbox"/>
1,000 - 1,999 gpd design rate	\$375	<input type="checkbox"/>
2,000+ gpd design rate	\$600	<input type="checkbox"/>

Collector Sewer - 6" and larger (DEC & Health Dept Projects)

< 5,000'	\$150	<input type="checkbox"/>
> 5,000'	\$250	<input type="checkbox"/>

Preliminary Development Review (where soil testing is required)

(Preliminary Development fees are applied to the Realty Subdivision fee upon full plan submittal when submitted within 12 months)

Realty Subdivision Development Review

Plus \$12.50 per lot NYS filing fee	\$800	<input type="checkbox"/>
Add \$35 per lot with individual water		<input type="checkbox"/>
Add \$55 per lot with individual sewage		<input type="checkbox"/>
(Subtract Preliminary Development fees paid)	-	<input type="checkbox"/>

Realty Subdivision Approval Renewal

\$200

Other Engineering Review

(May be waived at TCHD discretion) \$160

TOTAL FEES - PAGE 2

Preparer/Date: _____

pc: Support Staff

Water System Operating Fee

Community Water System (with sources)

Groundwater System	\$200	<input type="checkbox"/>
Surface Water System	\$1,800	<input type="checkbox"/>

Non-Community Water System (with sources)

Bottled/Bulk Haulers, Ice Plants \$105

Water System Construction Permit and Plan Review

Community Water System (Part 5, NYSSC)

\$450

Non-Community Public Water System

\$210

Distribution Water Main - 6" or larger

< 5,000' \$300

> 5,000' \$400

Cross-Connection Control

\$160 plus \$50/device

Water Storage Tank > 500,000 gal

\$230

Other Water System Modification

(May be waived at TCHD discretion) \$160

OTHER FEES

Late Application/Water Fee (May be waived at TCHD discretion) \$50

Late Application/Expedited Permit 3 days or less \$100

Duplicate Rabies Certificate (multiple certificates per occurrence) \$10

Waiver/Variance Request (Requiring Board of Health Action) \$75

Waiver from NYS Appendix 75-A (unless due to TCHD referral) \$75

Copies (Cost per page) \$0.25

Electronic copies of oversized files (up to 10 pages) \$20

Each additional 10 pages \$10

Sanitary Codes \$1.00

Refund Request (within 6 months of receipt) \$25

Environmental Impact Statement Review

(Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)

Notes:

1. A check mark indicates the fee applies to your facility. Fees are additive for all operations.
2. Checks should be made payable to: Tompkins County Health Department.
3. There will be a \$20 service charge on all returned checks.
4. Payment methods: check, cash, money order, or online w/credit card (Visa, MC, Discover).



ENVIRONMENTAL HEALTH DIVISION

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Effective January 1, 2019

FACILITY: _____

OWNER: _____

2019 OPERATING PERMIT, PLAN REVIEW, AND OTHER FEES

Agricultural Fairground Operating Permit	\$400 <input type="checkbox"/>
Campground Operating Permit \$140 plus \$2.25 per unit/site	<input type="checkbox"/>
Campground Plan Review	\$200 <input type="checkbox"/>
Children's Camp Operating Permit	\$200 <input type="checkbox"/>
Mass Gathering Operating Permit* (New Event Per day)	\$4,100 <input type="checkbox"/>
Mass Gathering Operating Permit* (Existing Event) <i>(*Plus \$80 per staff/hr for incident response, if needed)</i>	\$1,650 <input type="checkbox"/>
Mass Gathering Plan Review (New Event)	\$6,100 <input type="checkbox"/>
Mass Gathering Plan Review (Existing Event)	\$2,250 <input type="checkbox"/>
Mobile Home Park Operating Permit \$150 plus \$3.50 per unit/lot	<input type="checkbox"/>
Mobile Home Park Plan Review \$460 plus \$30 per unit/lot	<input type="checkbox"/>
Recreational Aquatic Facility Operating Permit	
Swimming Pool/Bathing Beach	\$335 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility	\$360 <input type="checkbox"/>
Recreational Aquatic Facility Plan Review	
Swimming Pool/Bathing Beach/Other Aquatic Facility Up to 5,000 square feet	\$360 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility Over 5,000 square feet	\$770 <input type="checkbox"/>
Temporary Residence Operating Permit \$150 plus \$3.50 per unit/site	<input type="checkbox"/>

Food Service Establishment Operating Permit	
High Risk	\$430 <input type="checkbox"/>
Medium Risk	\$375 <input type="checkbox"/>
Low Risk	\$235 <input type="checkbox"/>
Additional Mobile Unit	\$85 <input type="checkbox"/>
Food Service Establishment Plan Review	
High & Medium Risk	\$210 <input type="checkbox"/>
Low Risk	\$150 <input type="checkbox"/>
Push Cart	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Simple Menu	
1 Day Event	\$65 <input type="checkbox"/>
Multiple Events; Consecutive or Non-Consecutive Days <i>(up to 8 days in 120 days)</i>	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Complex Menu	
1 Day or Multiple Days; Single Event	\$150 <input type="checkbox"/>
Temporary Food Service Establishment - Late Application	
Received less than 2 weeks, more than 3 days before event	\$25 <input type="checkbox"/>
Received 3 days or less before event	\$50 <input type="checkbox"/>

OTHER FEES

Late Application/Water Fee <i>(May be waived at TCHD discretion)</i>	\$50 <input type="checkbox"/>
Late Application/Expedited Permit 3 days or less	\$100 <input type="checkbox"/>
Duplicate Rabies Certificate <i>(multiple certificates per occurrence)</i>	\$10 <input type="checkbox"/>
Waiver/Variance Request <i>(Requiring Board of Health Action)</i>	\$75 <input type="checkbox"/>
Waiver from NYS Appendix 75-A <i>(unless due to TCHD referral)</i>	\$75 <input type="checkbox"/>
Copies <i>(Cost per page)</i>	\$0.25 <input type="checkbox"/>
Electronic copies of oversized files <i>(up to 10 pages)</i>	\$20 <input type="checkbox"/>
Each additional 10 pages	\$10 <input type="checkbox"/>
Sanitary Codes	\$1.00 <input type="checkbox"/>
Refund Request <i>(within 6 months of receipt)</i>	\$25 <input type="checkbox"/>
Environmental Impact Statement Review	
<i>(Where Tompkins County is the lead Agency fee assessed as allowed by GNYCRR 617.7)</i>	

Notes:

1. A check mark indicates the fee applies to your facility. Fees are additive for all operations.
2. Checks should be made payable to: Tompkins County Health Department.
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TOTAL FEES - PAGE 1 _____

TOTAL FEES - PAGE 2 _____

TOTAL FEES DUE - PAGE 1 & 2 _____

Preparer/Date: _____

pc: Support Staff



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Ph: (607) 274-6688
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ELECTRONIC MAIL

May 17, 2019

Kevin McCabe
Camp Comstock
1419 Taughannock Blvd.
Ithaca, NY 14850

**Re: Request for Approval of Waiver of Tompkins County Sanitary Code
Camp Comstock, Town of Ulysses**

Dear Kevin McCabe:

This office has received your request for a waiver of the Tompkins County Sanitary Code. Enclosed is a copy of the memo that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. This office is in support of this request. However, the Board of Health has final approval on granting waivers.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure- Memo to Members of the Tompkins County BOH date May 17, 2019

pc: F:\EH\TEMPORARY RESIDENCE (TR)\Facilities (TR-4)\Camp Comstock\Sewage\Waiver Cover Letter.docx
ec: Tompkins County Board of Health (via; Brittnei Griep, TCHD)
CEO T-Ulysses; Supervisor T-Ulysses; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa,
Public Health Director; Scott Freyburger; Adriel Shea; Anne Wildman; Skip Parr ; Shelley Comisi
scan: Signed copy to Accela (EH-OW-19-0056)

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

Memo to: Tompkins County Board of Health
From: Elizabeth Cameron, P.E. Director of Environmental Health
Date: May 17, 2019
Re: **Waiver to allow use of sewage holding tanks at Camp Comstock Lodge**

Request: That a waiver from S-6.06(f)(1) of the Tompkins County Sanitary Code (TCSC) be granted for the permanent installation and use of sewage holding tanks at the Girl Scout Camp, Comstock Adventure Center, at 1419 Taughannock Blvd, Ithaca, in the Town of Ulysses.

Discussion: Section 6.06(f)(1) states:

- 1) *Holding tanks for sewage may be approved only for temporary use, whether continuous or intermittent, and only with the written approval of the permit issuing official. Such permits shall be renewable as specified and at least annually. Such facility shall be maintained to comply with all provisions of this article, subject to permit revocation. The permit may include conditions designed to ensure against overload or overflow of such tanks. Holding tanks on recreational vehicles or boats and commercial portable toilets with holding tanks are excluded from this permit or approval requirement.*

Section 6.01(d) of the TCSC, states:

d. Waivers from Article VI of the Tompkins County Sanitary Code may be requested of the Tompkins County Board of Health where specific hardships or circumstances make it difficult to comply with Article VI and the waiver provides for an adequate level of public health and environmental protection.

The Girl Scouts of NYPenn Pathways has requested a waiver of § S-606(f)(1) in order to replace a decades-old grease trap/holding tank before it fails in use. The location of the kitchen, in the lodge building, is too close to the lakeshore to permit installation of a complete sewage system. The alternative would be to build a sewage system at the top of the bluff, approximately 80 feet above the lodge, and pump the wastewater up there for treatment. Since the campground is used for residential camps only for about 6 weeks every summer, and for occasional weekend use between May and October. Site constraints and other factors make this a hardship for the not-for-profit organization.

The Ranger, who is resident at the campground year-round, conducts twice-weekly inspections of the holding tanks at the kitchen and at the back of the lodge when the camp is occupied. A licensed sewage hauler is under contract to pump the tanks and transport the wastewater to a treatment plant. In addition, float alarms will provide an audible signal if the tank levels reach 75% of capacity. The Environmental Health Division believes this management plan would provide for an equivalent level of public health and environmental protection. If this waiver were granted, the permit would comply with all other provisions of S-6.06(f)(1), including the renewal of permits at least annually and the inclusion of permit conditions designed to ensure against tank overflow.

Attachment: Comstock Holding Tank Waiver Request

F:\EH\TEMPORARY RESIDENCE (TR)\Facilities (TR-4)\Camp Comstock\Sewage\Comstock Holding Tank Waiver Request.docx



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION

<http://www.tompkins-co.org/health/eh>

Ph: (607) 274-6688

Fx: (607) 274-6695

SEWAGE VARIANCE/WAIVER REQUEST FORM

Application must be received complete with fee, at least two weeks prior to the Board of Health meeting (meetings are held on the fourth Tuesday of every month). Be as detailed as possible; continue on reverse side or separate sheet if necessary.

Name: Kevin McCabe, Camp Comstock, Girl Scouts of NYPenn Pathways, Inc.

Address: 1419 Taughannock Blvd., Ithaca, NY 14850

Phone: (w) 315-698-9400 x2033, (c) 607-727-4384

Design Professional: Rick Carling, Clean Earth Sewer Solutions, 21 Leonard Rd., Spencer, NY 14883,
(w) 607-564-7931, (c) 607-738-8224

1. Location of property or facility involved: Record Number:
Facility: Camp Comstock Lodge Town/Village: Ulysses
Address: 1419 Taughannock Blvd., Ithaca, NY 14850

2. Tax Map Number: 18.-2-1

3. Waiver requested from ("quote specific rule/regulation"): TCSC Article VI § 6.06(f)(1), Holding Tanks

4. Background facts: The main lodge grease trap/holding tank has been in place and working for many years. There is a concern that it could fail at any time and the organization believes it would be prudent to replace it before the camping season starts in July. Given the location of the lodge at the base of a steep hill NW of Crowbar Point, there simply is no room for a full dispersion field next to the lodge while maintaining an adequate distance from the shoreline. Creating a sewage system and dispersion field would require pumping the effluent ~80 feet vertically up a steep rocky hillside. An initial estimate for a completely new sewage system with pumps and a full field was at least \$25,000. The financial impact this would have on the Girl Scouts, especially with our limited use of the facility, would be prohibitive for our non-profit organization. We believe that a waiver allowing us to maintain a 1,000-gallon holding tank is the only way we can proceed effectively.

