

MEETING MINUTES Approved 6-25-19

Tompkins County Board of Health

May 28, 2019

12:00 Noon

Rice Conference Room

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

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; Brenda Grinnell Crosby, Public Health Administrator; Jonathan Wood, County Attorney; Shelley Comisi, Administrative Assistant; Brittni Griep, LGU Administrative Assistant

Excused: Deb Thomas, Director of Children with Special Care Needs

Guests: Jason Molino, Tompkins County Administrator; Skip Parr, Senior Public Health Sanitarian; Jodi Metcalf, Bun Appetit; Jordan Puryear, GrassRoots Festival; Elaine Springer, GrassRoots Festival; Becky Sims, TCHD; Zora Adams-Williams, TCHD

Call to Order: Dr. Moylan called the regular meeting of the Board of Health (BOH) to order at 12:01 p.m.

Privilege of the Floor: Jodi Metcalf from Bun Appetit Cafe was present. She addressed the Board, stating that she was written up on a violation of having breakfast sausage out of temperature. Ms. Metcalf detailed her history in food service then went on to state that the inspector who was at her location was not very friendly. The inspector came out again while she was on vacation, to see if they had corrected the action and she was cited again for having sausage at 51 degrees when they are supposed to be at 45 degrees or below. Ms. Metcalf explained that there is a two-hour window to get the sausage back to temperature, however, both times that the inspector found the sausage out of temperature, staff threw out the sausage. Ms. Metcalf stated that the inspector did not give them the two-hour window to get the sausage back to temperature though. Ms. Metcalf explained the set up and operation of the café. Ms. Metcalf explained that the fine could be detrimental to small businesses, especially depending on the time of year. Mr. McLaughlin asked Ms. Metcalf about their procedure for preparing sausage. Ms. Metcalf explained that she was not sure what time the sausage was taken out of the freezer. Ms. Metcalf explained that she has had minimal violations in the thirteen years they have been in business.

Ms. Jordan Puryear from the Finger Lakes GrassRoots Festival was present to discuss the violations that the Festival was cited for. He explained the Festival's history, starting in 1991, benefitting the fight against AIDS. Mr. Puryear explained their history of Festivals in other states as well. Mr. Puryear explained that they try very hard to abide by the rules and regulations and have no problem in their attempts to do so. Mr. Puryear explained that when the Board of Health fines the GrassRoots Festival, the fines are essentially being passed onto the attendees as they do not own the Festival. Ms. Janet Morgan asked Mr. Puryear what he might hope for in terms of better communication. Mr. Puryear believes there should be meetings between the Health Department and the Festival employees. Ms. Black asked if the expectations to operate GrassRoots are clear to Mr. Puryear. Mr. Puryear stated that, yes, the expectations are clear but stated the paperwork can be a problem.

Approval of April 23, 2019 Minutes: Mr. McLaughlin moved to approve the minutes of the April 23, 2019 meeting as written; seconded by Dr. Evelyn. The vote to approve the minutes as written: Unanimous approval; motion carried.

Introductions: Mr. Jason Molino, Tompkins County Administrator, was present to update the Board on the process for evaluating the Public Health/Mental Health joint leadership model.

County Administrator's Remarks on the Public Health/Mental Health Joint Leadership Model: Mr. Molino stated that, over the past month, he and Ms. Amie Hendrix, have met with members of the Community Services Board as well as members from the Board of Health to go over a framework of information to be gathered and reviewed by these members. This information was circulated to both Boards and the Board members provided feedback to this information. Mr. Molino stated that the next meeting is scheduled for two weeks from now and that, going forward, the meetings will be held every two weeks through September, when there is hopefully a joint meeting between the Board of Health and the Community Services Board. Mr. Molino explained that he is tasked with making the recommendation for the dual leadership role, first to the Health and Human Services committee and then to