5. Discussion (describe detailed reason why your situation needs relief; how you intend to meet the intent of the Code; what alternatives you have tried; what compromises or restrictions you would accept): The lodge kitchen, where the holding tank will be used, only sees regular use 6 weeks out of the year with a maximum of 170 campers per week. The lodge is not heated and has surface-piped running water only from May 15th through September 21st. It, therefore, typically does not see use between October 1st and April 30th. During our 6-week resident camp in July

Inclusion Through Diversity

and August, the on-site ranger performs a physical inspection of every tank and outhouse fill-level twice-weekly and schedules septic pumping and hauling services accordingly. The ranger maintains a full-time residence at the camp year-round. We have historically operated under this waste management plan to protect the public health and the environment from the dangers of exposure to infectious and other disease-causing agents. Our clean water quality records provide a positive example of our efforts. An audible alarm will be installed on the new tank to alert the ranger if the tank needs attention outside of our normal maintenance schedule. We are also contracted to install a second audible alarm on the 1,000-gallon holding tank already in place that services the single toilet at the main lodge.

Signature: 

Date: 5/14/2019



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

ELECTRONIC MAIL

May 17, 2019

Matt Connolly
North Lansing Enterprises
Auburn Road
Groton, NY 13073

**Re: Request for Waiver of Annual Water Operating Fee
North Lansing Enterprises, Town of Lansing**

Dear Matt Connolly:

This office has received your request for a waiver of the annual water operating fee for public water systems. Enclosed is a copy of the memo that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. This office is in support of this request. However, the Board of Health has final approval on granting waivers.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure– Memo to Members of the Tompkins County BOH date May 17, 2019

ec: Tompkins County Board of Health (via; Brittney Griep, TCHD)
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Adriel Shea;
Chris Laverack; Skip Parr; Shelley Comisi
scan: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\North Lansing Ent. 10 PWS



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION

<http://www.tompkins-co.org/health/eh>

Ph: (607) 274-6688

Fx: (607) 274-6695

Date: May 17, 2019
Memo to: Members of the Tompkins County Board of Health
From: C. Elizabeth Cameron, P.E., Director of Environmental Health
Subject: Request to Waive Ground Water System Operating Fee

Matt Connolly is requesting that the 2019 groundwater system operating fee of \$200 be waived for North Lansing Enterprise due to financial hardship. The Division received an email request from Matt Connolly outlining the financial constraints due to aging infrastructure on March 18, 2019 (see attached).

North Lansing Enterprises is a "community-owned" public water supply that currently serves six connections including a fire hall. The number of service connection has steadily declined over the years as property owners have been drilling their own wells and leaving the system. In 2002, there were approximately eleven residences and the fire department connected to the system. A schematic of the distribution system layout showing the current number of service connection is also attached.

We are in support of the water system operating fee being waived for 2019. However, North Lansing Enterprises needs to develop a plan to maintain its operational viability and be able to pay the operational fee to the Health Department in 2020 and beyond if it is decided that they are going to operate as a public water supply with five service connections or more.

Attachments: Email copy of Waiver Request and Schematic of North Lansing Enterprises

F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\North Lansing Ent. 10 PWS\Fee Waiver Request.docx

Skip Parr

Subject: RE: Annual operating fee

From: Matt Connolly <mattjlc@icloud.com>

Sent: Tuesday, April 16, 2019 9:51:00 PM

To: Chris Laverack

Cc: Elizabeth Cameron; Adriel Shea; Skip Parr

Subject: Re: Annual operating fee

Hi, Chris,

Thanks for following up with this. We can certainly write up whatever documentation might be needed and present it to the Board. To answer your questions in brief:

1) We have had discussions about the future of the system but have not yet come up with a solid plan. We're currently looking at possible means of repair or replacement of the line (see #4 below). We have a new homeowner in the system who is very optimistic about the idea of completely replacing the water lines, but that would entail overcoming many logistical challenges — not least being the fact that the current lines run through the property of several non-members who are not enthusiastic about letting us tear up their yards.

We've also discussed the possibility of throwing in the towel and drilling private wells. However, residents here actually do have trouble finding a good water source when drilling; and since the two wells that we have do provide good, clean water already, it would be a shame to have to abandon them. I'd consider that a last resort.

2) I do not believe that the fire hall has left the system yet, but we heard last year that they want to do so and have plans to drill a well. Not counting them, we're down to five connections (two of which are owned by one customer). I believe that puts us right on the cusp of not being a regulated system at all?

3) The cost of repair for a single incident over the past couple of years has roughly balanced our annual assessment from the members. Prior to that, though, there were emergency repairs that were paid for out of pocket by one of the members. In a true emergency that could be done again — but as I mentioned, the group is currently several thousand dollars in debt for that very reason; we don't have the funds to repay the personal expenditures.

4) I did speak to someone from the NY Rural Water Association. He told me that our group doesn't meet the definition of a public water supply as defined by the US Safe Drinking Water Act, and thus we would not qualify for USDA rural development funding unless we were to become an official town water district. He suggested instead that we might be able to obtain funding through the Drinking Water State Revolving Fund, which I'm now looking into. Even there, though, it appears that most of the funds come in the form of loans, which we might well not be able to repay.

Thanks again.

Best wishes,

Matt

On Apr 11, 2019, at 3:18 PM, Chris Laverack <claverack@tompkins-co.org> wrote:

Hello again Matt-

I have not heard from you from my last e-mail, but wanted to provide additional information.

It may be best to ask for your fee waiver in writing to us and we can provide this and additional information to the Board.

Could you please make your best attempt to answer the following.

- 1- Is there discussions among your water users about long term plans if the current situation has become unsustainable?
- 2- Has the fire house disconnected? How many customers are currently on the system?
- 3- If a repair of significant cost occurs, How will in be currently be paid for?
- 4- I believe you reached out to New York Rural Water to discuss the funding options, what was the out come of this?

Our department is in support of waiving your operator fee, but we need to properly present your situation to the Board of Health.

Thank you, Chris Laverack

From: Matt Connolly <mattjlc@icloud.com>
Sent: Monday, March 18, 2019 8:41 PM
To: Chris Laverack
Cc: tceh
Subject: Annual operating fee

North Lansing Enterprises
Auburn Road
Groton, NY 13073

Hi, Chris,

I wasn't sure whom to direct this request to, so could you please forward it to the appropriate person?

I am writing to request that the annual operating fee of \$200 be waived for North Lansing Enterprises. The simple truth is that we can't afford to pay it. Our bank account has shrunk to the point that we held a special meeting a few months ago to figure out whether we'd be able to pay our electric bill for all of 2019. We will be receiving a bit of income soon for our standard yearly usage fee from our members, but we desperately need that to build up a small buffer against future repairs to our aging water lines. As things stand now, a breakdown or leak of any significant size could be catastrophic.

On top of all this, NLE is several thousand dollars in debt for past repairs and expenses.

For these reasons, I am hoping that the Health Department can waive the annual fee for us this year. A \$200 expense would simply further strain our already precarious financial situation.

Thank you,

Matt Connolly

G. Layout Sketch

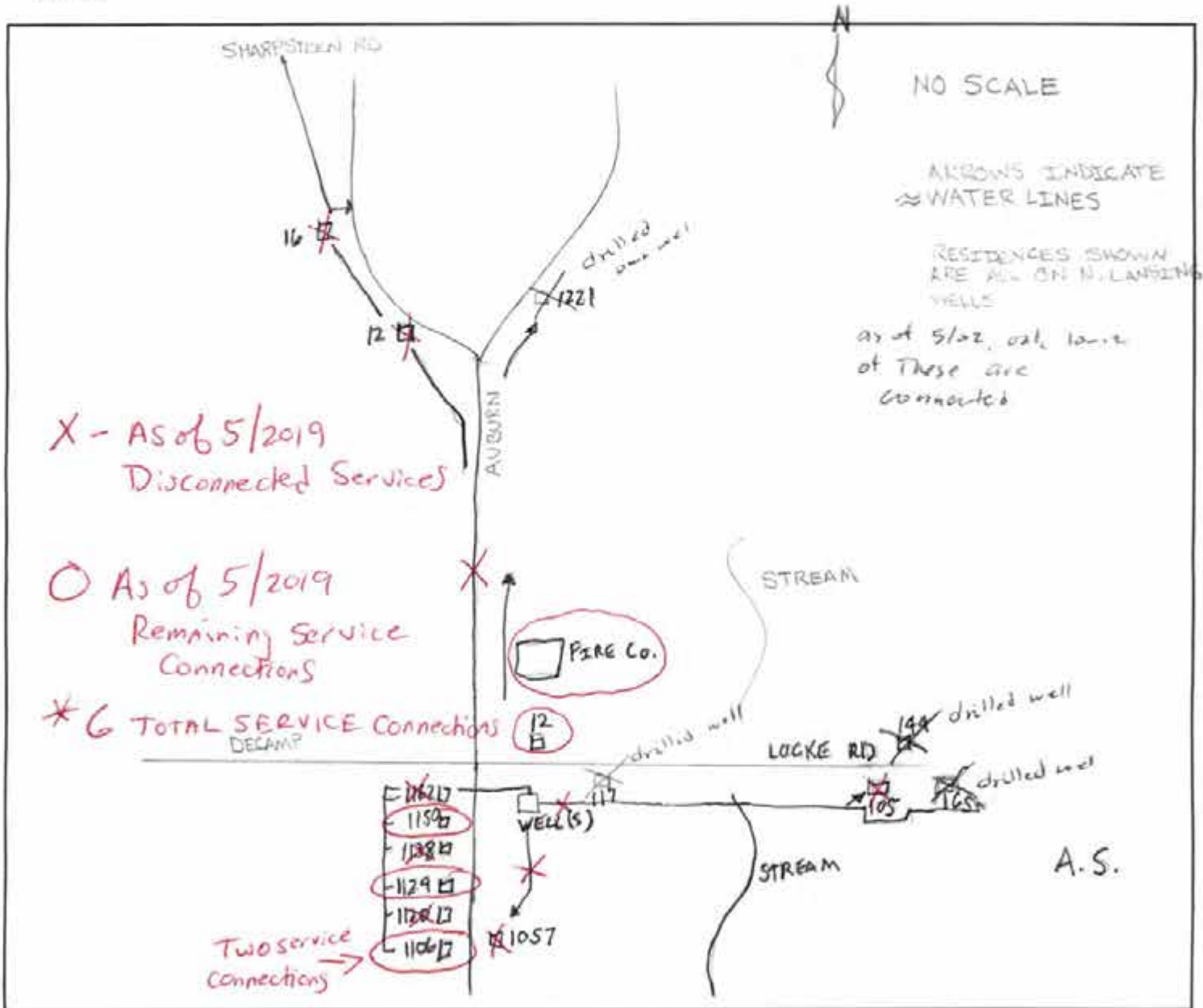
Place North arrow on the map.

Show all buildings, indicate height of building in stories; if building has an interior corridor, put a "#" next to the number of stories.

Document the location and distance of the following features from each building and water supply source:

- septic or sewage system components
- streams or other surface water
- manure piles
- waste lagoons
- storm and sanitary sewers
- drainage swales and ditches
- fuel storage
- pool and beaches
- parking lots (specify surface type)
- property lines
- roads
- other sources of microbial contamination (specify)
- other sources of chemical contamination (specify)

If possible, document predominant slope of land at site showing surface features relative to water source and potential contaminant sources.



10 or 11 residences at system as of 2002



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
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Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 24, 2019

Jodi Metcalf
Bun Appetit Bakery
215 Main Street
Groton, NY 13073

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0009
Bun Appetit Bakery, Food Service Establishment, V-Groton**

Dear Jodi Metcalf:

Thank you for signing the Stipulation Agreement on April 8, 2019, for Bun Appetit Bakery.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Bun Appetit Bakery\Enforcement\2019\Draft Res 19-0009.docx
ec: Tompkins County Board of Health (via; Brittnei Griep; Shelley Comisi, TCHD)
CEO V-Groton; Mayor V-Groton; Glenn Morey, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of
Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # EH-ENF-19-0009

**Bun Appetit Bakery
Jodi Metcalf, Owner
215 Main St., V-Groton
Groton, NY 13073**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to store potentially hazardous foods under refrigeration; **and**

Whereas, on January 3, 2019, the Tompkins County Health Department (TCHD) observed approximately six sausage patties and approximately one pound of cheese at temperatures between 56°F and 65°F. These items were initially observed on the countertop when the inspector arrived for the inspection; **and**

Whereas, during a re-inspection on February 22, 2019, TCHD staff observed a repeat critical violation where sausage patties were stored on the counter by the grill at temperatures between 49°F and 51°F; **and**

Whereas, Jodi Metcalf, Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 8, 2019, agreeing that Bun Appetit violated this provision of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Jodi Metcalf, Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Store potentially hazardous food under refrigeration at or below 45°F except during necessary preparation; **and**
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
57 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscounty.ny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0009

**Bun Appetit Bakery
Jodi Metcalf, Owner
215 Main St., V-Groton
Groton, NY 13073**

I, Jodi Metcalf, as a representative for Bun Appetit Bakery, agree that on January 3, 2019, and February 22, 2019, Bun Appetit Bakery was in violation of Subpart 14-1 of the New York State Sanitary Code (NYSSC) for failure to store potentially hazardous foods under refrigeration.

I agree to pay a penalty not to exceed \$400 for these violations following adoption of a resolution by the Board of Health. *(Do not submit penalty payment until notified by the Tompkins County Health Department.)*

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Store potentially hazardous food under refrigeration at or below 45°F except during necessary preparation; **and**
2. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed: Jodi Metcalf Date: 4-8-19

Jodi Metcalf is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Frank Kruppa Date: 4/11/18
Frank Kruppa
Public Health Director



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0009

**Bun Appetit Bakery
Jodi Metcalf, Owner
215 Main St., V-Groton
Groton, NY 13073**

April 2019

Date	Action
04/11/2019	TCHD received the signed stipulation agreement from Bun Appetit via email.
04/02/2019	TCHD received email from Jodi Metcalf stating she would send in signed stipulation agreement.
03/26/2019	TCHD received phone call from Jodi Metcalf. The enforcement process was discussed over the phone because she was unavailable to meet for an office conference. She indicated she needed time to consider what she was going to do.
03/25/2019	Stipulation agreement sent by TCHD. Office Conference scheduled for April 9 th .
02/22/2019	Re-inspection by TCHD. Violation: One critical violation cited. See attached inspection report for more information.
01/03/2019	Inspection by TCHD. Violation: One critical violation cited. See attached inspection report for more information.
01/23/2018	Inspection by TCHD. No violations were cited.
03/18/2017	Inspection by TCHD. No violations were cited.
03/21/2016	Re-inspection by TCHD. Critical violation cited on 2/04/2016 was corrected. No violations observed.
02/04/2016	Inspection by TCHD. Violation: One critical violation cited for cooked/prepared food subject to cross-contamination from raw foods.
02/11/2015	Inspection by TCHD. No violations were cited.
02/19/2014	Re-inspection by TCHD. Critical violation cited on 1/20/2014 was corrected. No violations observed.
01/30/2014	Inspection by TCHD. Violation: One critical violation cited for potentially hazardous food not kept at or below 45°F during cold holding.
10/08/2010	Permit to Operate issued to Jodi Metcalf for Bun Appetit Bakery.

Inclusion Through Diversity

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tompkins-co.org

Food Service Establishment Inspection Summary Report

Operation: BUN APPETIT BAKERY (ID: 749337)
Facility Name: BUN APPETIT BAKERY
Facility Code: 54-AK27 Facility Email: yodah25@yahoo.com
Facility Address: 215 Main Street, Groton, NY 13073

To the Attention of:

Jodi Metcalf
539 Pleasant Valley Rd
Groton, NY 13073
Email: yodah25@yahoo.com

Inspection

Date: January 3, 2019 11:25 AM
Inspector: Rene Borgella (rborgella@tompkins-co.org)
Responsible Person: Jodi Metcalf

Summary

Number of Public Health Hazards Found: 1
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed: Sausage patties (approximately 6 patties) at 65°F, shredded cheddar cheese (approximately 1/2 lb) at 63°F, and sliced American cheese (1/2 lb) at 56°F. Upon arrival, inspector noted that these items were on the countertop and moved into refrigerator while inspector washed hands. Interview with operator indicated that these items were set out for breakfast service some time earlier this morning, but could not definitely state what time they were moved out from refrigeration.

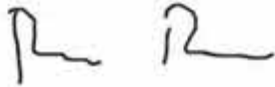
Correction: Operator voluntary discarded items during the inspection.

NO ADDITIONAL VIOLATIONS REPORTED

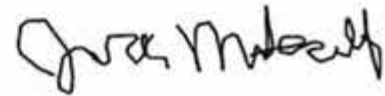
Additional Information Collected During Inspection

Comments: Part 1: One critical violation observed
Part 2: No violations observed

reinspection required



Inspector: Rene Borgella (rborgella@tompkins-co.org)



Received by: Jodi Metcalf

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tom-pkins-co.org

Food Service Establishment Inspection Summary Report

Operation: BUN APPETIT BAKERY (ID: 749337)
Facility Name: BUN APPETIT BAKERY
Facility Code: 54-AK27 Facility Email: yodah25@yahoo.com
Facility Address: 215 Main Street, Groton, NY 13073

To the Attention of:

Jodi Metcalf
539 Pleasant Valley Rd
Groton, NY 13073
Email: yodah25@yahoo.com

Re-Inspection

Date: February 22, 2019 12:46 PM
Inspector: Rene Borgella (rborgella@tom-pkins-co.org)
Responsible Person: Ryan Hayes

Summary

Number of Public Health Hazards Found: 1
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed: Cooked sausage patties on counter by grill were at 49-51°F. interview with operator indicated that they were not sure of the time they had been placed out for service.

Correction: Operator voluntarily discarded item during the inspection.

action: Potential hazardous foods must be stored under refrigeration at 45°F or below except during necessary preparation

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: Critical violation observed, repeat of previous violation
Part 2: No violations observed

Reinspection Required
Board of Health action to Follow



Inspector: Rene Borgella (rborgella@tompkins-co.org)



Received by: Ryan Hayes



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
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Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 6, 2019

Donn Sopp
Donnrob Realty, LLC.
PO Box 523
Cortland, NY 13045

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0011
Public Water Supply at 11 Ellis Drive, T-Dryden**

Dear Donn Sopp:

Thank you for signing the Stipulation Agreement on April 30, 2019, for the public water supply at 11 Ellis Drive in the Town of Dryden.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Subway - Dryden\Water\Enforcement\Draft Res 19-0011.docx
ec: Tompkins County Board of Health (via; Brittnei Griep, TCHD)
Sue Hamilton, Subway of Dryden; CEO T-Dryden; Supervisor T-Dryden; Michael Lane, TC Legislature; Garrett Cappon, NYSDOH; John Strepelis, P.E., NYSDOH; TCHD: Elizabeth Cameron, P.E.; Frank Kruppa, Public Health Director; Skip Parr, Brenda Coyle, Adriel Shea, Kristee Morgan, Shelley Comisi
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # EH-ENF-19-0011 FOR

**11 Ellis Drive
Donnrob Realty, LLC./Don Sopp, Owner/Operator
11 Ellis Drive
Dryden, NY 13053**

Whereas, operators of public water systems are required to comply with Subpart 5-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, 11 Ellis Drive is a public water system that regularly serves an average of at least 25 individual daily at least 60 days out of the year and includes a permitted food service establishment; **and**

Whereas, 11 Ellis Drive uses chlorination as disinfection for its ground water source; **and**

Whereas, Subpart 5-1.30(a) of the NYSSC requires the disinfectant residual concentration be maintained at all times; **and**

Whereas, on November 15, 2018, November 27, 2018, and March 1, 2019, the Tompkins County Health Department issued boil water orders to Donn Sopp because of failure to maintain an adequate chlorine residual; **and**

Whereas, Donn Sopp, Operator, signed a Stipulation Agreement with Public Health Director's Orders on April 30, 2019, agreeing that Donnrob Realty LLC. violated this provision of the NYSSC; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Donnrob Realty LLC., Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain acceptable free chlorine residuals **at all times** in Water Treatment System that serves the tenants at 11 Ellis Drive. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/l) and not more than 4.0 mg/l; **and**
3. Provide the Tompkins County Health Department (TCHD) with proof of purchase of an approved field DPD method test kit to measure free residual chlorine that has a minimum scale of 0.0 to 3.0 parts per million (ppm), with increments of 0.2 ppm from 0.0 to 1.0, and 0.5 ppm increments from 1.0 to 3.0, by May 3, 2019 (**Completed**); **and**
4. Collect free chlorine residuals daily using an approved field DPD test kit. The daily chlorine residuals collected must be recorded on the monthly operation reports and submitted to the TCHD by **the 10th day of the following month**; **and**
5. Comply with all the requirements of Subpart 5-1 of the NYSSC.



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0011

**11 Ellis Drive
Donnrob Realty, LLC./Don Sopp, Owner/Operator
11 Ellis Drive
Dryden, NY 13053**

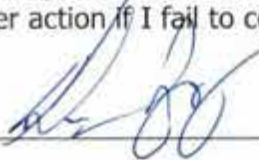
I, Donn Sopp, as a representative for Donnrob Realty LLC, agree that on November 15, 2018, November 27, 2018, and March 1, 2019, I was in violation of Subpart 5-1.30(a) of the NYSSC for not maintaining a free chlorine residual in the water system at 11 Ellis Drive which includes Dryden Subway; **and**

I agree to pay a penalty not to exceed \$400 for these violations following adoption of a resolution by the Board of Health. (**Do not** submit penalty payment until notified by the Tompkins County Health Department.)

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Maintain acceptable free chlorine residuals **at all times** in Water Treatment System that serves the tenants at 11 Ellis Drive. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/l) and not more than 4.0 mg/l; **and**
2. Provide the Tompkins County Health Department (TCHD) with proof of purchase of an approved field DPD method test kit to measure free residual chlorine that has a minimum scale of 0.0 to 3.0 parts per million (ppm), with increments of 0.2 ppm from 0.0 to 1.0, and 0.5 ppm increments from 1.0 to 3.0, by May 3, 2019; **and**
3. Collect free chlorine residuals daily using an approved field DPD test kit. The daily chlorine residuals collected must be recorded on the monthly operation reports and submitted to the TCHD by **the 10th day of the following month; and**
4. Comply with all the requirements of Subpart 5-1 and Subpart 14-1 of the NYSSC.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed:  Date: 4-30-19

Donn Sopp is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 4/30/19
Frank Kruppa
Public Health Director

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

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Fx: (607) 274-6695

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0011

11 Ellis Drive – Dryden Subway
Donnrob Realty, LLC./Donn Sopp, Owner/Operator
11 Ellis Drive
Dryden, NY 13053

May 2019

Date	Action
4/30/2019	Office conference held with Donn Sopp and TCHD. Enforcement process was discussed, operation of system was discussed and Mr. Sopp provided proof of an acceptable chlorine test kit. Stipulation agreement was signed.
4/16/2019	Stipulation agreement sent by TCHD to Donn Sopp. Office conference scheduled for 4/30/2019.
3/6/2019	TCHD staff made a site visit to the Subway restaurant and observed a free chlorine residual of 0.5 mg/L. The owner of the facility was present at the time of the site visit and was told by TCHD that the chlorine level was sufficient to take the bacteriological sample necessary to release the BWO. The sample was taken later that day. BWO released by TCHD.
3/5/2019	Field Visit to check Free Chlorine Levels by TCHD. Reading was below 0.2ppm
3/1/2019	Violation: Boil Water Order (BWO) issued by TCHD to the owner of the water system serving the Subway of Dryden due to no free chlorine residual. Boil Water Notices (BWN) provided to the restaurant.
12/17/2018	Field Visit to check Free Chlorine Levels. Reading was approximately 0.5ppm; MOR indicated that Free Chlorine Residual was 0.35ppm.
12/6/2018	Field Visit to check Free Chlorine Levels. Reading was 0.9 ppm; MOR indicated a Free Chlorine Residual for this day as 0.25ppm. BWO released by TCHD.
12/4/2018	Copy of laboratory report for a satisfactory total coliform result received.
11/27/2018	Field Visit to check Free Chlorine Levels. Violation: Reading was below 0.2 ppm. Boil Water Order issued by TCHD.
11/21/2018	BWO released by TCHD following satisfactory sampling results.
11/15/2018	Water system inspection performed by TCHD. Violation: No Free Chlorine Residual detected. BWO issued to the owner of the water system serving the Subway of Dryden. BWN provided to the restaurant.
2018	All sampling and monthly operating reports were received by TCHD.
The 11 Ellis Drive property is a public water supply that serves 25 or more people per day for more than 60 days a year. It is a small strip mall in the Village of Dryden with tenants that currently included Subway, a dog grooming business and one vacant store front. Ground water from a drilled well is treated with chlorine for disinfection.	



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

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CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 17, 2019

Barry Ford
Finger Lakes Marine Service
44 Marina Road
Lansing, New York 14882

**Re: Tompkins County Board of Health Draft Resolution #EH-ENF-19-0012
Finger Lakes Marine Service, T-Lansing**

Dear Mr. Ford:

Thank you for submitting the signed Stipulation Agreement on May 10, 2019, for Finger Lakes Marine Service.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures – Draft Resolution and Stipulation Agreement

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Finger Lakes Marine Services\Enforcement\2019\Draft Resolution 19-0012.docx
ec: Tompkins County Board of Health (via; Brittnei Griep, TCHD)
John Andersson, P.E.; Lansing CEO; Lansing Supervisor; Mike Sigler, TC Legislature; TCHD: Elizabeth Cameron, P.E.,
Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger; Adriel Shea; Ann Wildman;
Skip Parr; Brenda Coyle; Garrett Cappon, NYSDOH; John Streplis, P.E., NYSDOH
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-19-0012 FOR

**Finger Lakes Marine Service
Barry Ford, Owner
44 Marina Road
Lansing, New York 14882**

Whereas, operators of public water systems are required to comply with Subpart 5-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, Finger Lakes Marine Service (FLMS) is a public water system that regularly serves an average of at least 25 individuals daily and at least 60 days out of the year; **and**

Whereas, Subpart 5-1 of the NYSSC requires, at a minimum, disinfection of a ground water source by chlorination or other microbial contaminant treatment acceptable by the State; **and**

Whereas, FLMS operated a public water supply in 2017 and 2018, with Do Not Drink signage posted at all water spigots as required by the Tompkins County Health Department (TCHD) because adequate treatment was not provided; **and**

Whereas, TCHD approved plans for a water treatment system at FLMS on November 9, 2018, with the expectation that the system would be operational prior to the 2019 operation period; **and**

Whereas, on April 4, 2019, FLMS requested a 30-day extension to complete the system installation; **and**

Whereas, Barry Ford, Owner/Operator, signed a Stipulation Agreement with Public Health Director's Orders received on May 10, 2019, agreeing that Finger Lakes Marine Service violated this provision of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Barry Ford, Owner/Operator, is ordered to:**

1. Pay a penalty of \$500 for these violations, **due by July 15, 2019**. *This penalty will be waived if the Completed Works Approval is received by the TCHD by May 20, 2019. (Do Not submit penalty payment until notified by the Tompkins County Health Department.); and*
2. Immediately and until the Completed Works Approval is received by the Tompkins County Health Department (TCHD), comply with a Boil Water Order, if issued by TCHD; **and**
3. Install the water treatment system as per the plans approved by the TCHD on November 9, 2018, and submit acceptable preoperational water testing results. The Completed Works Approval must be submitted to TCHD **by May 20, 2019; and**

4. Submit completed monthly operation reports of daily free chlorine residual readings **by the 10th day of the following month** for every month of operation beginning in June 2019. During months that the Finger Lakes Marine Service is not in operation, it must be noted on the report that the marina was not open during the time period; **and**
5. Submit required sampling data in accordance with the 2019 sampling plan for Finger Lakes Marine Service; **and**
6. Pay the outstanding water system operating fee in the amount of \$155 by June 14, 2019 **(completed 5/10/19); and**
7. Comply with all the requirements of Subpart 5-1 of the NYSSC.



Your Partner for a Healthy Community

RECEIVED

MAY 10 2019

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

TOMPKINS COUNTY
HEALTH DEPARTMENT

Ph: (607) 274-6688
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STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0012

**Finger Lakes Marine Service
Barry Ford, Owner
44 Marina Road
Lansing, New York 14882**

I, Barry Ford, as the owner of Finger Lakes Marine Service, agree that the Finger Lakes Marine Service was in violation of Subpart 5-1.30 of the New York State Sanitary Code during the 2018 season for operating a public water supply without providing adequate treatment, and, unless approved water treatment is installed prior to opening, will be in violation for the start of the 2019 season.

I agree to pay a penalty, not to exceed \$500 for these violations, following adoption of a resolution by the Tompkins County Board of Health. (**Do not submit penalty payment until notified by the Tompkins County Health Department.**). The penalty will be waived if the Completed Works Approval (Item #2) is received by the Tompkins County Health Department by May 20, 2019.

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Immediately and until the Completed Works Approval is received by the Tompkins County Health Department (TCHD), comply with a Boil Water Order, if issued by TCHD; **and**
2. Install the water treatment system as per the plans approved by the TCHD on November 9, 2018, and submit acceptable preoperational water testing results. The Completed Works Approval must be submitted to TCHD **by May 20, 2019; and**
3. Submit completed monthly operation reports of daily free chlorine residual readings **by the 10th day of the following month** for every month of operation beginning in June 2019. During months that the Finger Lakes Marine Service is not in operation, it must be noted on the report that the marina was not open during the time period; **and**
4. Submit required sampling data in accordance with the 2019 sampling plan for Finger Lakes Marine Service; **and**
5. Pay the outstanding water system operating fee in the amount of \$155 **by June 14, 2019; and**
6. Comply with all the requirements of Subpart 5-1 of the NYSSC.

I understand this agreement is offered as an alternative to a formal administrative hearing and that Finger Lakes Marine Service will be subject to further action, including monetary penalties, if I fail to comply with the orders.

Signed: Barry Ford Date: 4/6/19

Barry Ford is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Brenda L. Bennett-Crosby Date: 5/10/19
for Frank Kruppa
Public Health Director

Inclusion Through Diversity

607-427-2850
Note David Corah for
IS keep track of all water



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
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CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 19, 2019

Ramsey Brous
Collegetown Bagels Inc.
400 Meadow Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0014
Ithaca Bakery, V-Lansing– Violation of Board of Health Orders**

Dear Ramsey Brous:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. On September 25, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0027 requiring you to:

- Store potentially hazardous foods at or below 45°F at all times during cold holding; **and**
- Maintain temperature logs as prescribed by the Tompkins County Health Department (TCHD); **and**
- Maintain at least one employee onsite during hours of operation who has successfully completed the food safety training course approved by the Tompkins County Health Department; **and**
- Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

On April 5, 2019, the TCHD observed critical violations of Subpart 14-1 of the New York State Sanitary Code and Board of Health Orders # EH-EHF-18-0027. The violations included:

- Failure to keep potentially hazardous food at or below 45°F during cold holding. Product in the display case for customer service were observed at temperatures between 49°F and 52°F.
- Failure to store potentially hazardous food under refrigeration. Carafes of milk products were observed at the coffee station at temperatures between 48°F and 58°F.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures – Draft Resolution, Resolution EH-ENF-18-0027, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Ithaca Bakery\Enforcement\2019\Draft Res 19-0014.docx
ec: Tompkins County Board of Health (via; Brittini Griep; Shelley Comisi, TCHD)
Supervisor V-Lansing; Deborah Dawson, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

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Fx: (607) 274-6695

DRAFT RESOLUTION # EH-ENF-19-0014 FOR

**Ithaca Bakery
Collegetown Bagels Inc./Ramsey Brous, Owner/Operator
2255 N. Triphammer Rd., V-Lansing
Ithaca, NY 14850**

Whereas, an owner/operator of a Food Service Establishment must comply with the regulations established under Subpart 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to Fail to maintain potentially hazardous foods at or below 45°F during cold holding and to fail to store potentially hazardous food under refrigeration; **and**

Whereas, on September 25, 2018, Tompkins County Board of Health (TCHD) Resolution #ENF-18-0027 ordered Ramsey Brous to maintain all potentially hazardous food at or below 45°F at all times during cold holding; **and**

Whereas, on April 5, 2019, the TCHD observed potentially hazardous food products in the display case for customer service were observed at temperatures between 49°F and 52°F; **and**

Whereas, on April 5, 2019, the TCHD observed potentially hazardous food products that were stored at room temperature at the coffee station at temperatures between 48°F and 58°F; **and**

Whereas, on April 5, 2019, Ithaca Bakery violated these provisions of the NYSSC and the provisions of Board of Health Resolution #ENF-18-0027 were not met; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ramsey Brous, Operator, is ordered to:**

1. Pay a penalty of \$1,200 for these violations, **due by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Store potentially hazardous food at or below 45°F at all times during cold holding except during necessary preparation or approved precooling procedures; **and**
3. Maintain potentially hazardous foods under refrigeration at all times except during necessary preparation or approved precooling procedures; **and**
4. Maintain temperature logs as prescribed by the Tompkins County Health Department; **and**
5. Maintain at least one employee who has successfully completed the food safety training on-site during hours of operation. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

RESOLUTION # EH-ENF-18-0027 FOR

**Ithaca Bakery
Collegetown Bagels Inc./Ramsey Brous, Owner/Operator
2255 N. Triphammer Rd., V-Lansing
Ithaca, NY 14850**

Whereas, an owner/operator of a Food Service Establishment must comply with the regulations established under Subpart 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to:

- Fail to maintain potentially hazardous foods at or below 45°F during cold holding; **and**
- Fail to maintain potentially hazardous foods at or above 140°F during hot holding

Whereas, on September 27, 2016, Tompkins County Board of Health Resolution #ENF-16-0016 ordered Ramsey Brous to maintain all potentially hazardous food at or below 45°F at all times during cold holding; **and**

Whereas, on July 31, 2018, the Tompkins County Health Department (TCHD) observed products on the salad bar for customer service at temperatures between 50°F and 56°F and products in a hot holding unit were observed at temperatures between 114°F and 128°F; **and**

Whereas, on August 21, 2018, the TCHD observed potentially hazardous foods on the salad bar for customer service at temperatures between 48°F and 51°F.; **and**

Whereas, on July 31, 2018, and August 21, 2018, Ithaca Bakery violated these provisions of the NYSSC and the provisions of Board of Health Resolution #ENF-16-0016 were not met; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ramsey Brous, Operator, is ordered to:**

1. Pay a penalty of \$800 for these violations, **due by November 15, 2018; and**
2. Store potentially hazardous food at or below 45°F at all times during cold holding except during necessary preparation or approved precooling procedures; **and**
3. Maintain temperature logs as prescribed by the Tompkins County Health Department; **and**
4. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **November 15, 2018; and**
5. After November 15, 2018, at least one employee who has successfully completed the food safety training must be on-site during hours of operation. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on September 25, 2018.

for Brenda L. Kruppa
Frank Kruppa
Public Health Director

9/26/18
Date



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0014

**Ithaca Bakery
Collegetown Bagels Inc., Ramsey Brous, Operator
2255 North Triphammer Road, V-Lansing
Ithaca, NY 14850**

April 2019

Date	Action
04/05/2019	Inspection by TCHD: Violations: See attached inspection report.
11/15/2018	Re-inspection following Board of Health Action by TCHD: Violations observed on 8/21/18 were corrected.
9/25/2018	Board of Health adopts Resolution # EH-ENF-18-0027.
08/21/2018	Re-inspection by TCHD: Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Item 6A cited on 07/31/2018 was corrected.
07/31/2018	Inspection by TCHD: Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Potentially hazardous foods were not kept above 140°F during hot holding.
03/06/2018	Inspection by TCHD: No violations noted.
12/12/2017	Re-inspection by TCHD: Violation observed on 11/20/2017 was corrected.
11/20/2017	Inspection by TCHD: Violation: Potentially hazardous foods were not stored under refrigeration.
05/08/2017	Inspection by TCHD: No violations noted.
02/11/2017	Field Visit by TCHD at Ithaca Chili Cookoff: No violations noted.
11/10/2016	Inspection by TCHD: No violations noted.
09/27/2016	Board of Health adopts Resolution # EH-ENF-16-0016.
07/11/2016	Re-inspection by TCHD: Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Potentially hazardous foods were not prepared as recommended using prechilled ingredients and were not prechilled to 45°F or less before service.
06/21/2016	Inspection by TCHD: Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Potentially hazardous foods were not prepared as recommended using prechilled ingredients and were not prechilled to 45°F or less before service.
12/28/2015	Re-inspection by TCHD: Violation observed on 12/14/2015 was corrected.
12/14/2015	Inspection by TCHD: Violations: Enough refrigerated storage equipment was not operated so that potentially hazardous foods were stored at or below 45°F during cold holding.
04/07/2015	Inspection by TCHD: No violations noted.
12/10/2014	Inspection by TCHD: No violations noted.

Inclusion Through Diversity

08/14/2014	Inspection by TCHD: No violations noted.
11/25/2013	Re-inspection by TCHD: Violations observed on 11/07/2013 were corrected.
11/07/2013	Inspection by TCHD: Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Enough refrigerated storage equipment was not maintained to keep potentially hazardous foods at or below 45°F during cold holding.
04/09/2013	Re-inspection by TCHD: Violation observed on 03/12/2013 was corrected.
03/12/2013	Inspection by TCHD: Violations: Toxic chemicals were stored improperly.
02/22/2010	Pre-operational inspection conducted by TCHD. Permit to Operate Ithaca Bakery at renovated location issued.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tom-pkins-co.org

Food Service Establishment Inspection Summary Report

Operation: ITHACA BAKERY (ID: 722996)
Facility Name: ITHACA BAKERY
Facility Code: 54-AD83 Facility Email: ramsey@ithacabakery.com
Facility Address: 2255 North Triphammer Road, Ithaca, NY 14850

To the Attention of:

Ramsey Brous
COLLEGETOWN BAGELS INC
400 N Meadow St
Ithaca, NY 14850
Email: ramsey@ithacabakery.com

Inspection

Date: April 5, 2019 10:54 AM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Lyndsey Lehr
Additional Email(s): chris@ithacabakery.com

Summary

Number of Public Health Hazards Found: 2
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

Inspector Findings: Observed approximately five pounds of black bean burritos at 49-52 degrees F in the display case closest to the cash register. The burritos had been out less than two hours prior to the inspection and were moved to the walk-in cooler for chilling to 45 degrees or less. Other foods in the cooler were 45 degrees or less.

Action: Keep potentially hazardous foods at or below 45 degrees F while on display or in storage.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed carafes of: whole milk at 58 degrees F, half and half at 48 degrees F, skim milk at 52 degrees , and almond milk at 56 degrees F, used as coffee creamers at the coffee station. The creamers were out less than two hours and were either brought to the walk-in cooler, replaced, or iced during the inspection.

Action: Keep coffee creamers at or below 45 degrees F

NO ADDITIONAL VIOLATIONS REPORTED

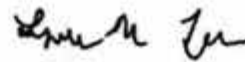
Additional Information Collected During Inspection

Comments: Two Part I Critical Item Violations 5A and 5C.
No Part II Blue Item Violations

Re-inspection required



Inspector: Clayton Maybee (cmaybee@tompkins-co.org)



Received by: Lyndsey Lehr



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 19, 2019

Matthew Torchia
Mix Social Dining Inc.
110 West King Road
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0015
Mix Social Dining, C-Ithaca– Violation of Board of Health Orders**

Dear Matthew Torchia:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. On March 26, 2019, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0051 requiring you to provide an adequate amount of refrigeration so that Potentially Hazardous Food is cooled properly and stored below 45°F at all times.

On April 11, 2019, the Tompkins County Health Department observed a critical violation of Subpart 14-1 of the New York State Sanitary Code where potentially hazardous foods were observed at temperatures above 45°F in a sandwich unit. This is also a violation of Board of Health Orders.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure (s) – Draft Resolution, Resolution # EH-ENF-18-0051, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Mix Social Dining\Enforcement\2019\Draft Resolution 19-0015.docx
ec: Tompkins County Board of Health (via; Brittni Griep; Shelley Comisi, TCHD)
Mike Niechwiadowicz, Ithaca Building Department; Mayor Svante Myrick; Leslyn McBean-Clairborne, TC Legislature;
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # EH-ENF-19-0015 FOR

**Mix Social Dining
Mix Social Dining Inc, Owner; Matthew Torchia, Operator
205 Old Elmira Road, C-Ithaca
Ithaca, NY 14850**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain enough refrigerated storage equipment so that all potentially hazardous foods are cooled properly and stored below 45°F; **and**

Whereas, on March 26, 2019, Tompkins County Board of Health Resolution #EH-ENF-18-0051 ordered Mix Social Dining Inc. to provide an adequate amount of refrigeration so that Potentially Hazardous Food is cooled properly and store below 45°F at all times. **and**

Whereas, on April 11, 2019, the Tompkins County Health Department (TCHD) observed potentially hazardous foods at temperatures between 49°F and 54°F in a sandwich unit; **and**

Whereas, on April 11, 2019, Mix Social Dining Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-18-0051; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Mix Social Dining Inc, Owner, is ordered to:**

1. Pay a penalty of \$800 for these violations, due **by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Pay the penalty of \$400 as required by Resolution EH-ENF-18-0051 **by May 15, 2019**, if not already paid; **and**
3. Provide receipt from a refrigeration specialist documenting that the sandwich unit across from the brick oven is functioning properly or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department no later than **May 15, 2019**; **and**
4. Provide and maintain an adequate amount of refrigerated storage so that Potentially Hazardous Food is cooled properly and stored below 45°F at all times; **and**
5. Maintain temperature logs as prescribed by the Tompkins County Health Department; **and**
6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

RESOLUTION # EH-ENF-18-0051 FOR

**Mix Social Dining
Mix Social Dining Inc, Owner; Matthew Torchia, Operator
205 Old Elmira Road, C-Ithaca
Ithaca, NY 14850**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain enough refrigerated storage equipment so that all potentially hazardous foods are cooled properly and stored below 45°F; **and**

Whereas, on November 29, 2018, the Tompkins County Health Department (TCHD) observed approximately a quarter pound of sliced ham and two to three cups of cooked onions, noodles and other cooked proteins at temperatures between 49°F and 50°F in a refrigerated sandwich unit; **and**

Whereas, during a re-inspection on December 14, 2018, TCHD staff observed a repeat critical violation where approximately two pounds of roast beef, one pound of ham, a quarter pound of lox and various cheeses at temperatures between 50°F and 53°F in a refrigerated sandwich unit; **and**

Whereas, Shayne Johnson, representative for Mix Social Dining, signed a Stipulation Agreement with Public Health Director's Orders on January 24, 2019, agreeing that Mix Social Dining violated this provision of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Mix Social Dining Inc, Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by May 15, 2019; and**
2. Provide and maintain an adequate amount of refrigerated storage so that Potentially Hazardous Food is cooled properly and stored below 45°F at all times; **and**
3. Provide receipt from a refrigeration specialist documenting that the sandwich unit across from the brick oven is functioning properly or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department no later than January 24, 2019 (**completed**); **and**
4. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on March 26, 2019.

Frank Kruppa
for Frank Kruppa
Public Health Director

3/29/19
Date



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0015

Mix Social Dining
Mix Social Dining Inc., Owner; Matthew Torchia, Operator
205 Old Elmira Road, C-Ithaca
Ithaca, NY 14850

April 2019

Date	Action
04/11/2019	Re-inspection following Board of Health action. Violations: See attached inspection form.
03/26/2019	BOH adopts Resolution # EH-ENF-18-0051.
01/24/2019	Office conference held. TCHD staff discussed enforcement procedures with representatives from Mix Social Dining. Stipulation agreement was signed at meeting.
01/11/2019	Stipulation agreement sent by TCHD.
12/14/2018	Re-inspection by TCHD. Violations: Enough refrigerated storage was not maintained so that all potentially hazardous foods were stored below 45°F in cold holding. Products in a refrigerated storage unit were observed to be at 50-53°F.
11/29/2018	Inspection by TCHD. Violations: Enough refrigerated storage was not maintained so that all potentially hazardous foods were stored below 45°F in cold holding. Products in a refrigerated storage unit were observed to be at 49-50°F.
06/28/2018	Inspection by TCHD. No violations were noted.
12/06/2017	HACCP inspection by TCHD.
07/24/2017	Inspection by TCHD. No violations were noted.
11/17/2016	Inspection by TCHD. No violations were noted.
07/25/2016	Pre-operational inspection by TCHD. Permit to operate Mix Social Dining issued.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tom-pkins-co.org

Food Service Establishment Inspection Summary Report

Operation: MIX SOCIAL DINING (ID: 921219)
Facility Name: MIX SOCIAL DINING
Facility Code: 54-AB87 Facility Email: mixithaca@gmail.com
Facility Address: 205 Old Elmira Road, Ithaca, NY 14850

To the Attention of:

Matthew Torchia
110 West King Road
Ithaca, NY 14850
Email: matthewtorchia@yahoo.com

Re-Inspection

Date: April 11, 2019 01:37 PM
Inspector: Rene Borgella (rborgella@tom-pkins-co.org)
Responsible Person: Eric Simon
Additional Email(s): zacari55@gmail.com

Summary

Number of Public Health Hazards Found: 1
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Enough refrigerated storage equipment is not present, properly designed, maintained or operated so that all potentially hazardous foods are cooled properly and stored below 45°F as required.

Inspector Findings: Observed: In the same sandwich unit (aka flip top) cited during the previous inspection on 11/29/18 & 12/14/18, the following potentially hazardous foods were found at these temperatures: Short rib (approx 1.5-2 lbs) at 52.9°; cooked ham (approx 1 lb) at 49.7°; sliced cooked duck breast (approx 1/4 lb) at 52°; sliced American cheese (approx 1/4 lb) at 51° and sliced swiss cheese (approx 1/4 lb) at 54°. Interview with kitchen staff indicated that these items had all been placed out for service over 2 hours before the inspection.

Correction: Items were voluntarily discarded during the inspection.

Action: Maintain enough refrigeration equipment on premises to keep potentially hazardous foods at 45°F or less.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: One critical violation observed - Item 5E, also cited on 11/29 and 12/14
Part 2: No violations observed

Board of Health Action to Follow



Inspector: Rene Borgella (rborgella@tompkins-co.org)



Received by: Eric Simon



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 19, 2018

Keith Mercovich
Cornell University College of Arts & Science
G-41 Goldwin Smith Hall
Ithaca, NY 14853

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0016
CU – Klarman Hall Café, C-Ithaca – Violation of Board of Health Orders**

Dear Keith Mercovich:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. On January 22, 2019, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0045 requiring you to maintain potentially hazardous food at or below 45°F at all times and to prepare potentially hazardous food using ingredients pre-chilled to 45°F or below prior to placing into sandwich units.

On April 10, 2019, the Tompkins County Health Department observed a critical violation of Subpart 14-1 of the New York State Sanitary Code where two pounds of sliced tomatoes were in a sandwich unit cooler at temperatures of 51°F. This is also a violation of Board of Health Orders.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosure (s) – Draft Resolution, Resolution # EH-ENF-18-0045, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\CU - Klarman Hall Cafe\Enforcement\2019\Draft Resolution 19-0016.docx
ec: Tompkins County Board of Health (via: Brittni Grier; Shelley Comisi, TCHD)
Mike Niechwiadowicz, Ithaca Building Department; Mayor Svante Myrick; Henry Granison, TC Legislature; TCHD:
Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip
Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # 19-0016 FOR

CU – Klarman Hall Café
Keith Mercovich, Cornell University College of Arts & Science, Operator/Owner
232 East Ave., C-Ithaca
Ithaca, NY 14850

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain potentially hazardous foods at or below 45°F during cold storage; **and**

Whereas, on January 22, 2019, Tompkins County Board of Health Resolution #EH-ENF-18-0045 ordered Cornell University College of Arts & Science to maintain potentially hazardous food at or below 45°F during cold storage and to prepare potentially hazardous food using ingredients pre-chilled to 45°F or below prior to placing into sandwich units; **and**

Whereas, on April 10, 2019, the Tompkins County Health Department (TCHD) observed approximately two pounds of sliced tomatoes available for service in the top of a sandwich prep unit at temperatures of 51°F; **and**

Whereas, on April 10, 2019, Cornell University College of Arts & Science, Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-18-0045; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health,
That Cornell University College of Arts & Science, Owner, is ordered to:

1. Pay a penalty of \$800 for these violations, due **by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain Potentially Hazardous Food at or below 45°F, except smoked fish which must be maintained at or below 38°F, during cold storage; **and**
3. Prepare all potentially hazardous food using ingredients pre-chilled to 45°F or below prior to placing into sandwich units; **and**
4. Maintain temperature logs as prescribed by the Tompkins County Health Department; **and**
5. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

RESOLUTION # 18-0045 FOR

**CU – Klarman Hall Café
Keith Mercovich, Cornell University College of Arts & Science, Operator/Owner
232 East Ave., C-Ithaca
Ithaca, NY 14850**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain potentially hazardous foods at or below 45°F during cold storage; **and**

Whereas, on September 27, 2018, the Tompkins County Health Department (TCHD) observed approximately five pounds of sliced tomatoes available for service in the top of a sandwich prep unit were observed at temperatures between 50°F and 55°F; **and**

Whereas, during a re-inspection on November 1, 2018, TCHD staff observed a repeat critical violation where approximately two pounds of sliced tomatoes available for service in the top of a sandwich prep unit were observed at temperatures of 52°F; **and**

Whereas, Keith Mercovich, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 27, 2018, agreeing that CU - Klarman Hall Café violated this provision of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Cornell University College of Arts & Science, Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by March 15, 2019; and**
2. Maintain Potentially Hazardous Food at or below 45°F, except smoked fish which must be maintained at or below 38°F, during cold storage; **and**
3. Prepare all potentially hazardous food using ingredients pre-chilled to 45°F or below prior to placing into sandwich units; **and**
4. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on January 22, 2019.



Frank Kruppa
Public Health Director



Date



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0016

CU – Klarman Hall Café
Keith Mercovich, Cornell University College of Arts & Science, Operator/Owner
232 East Ave., C-Ithaca
Ithaca, NY 14850

April 2019

Date	Action
04/10/2019	Re-inspection following Board of Health action. Violations: See attached inspection report.
01/22/2019	BOH adopts Resolution #EH-ENF-18-0045.
11/27/2018	Stipulation agreement sent by TCHD and office conference scheduled for December 11, 2018. The signed stipulation agreement was returned to TCHD by Keith Mercovich later in the day.
11/01/2018	Re-inspection by TCHD. Violations: Potentially hazardous food was not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 52°F.
09/27/2018	Inspection by TCHD. Violations: Potentially hazardous food was not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 50-56°F.
10/18/2017	Inspection by TCHD. No critical violations observed.
09/22/2016	Inspection by TCHD. No critical violations observed.
12/30/2015	Pre-operational inspection by TCHD. Permit to operate issued to Cornell University College of Arts & Science.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tom-pkins-co.org

Food Service Establishment Inspection Summary Report

Operation: CU - KLARMAN HALL CAFE (ID: 911624)
Facility Name: CU - KLARMAN HALL CAFE
Facility Code: 54-AE92 Facility Email: krm238@cornell.edu
Facility Address: 232 East Avenue, Ithaca, NY 14853

To the Attention of:

Keith R Mercovich
CORNELL UNIVERSITY COLL OF ARTS & SCIENCE
G41 Goldwyn Smith Hall
Cornell Univ
Ithaca, NY 14853
Email: krm238@cornell.edu

Re-Inspection

Date: April 10, 2019 12:38 PM
Inspector: Katherine Walker (kwalker@tom-pkins-co.org)
Responsible Person: Keith Mercovich

Summary

Number of Public Health Hazards Found:	1
Number of Public Health Hazards NOT Corrected:	0
Number of Other Violations Found:	0

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

Inspector Findings: Observed (approximately 2 lbs) of sliced tomatoes out for service in the top of a sandwich unit cooler (aka flip top) were at 51 F. Other items in the same cooler were measured at acceptable temperatures.

Inspector checked the cooler where the back stock of sliced tomatoes are kept and tomatoes were at 39-41°F.

Interview with operator determined that tomatoes had been out for approximately 45 minutes or more.

Correction: Operator voluntarily discarded item during inspection

Action: Temperature controlled items in cold holding must be kept at 45 F or below.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: One Critical Violation Observed

Part 2: No Violations Observed

Inspector for this inspection was R Borgella.

Board of Health action to follow.



Inspector: Katherine Walker (kwalker@tompkins-co.org)



Received by: Keith Mercovich

From: [Keith R. Mercovich](#)
To: [Brenda Coyle](#)
Cc: [Mike Niechwiadowicz](#); [Annie Sherman](#); [Henry Granison](#); [Elizabeth Cameron](#); [Frank Kruppa](#); [Kristee Morgan](#); [Skip Parr](#)
Subject: Re: Draft Resolution - CU Klarman Hall Cafe
Date: Wednesday, April 24, 2019 7:21:43 AM

Thanks all for the update. We appreciate the feed back.

It was pretty demoralizing for all the staff here to continue having this issue with tomatoes. It also hurt that our inspector told us we were the only place in the county having this issue. I assure you all we are very serious and take great care in our work. We also continue to test different solutions to this issue. We don't want to prep our food ahead of time due to the host of much more severe problems associated with over loaded coolers and keeping prepped food for more than a day or 2 max.

I fully accept that the temperature requirements placed on food being served needs to be met. I know other places on campus have switched to buying pre sliced packaged tomatoes to avoid this problem. Since our service period is just 11-3pm I'm committed to finding a solution that keeps food fresh and prepped just before service. We believe in food, because it is our works and passion. If asking us to pay you as we work towards a solution is necessary we will do that. Send us the bill.

An update form our kitchen is the following. We tried solutions presented such as storing tomatoes in the cooler below 40 at all times, which still lead to temps out of range by a few degrees in the sandwich cooler (and taste/texture was bad). Also prepping the tomatoes the day before lead to good temperatures in the station, horrible tomatoes in cups of their own juice. A solution has been found that will offer our staff a solid way to meet the tomato temp law. We are purchasing a blast cooler to use prior to anything going in a sandwich station. A very strict temperature control system is in place and this tool to help us. Anything over 40 degrees for more than 60 min will be thrown in the trash. If an Item has been only out of the safe zone for less than 60 min will be blasted chilled within 60min or terminated. We will also temp all food in the sandwich cooler 4 times, which is once every hour of our service time.

Hope this help clear up our situation and the solution. We are already check temps regularly and taking the proper corrective action. When our blast chiller is hooked up this will aid the effort.

Thank you,

Keith

From: Brenda Coyle <bcoyle@tompkins-co.org>

Sent: Tuesday, April 23, 2019 3:24:33 PM

To: Keith R. Mercovich

Cc: Mike Niechwadowicz; Annie Sherman; Henry Granison; Elizabeth Cameron; Frank Kruppa; Kristee Morgan; Skip Parr

Subject: Draft Resolution - CU Klarman Hall Cafe

Please find attached a Draft Resolution from the Tompkins County Health Department, Environmental Health Division. Please save a copy of this documentation for your records.

For further assistance, please contact our office at TCEH@tompkins-co.org or by phone at (607) 274-6688, Monday-Friday, 8:30am-4:30pm.

Brenda Coyle

Administrative Assistant IV
Tompkins County Health Dept.
Environmental Health Division
55 Brown Road
Ithaca, NY 14850
(607) 274-6688



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 25, 2019

Elaine Springer
Fingerlakes GrassRoots Festival
PO Box 941
Trumansburg, NY 14886

**Re: Tompkins County Board of Health Resolutions # EH-ENF-19-0017- Water Supply
Violation of Board of Health Orders
Finger Lakes GrassRoots Festival, Mass Gathering, T-Ulysses**

Dear Ms. Springer:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. On December 4, 2018, the Tompkins County Board of Health adopted Resolution #EH-ENF-18-0039 requiring you to submit approvable plans for the drinking water systems at Onsite and Across the Way by February 15, 2019, and to submit an approvable disinfection plan for these systems by February 15, 2019. Approvable plans have not been submitted as of April 25, 2019, in violation of these orders.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures: Draft Resolution, Res. #EH-ENF-18-0039, Public Health Director's Orders #EH-ENF-19-0007

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2019\Enforcement\EH-ENF-19-0017 -Water Plans.docx
ec: Lissa Farrell; Charles Guttman, Esq.; Supervisor T-Ulysses; CEO-T-Ulysses; Anne Koreman, TC Legislature; TCHD:
Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger;
Becky Sims; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

RESOLUTION # 19-0017 FOR

**Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Subparts 7-3 and 7-4 of the New York State Code (NYSSC) for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system; **and**

Whereas, on December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0039 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit approvable plans for the drinking water systems at Onsite and Across the Way by February 15, 2019, and to submit an approvable disinfection plan for these systems by February 15, 2019; **and**

Whereas, GrassRoots submitted plans for the water systems on or about February 19 and February 20, 2019; **and**

Whereas, the Tompkins County Health Department (TCHD) was unable to approve the plans as submitted and provided comments to GrassRoots on the Onsite water system on March 7, 2019, and on the Across The Way water system on March 8, 2019, with a response deadline of April 1, 2019; **and**

Whereas, on April 1 and April 2, 2019, GrassRoots submitted insufficient revised plans that failed to address most of the TCHD comments; **and**

Whereas, on April 12, 2019, the TCHD notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, the April 12, 2019, notification to GrassRoots stated that the revised Onsite and Across the Way water plans did not address the March 7 and 8, 2019, TCHD comments on the water plans; **and**

Whereas, GrassRoots failed to submit revised water plans by April 24, 2019; **and**

Whereas, Public Health Directors Orders were issued on April 25, 2019 requiring approvable plans to be submitted by April 30, 2019; **and**

Whereas, in addition to other deficiencies, the draft water plans currently show water spigots that are in camp sites and roadways; therefore, changes must be made to either the spigot locations or the camp site and roadway locations; **and**

Whereas, the lack of approved water plans affects the entire review and approval of the GrassRoots Mass Gathering application since GrassRoots cannot submit approvable maps and other application materials until the water plans are finalized and approved; **and**

Whereas, the failure to submit approvable water plans is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health, That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:

1. Pay a penalty of \$500 for these violations, due **by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit approvable plans for the Onsite and Across the Way water systems as soon as possible and **no later than 4:00 p.m. on April 30, 2019**. The plans must satisfactorily address the requirements in Resolution #EH-ENF-18-0039 and the comments provided to GrassRoots by the Tompkins County Health Department on March 7 and 8, 2019; **and**
3. Not purchase materials, construct or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department; **and**
4. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 3, 2019**; **and**
5. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

CERTIFIED, REGULAR, & ELECTRONIC MAIL

November 20, 2018

Elaine Springer
Fingerlakes GrassRoots Festival
PO Box 941
Trumansburg, NY 14886

**Re: Tompkins County Board of Health Draft Resolutions # EH-ENF-18-0037,
EH-ENF-18-0038 & EH-ENF-18-0039
Finger Lakes GrassRoots Festival, Mass Gathering, T-Ulysses**

Dear Ms. Springer:

Thank you for signing the Stipulation Agreements on November 16, 2018, for the 2018 operations at the Finger Lakes GrassRoots Festival.

Enclosed are copies of the Draft Resolutions that the Tompkins County Board of Health will consider at its meeting on **Tuesday, December 4, 2018**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

for: C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures: Draft Resolutions and Stipulation Agreements and Orders

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2018\Enforcement\Draft Resolutions Cover letter.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
Lissa Farrell; Charles Guttman, Esq.; Rosa Fox; Supervisor T-Ulysses; Anne Koreman, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger; Cynthia Mosher; Becky Sims; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela



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DRAFT RESOLUTION # EH-ENF-18-0037 FOR

**Finger Lakes GrassRoots Festival – Holding Tanks
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Article VI of the Tompkins County Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings require a permit or written approval from the permit-issuing official for sewage system plans; **and**

Whereas, on April 4, 2018, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) submitted holding tank permit applications (EH-OW-18-0051 & EH-OW-18-0052) to operate greywater (sewage) holding tanks at the Culture Camp Across the Way and Onsite Campgrounds and at Across the Way and Onsite during the mass gathering event, and completed the application submittal when the fee was paid on July 10, 2018; **and**

Whereas, GrassRoots did not provide required information to the Tompkins County Health Department (TCHD) in order to approve plans and issue permits prior to the campgrounds and mass gathering beginning operation; **and**

Whereas, GrassRoots operated greywater (sewage) holding tanks at Across the Way and Onsite during the mass gathering event without obtaining a permit from the Health Department; **and**

Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:**

1. Pay a penalty of \$200 for these violations, **by January 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit holding tank permit applications including payment of the fee for greywater tanks at Across the Way and Onsite at least 45 days prior to the start of Culture Camp in 2019; **and**
3. Submit all required information to obtain the holding tank permits for greywater tanks at least 30 days prior to the start of Culture Camp in 2019; **and**
4. Comply with all provisions of Article VI of the Tompkins County Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



RECEIVED

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

NOV 16 2018

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TOMPKINS COUNTY HEALTH DEPARTMENT Ph: (607) 274-6688
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STIPULATION AGREEMENT AND ORDERS # EH-ENF-18-0037

**Finger Lakes GrassRoots Festival – Holding Tanks
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

I, Elaine Springer, as a representative for Finger Lakes GrassRoots Festival Org., Inc., agree that Finger Lakes GrassRoots Festival Org., Inc. was in violation of:

- Article VI (Sewage, Holding and Disposal) of the Tompkins County Sanitary Code; **and**
- Section 7-3.14 (Sewage Treatment) of the New York State Sanitary Code (NYSSC) for Campgrounds; **and**
- Section 7-4.5 (Water and Sewage) of the NYSSC for Mass Gatherings.

These violations occurred between July 15, 2018, through July 23, 2018, for operating holding tanks at the Culture Camp campgrounds and during the mass gathering at Across the Way and Onsite without a permit.

I agree to pay a penalty not to exceed \$200 for these violations following adoption of a resolution by the Board of Health. (**Do not** submit penalty payment until notified by the Tompkins County Health Department.)

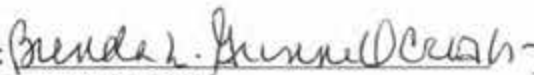
I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Submit holding tank permit applications including payment of the fee for greywater tanks at Across the Way and Onsite at least 45 days prior to the start of Culture Camp in 2019; **and**
2. Submit all required information to obtain the holding tank permits for greywater tanks at least 30 days prior to the start of Culture Camp in 2019; **and**
3. Comply with all provisions of Article VI of the Tompkins County Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed:  Date: 11/16/18

Finger Lakes GrassRoots Festival Org., Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 11/19/18
for Frank Kruppa
Public Health Director



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director

55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION

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Ph: (607) 274-6688

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DRAFT RESOLUTION # EH-ENF-18-0038 FOR

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operated campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) from July 15, 2018, through July 18, 2018, **and**

Whereas, Subpart 7-3 of the NYSSC for Campgrounds states plans and specifications required by the permit-issuing official shall be submitted to the permit-issuing official. Construction, enlargement, development, improvement or conversion shall not commence until required plans or specifications have been approved by the permit-issuing official; **and**

Whereas, Subpart 7-3.8(b) requires that campsites shall be a minimum of 1250 sq. ft. with 5' clearance between the boundaries of the campsite and camping structures; **and**

Whereas, on July 14, 2018, Tompkins County Health Department (TCHD) issued Campground Permits # EH-CG-18-353 for Onsite and # EH-CG-18-354 for Across the Way with conditions that campsites less than 1250 sq. ft. were required to maintain 5' between structures (no fires/cooking were allowed at these sites); **and**

Whereas, on July 17, 2018, GrassRoots submitted revised campground plans for Across the Way that differed from the approved plans; **and**

Whereas, there were multiple observations of camping separation distances violations during the inspection on July 17, 2018; **and**

Whereas, GrassRoots' oversight and enforcement of camping separation distances was significantly improved compared to 2017 and these violations were generally corrected by GrassRoots; **and**

Whereas, GrassRoots, operated a mass gathering subject to Subpart 7-4 of the NYSSC during the period of July 18, 2018, through July 23, 2018; **and**

Whereas, Subpart 7-4 requires that:

- The application for a permit be submitted at least 45 days before the first day of the gathering and the application shall include all plans, reports, and specifications.
- All construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, be completed at least at least 48 hours prior to the commencement of the event; **and**

Whereas, GrassRoots submitted a mass gathering permit application on May 2, 2018, and completed payment of the permit fee on July 10, 2018; **and**

Whereas, a complete permit application including the engineering report and final maps was not submitted prior to the start of the festival; **and**

Whereas, revisions to the campground at Across the Way, were provided to the TCHD during the pre-operational inspection on July 17, 2018, for the mass gathering; **and**

Whereas, deficiencies noted during the pre-operational inspection on July 17, 2018, included incomplete plumbing for the greywater tank for the showers and utility sinks at Across the Way, insufficient number of portable toilets and handwash stations, insufficient signage, incomplete fencing, flow restrictors on water faucets were not secured, and inadequate lighting; **and**

Whereas, due to the number of significant deficiencies identified during the pre-operational inspection, the mass gathering permit was not issued prior to the start of the festival and GrassRoots was operating without a permit until the permit was issued after the re-inspection on July 18, 2018; **and**

Whereas, the number of significant deficiencies identified during the pre-operational inspection required the Tompkins County Health Department to essentially conduct a complete reinspection on July 18, 2018; **and**

Whereas, the Tompkins County Health Department was made aware of emergency medical situations connected with the mass gathering that were not reported to the GrassRoots medical personnel; **and**

Whereas, campsite spacing violations were observed especially at the start of the festival; **and**

Whereas, there were significant improvements in the operation of the mass gathering especially with respect to the violations cited in 2017 (security, flammables); **and**

Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health, That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:

1. Pay a penalty of \$800 for these violations, due **by January 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Attend a pre-application meeting at the Health Department no later than **January 18, 2019**; **and**
3. Submit a waiver request **by March 1, 2019**, to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2019; **and**
4. Submit the initial Mass Gathering application **by April 1, 2019**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
 - b. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
 - c. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
 - d. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

5. Submit complete final application **by June 3, 2019**. (Once the final application is submitted and approved, no changes will be approved); **and**
6. Complete construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least at least 48 hours prior to the commencement of the event; **and**
7. Comply with all permit conditions in future mass gathering and campground permits issued to Finger Lakes GrassRoots Festival; **and**
8. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



Your Partner for a Healthy Community

RECEIVED Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247
NOV 16 2018

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

TOMPKINS COUNTY Ph: (607) 274-6688
HEALTH DEPARTMENT Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-18-0038

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

I, Elaine Springer, as a representative for Finger Lakes GrassRoots Festival Org., Inc., agree that on July 15, 2018, through July 23, 2018, Finger Lakes GrassRoots Festival Org., Inc. was in violation of:

- Subpart 7-4 of the New York State Sanitary Code (NYSSC) for Mass Gatherings for:
 - Failing to submit the permit application at least 45 days before the first day of the gathering (the application shall include all plans, reports, and specifications); **and**
 - Failing to complete construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least 48 hours prior to the commencement of the event; **and**
- Across the Way Campground Operating Permit # EH-CG-18-354 for failing to meet the conditions of the permit variance for minimum size and separation requirements for campsites less than 1250 sq. ft.; **and**
- Section 7-3.7 (Prior Approval) of the NYSSC for Campgrounds for revising the Across the Way campground map without prior approval and Section 7-3.8 (Campsite Space Requirements) of the NYSSC.

I agree to pay a penalty not to exceed \$800 for these violations following adoption of a resolution by the Board of Health. (**Do not** submit penalty payment until notified by the Tompkins County Health Department.)

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

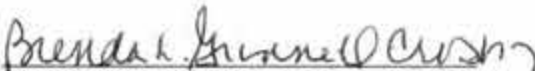
1. Attend a pre-application meeting at the Health Department no later than **January 18, 2019; and**
2. Submit a waiver request **by March 1, 2019**, to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2019; **and**
3. Submit the initial Mass Gathering application **by April 1, 2019**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
 - b. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
 - c. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
 - d. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

4. Submit complete final application **by June 3, 2019**. (Once the final application is submitted and approved, no changes will be approved); **and**
5. Complete construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least at least 48 hours prior to the commencement of the event); **and**
6. Comply with all permit conditions in future mass gathering and campground permits issued to Finger Lakes GrassRoots Festival; **and**
7. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed:  Date: 11/16/18

Finger Lakes GrassRoots Festival Org., Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 11/19/18
fr Frank Kruppa
Public Health Director

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # 18-0039 FOR

**Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Subparts 7-3 and 7-4 of the New York State Code (NYSSC) for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system; **and**

Whereas, under Subpart 5-1 of the NYSSC, disinfection that is inadequate to destroy harmful microorganisms or maintain a specified chlorine residual is a public health hazard; **and**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) modified and constructed public water systems without approval at Onsite and Across the Way; **and**

Whereas, the use of flow restriction and vacuum breakers were required in order to meet the required minimum water pressure of 20 psi; **and**

Whereas, the Health Department approved as-built plans for the water systems with conditions on July 13, 2018, allowing temporary operation of the system; **and**

Whereas, GrassRoots failed to adequately disinfect the temporary water supply lines Onsite in the infield area, resulting in a positive bacteriological test result and the addition of a condition on their campground permit that no camping be allowed in the infield area or any area on the new water line and that these water spigots be posted "Do Not Use;" **and**

Whereas, because of the lack of sufficient potable water, the Onsite campground permit was issued for only 40 sites; **and**

Whereas, 92 Onsite campsites were observed in use during the inspection on July 17, 2018; **and**

Whereas, camping was observed Onsite in the infield during the inspection on July 17, 2018; **and**

Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:**

1. Pay a penalty of \$1,500 for these violations, **by January 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. **By February 15, 2019**, submit approvable plans for the drinking water systems at Onsite and Across the Way prepared by a design professional licensed in New York State. The plans for the water system must show that the minimum pressure of 20 psi will be present at all locations in the water supply; **and**
3. Not purchase materials, construct or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department; **and**
4. Submit an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite and Across the Way **by February 15, 2019**; **and**
5. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 3, 2019**; **and**
6. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



Your Partner for a Healthy Community

RECEIVED

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

NOV 16 2018

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

TOMPKINS COUNTY
HEALTH DEPARTMENT

Ph: (607) 274-6688
Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-18-0039

**Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

I, Elaine Springer, as a representative for Finger Lakes GrassRoots Festival Org., Inc., agree that GrassRoots Festival Org., Inc. was in violation of:

- Subpart 5-1.22 of the New York State Sanitary Code (NYSSC) for:
 - Failure to adequately disinfect temporary water distribution lines in the infield area Onsite prior to the event; **and**
 - Failure to submit water supply plans for Across the Way at least 30 days prior to constructing a public water system and construction of the water supply without approval; **and**
 - Failure to submit water supply plans for Onsite at least 30 days prior to modifying a public water system and construction of the water supply without approval; **and**
- Section 7-3.13 (Water Supply) of the NYSSC for Campgrounds; **and**
- Section 7-4.5 (Water and Sewage) of the NYSSC for Mass Gatherings; **and**
- Operating conditions on Onsite Culture Camp Campground Operating Permit # EH-CG-18-353 for:
 - Exceeding the Onsite campground capacity of 40 sites on July 17, 2018; **and**
 - Allowing camping in the infield on July 17, 2018; **and**

These violations occurred during the period of July 15, 2018, through July 23, 2018, when the Culture Camp campgrounds and the mass gathering at Across the Way and Onsite were in operation.

I agree to pay a penalty not to exceed \$1,500 for these violations following adoption of a resolution by the Board of Health. (**Do not** submit penalty payment until notified by the Tompkins County Health Department.)

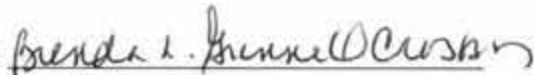

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. **By February 15, 2019**, submit approvable plans for the drinking water systems at Onsite and Across the Way prepared by a design professional licensed in New York State. The plans for the water system must show that the minimum pressure of 20 psi will be present at all locations in the water supply ~~without the use of flow restrictors or other devices;~~ **and** *etc*
2. Do not purchase materials, construct or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department; **and**
3. Submit an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite and Across the Way **by February 15, 2019; and**
4. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 3, 2019; and**
5. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed:  Date: 11/16/18

Finger Lakes GrassRoots Festival Org., Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 11/19/18
 Frank Kruppa
Public Health Director



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
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CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 30, 2019

Elaine Springer
Fingerlakes GrassRoots Festival
PO Box 941
Trumansburg, NY 14886

Re: Tompkins County Board of Health Resolutions #EH-ENF-19-0018 – Mass Gathering Application
Violation of Board of Health Orders -
Finger Lakes GrassRoots Festival, Mass Gathering, T-Ulysses

Dear Ms. Springer:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 28, 2019**. On December 4, 2018, the Tompkins County Board of Health adopted Resolution #EH-ENF-18-0038 requiring you to submit the initial Mass Gathering application by April 1, 2019. An application that addresses the requirements of Resolution #EH-ENF-18-0038 has not been submitted as of April 29, 2019, in violation of this order.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures: Draft Resolution, Res. #EH-ENF-18-0038, PHD Orders #EH-ENF-19-0018, and TCHD email dated April 12, 2019

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2019\Enforcement\Draft Res EH-ENF-19-0018 - MG Application.docx
ec: GrassRoots: Elaine Spring; Lissa Farrell, Charles Guttman, Esq., Nana Monaco; Supervisor T-Ulysses; CEO-T-Ulysses; Anne Koreman, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger; Becky Sims; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
www.tompkinscountyny.gov/health/eh

Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # 19-0018 FOR

**Finger Lakes GrassRoots Festival – Mass Gathering Application
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Operator/Owner
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operates campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) and a Mass Gathering subject to Subpart 7-4 of the NYSSC; **and**

Whereas, on December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0038 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit the initial Mass Gathering application by April 1, 2019. Whereby the application was to include the following:

1. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
2. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
3. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
4. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

Whereas, GrassRoots submitted an incomplete application on April 1 and 2, 2019; **and**

Whereas, on April 12, 2019, the Tompkins County Health Department (TCHD) notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, GrassRoots failed to submit the majority of the missing application items by April 24, 2019; **and**

Whereas, additional comments were provided by the TCHD on April 23, 2019, on the Mass Gathering Application narrative and an updated application addressing these comments is due by May 8, 2019; **and**

Whereas, GrassRoots has not paid the fees associated with plan reviews or permit applications for the 2019 operating year, of which some are due immediately as relayed to GrassRoots on April 12, 2019; **and**

Whereas, the failure to submit an approvable application is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health, That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:

1. Pay a penalty of \$500 for these violations, due **by July 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit the missing components of the Mass Gathering Application identified in the April 12, 2019 email as soon as possible and **no later than 4:00 p.m. on May 3, 2019**. The items must be complete and satisfactorily address the requirements in Resolution #EH-ENF-18-0038 and the comments provided to GrassRoots by the Tompkins County Health Department on April 12, 2019; **and**
3. Submit a revised and complete application and Engineering Report as soon as possible and **no later than 4:00 p.m. on May 8, 2019** that satisfactorily addresses the comments provided by the Tompkins County Health Department on April 23, 2019; **and**
4. Submit all plan review and permit fees by the following deadlines:
 - a. Water Plan fees **by May 15, 2019**;
 - b. Holding Tank Fees **by May 30, 2019**; and
 - c. Mass Gathering and Campground permit fees **by June 3, 2019**; **and**
5. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
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RESOLUTION # EH-ENF-18-0038 FOR

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operated campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) from July 15, 2018, through July 18, 2018, **and**

Whereas, Subpart 7-3 of the NYSSC for Campgrounds states plans and specifications required by the permit-issuing official shall be submitted to the permit-issuing official. Construction, enlargement, development, improvement or conversion shall not commence until required plans or specifications have been approved by the permit-issuing official; **and**

Whereas, Subpart 7-3.8(b) requires that campsites shall be a minimum of 1250 sq. ft. with 5' clearance between the boundaries of the campsite and camping structures; **and**

Whereas, on July 14, 2018, Tompkins County Health Department (TCHD) issued Campground Permits # EH-CG-18-353 for Onsite and # EH-CG-18-354 for Across the Way with conditions that campsites less than 1250 sq. ft. were required to maintain 5' between structures (no fires/cooking were allowed at these sites); **and**

Whereas, on July 17, 2018, GrassRoots submitted revised campground plans for Across the Way that differed from the approved plans; **and**

Whereas, there were multiple observations of camping separation distances violations during the inspection on July 17, 2018; **and**

Whereas, GrassRoots' oversight and enforcement of camping separation distances was significantly improved compared to 2017 and these violations were generally corrected by GrassRoots; **and**

Whereas, GrassRoots, operated a mass gathering subject to Subpart 7-4 of the NYSSC during the period of July 18, 2018, through July 23, 2018; **and**

Whereas, Subpart 7-4 requires that:

- The application for a permit be submitted at least 45 days before the first day of the gathering and the application shall include all plans, reports, and specifications.
- All construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, be completed at least at least 48 hours prior to the commencement of the event; **and**

Whereas, GrassRoots submitted a mass gathering permit application on May 2, 2018, and completed payment of the permit fee on July 10, 2018; **and**

Whereas, a complete permit application including the engineering report and final maps was not submitted prior to the start of the festival; **and**

Whereas, revisions to the campground at Across the Way, were provided to the TCHD during the pre-operational inspection on July 17, 2018, for the mass gathering; **and**

Whereas, deficiencies noted during the pre-operational inspection on July 17, 2018, included incomplete plumbing for the greywater tank for the showers and utility sinks at Across the Way, insufficient number of portable toilets and handwash stations, insufficient signage, incomplete fencing, flow restrictors on water faucets were not secured, and inadequate lighting; **and**

Whereas, due to the number of significant deficiencies identified during the pre-operational inspection, the mass gathering permit was not issued prior to the start of the festival and GrassRoots was operating without a permit until the permit was issued after the re-inspection on July 18, 2018; **and**

Whereas, the number of significant deficiencies identified during the pre-operational inspection required the Tompkins County Health Department to essentially conduct a complete reinspection on July 18, 2018; **and**

Whereas, the Tompkins County Health Department was made aware of emergency medical situations connected with the mass gathering that were not reported to the GrassRoots medical personnel; **and**

Whereas, campsite spacing violations were observed especially at the start of the festival; **and**

Whereas, there were significant improvements in the operation of the mass gathering especially with respect to the violations cited in 2017 (security, flammables); **and**

Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health, That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:

1. Pay a penalty of \$800 for these violations, due **by January 15, 2019; and**
2. Attend a pre-application meeting at the Health Department no later than **January 18, 2019; and**
3. Submit a waiver request **by March 1, 2019**, to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2019; **and**
4. Submit the initial Mass Gathering application **by April 1, 2019**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
 - b. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
 - c. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
 - d. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

5. Submit complete final application **by June 3, 2019**. (Once the final application is submitted and approved, no changes will be approved); **and**
6. Complete construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least at least 48 hours prior to the commencement of the event; **and**
7. Comply with all permit conditions in future mass gathering and campground permits issued to Finger Lakes GrassRoots Festival; **and**
8. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

This action was adopted by the Tompkins County Board of Health at its regular meeting on December 4, 2018.


Frank Kruppa
Public Health Director

12/4/18
Date



Frank Kruppa
Public Health Director
55 Brown Road
Ithaca, NY 14850-1247

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PUBLIC HEALTH DIRECTOR ORDERS #EH-ENF-19-0018 FOR

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Operator/Owner
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operates campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) and a Mass Gathering subject to Subpart 7-4 of the NYSSC; **and**

Whereas, on January 22, 2019, Tompkins County Board of Health Resolution #EH-ENF-18-0038 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit the initial Mass Gathering application by April 1, 2019. Whereby the application was to include the following:

1. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
2. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
3. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
4. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

Whereas, GrassRoots submitted an incomplete application on April 1 and 2, 2019; **and**

Whereas, on April 12, 2019, the Tompkins County Health Department (TCHD) notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, GrassRoots failed to submit the majority of the missing application items by April 24, 2019; **and**

Whereas, additional comments were provided by the TCHD on April 23, 2019, on the Mass Gathering Application narrative and an updated application addressing these comments is due by May 8, 2019; **and**

Whereas, GrassRoots has not paid the fees associated with plan reviews or permit applications for the 2019 operating year, of which some are due immediately as relayed to GrassRoots on April 12, 2019; **and**

Whereas, the failure to submit a complete permit application is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Ordered, by The Tompkins County Public Health Director, that Finger Lakes GrassRoots Festival Org., Inc. must:

1. Submit the missing components of the Mass Gathering Application identified in the April 12, 2019 email as soon as possible and **no later than 4:00 p.m. on May 3, 2019**. The items must be complete and satisfactorily address the requirements in Resolution #EH-ENF-18-0038 and the comments provided to GrassRoots by the Tompkins County Health Department on April 12, 2019; **and**
2. Submit a revised and complete application and Engineering Report as soon as possible and **no later than 4:00 p.m. on May 8, 2019** that satisfactorily addresses the comments provided by the Tompkins County Health Department on April 23, 2019; **and**
3. Submit all plan review and permit fees by the following deadlines:
 - a. Water Plan fees **by May 15, 2019**;
 - b. Holding Tank Fees **by May 30, 2019**; and
 - c. Mass Gathering and Campground permit fees **by June 3, 2019**.



Frank Kruppa
Public Health Director



Date

Grass Roots Mass Gathering Permit Application

Kristee Morgan

Fri 4/12/2019 4:32 PM

To: Elaine Springer <elaine@grassrootsfest.org>;

Cc: Elizabeth Cameron <lcameron@tompkins-co.org>; Becky Sims <RSims@tompkins-co.org>; Scott Freyburger <sfreyburger@tompkins-co.org>;

Good afternoon Elaine,

We have reviewed the documents you submitted as part of your Mass Gathering application and determined the application to be incomplete. The following items must be submitted in full by **April 24th, 2019**, to avoid further enforcement proceedings:

- 1) A security schedule listing number of security personnel and locations, including paid security and volunteer security.
- 2) A copy of the Grass Roots rental agreement with the Trumansburg Fairgrounds showing dates of occupation.
- 3) A statement of contract from the Emergency Medical Services provider.
- 4) A letter from the Town of Ulysses confirming that the Festival conforms with municipal planning and zoning regulations.
- 5) Adequate plans for emergency first aid including arrangements with hospitals, ambulances and other medical personnel are not included in the narrative.
- 6) As required in BOH Resolution ENF-18-0038, an updated campsite spacing plan with approvable procedures ensuring that campsite spacing will be enforced as campsites are being set up was not included.
- 7) Technical comments previously sent by this office on the water plans for Onsite and Across the Way were not addressed in the revised submittals.
- 8) A copy of the Across the Way map that will be provided to attendees and campers.
- 9) A signed contract for waste collection services (garbage, recycling, composting).

The following items are also missing; however, due to the current emergency planning process you are involved in these items will not be due now, but must be finalized by June 3, 2019:

- 1) Letters from the Tompkins County Sheriff and Trumansburg Police Department.

- 2) A revised letter from the New York State Police.
- 3) A statement from the Trumansburg Fire Department.
- 4) A letter from County Department of Emergency Response.
- 5) A copy of the Grass Roots Part 18 application submission.
- 6) As required in BOH Resolution ENF-18-0038, a Plan detailing changes to medical oversight that includes coordination between law enforcement and onsite medical services.

The following items are due by June 3, 2019:

- 1) Copies of insurance forms for: liability, Workers Compensation, and disability.
- 2) Hold Harmless Agreement - This will be provided to you for signature once the County has deemed the Festival financially stable for this year. Note that the application narrative incorrectly states that TCHD has already made this determination.
- 3) All remaining fees due must be paid in full. An updated fee schedule will be sent to you separately along with information on when fees are due.

These comments reflect our preliminary review of your application. We are preparing more detailed comments on the maps and application document and will submit them to you as soon as possible.

If you have any questions, please let us know.

Thanks,

Kristee Morgan
Tompkins County Health Department
Division of Environmental Health
55 Brown Road
Ithaca, NY 14850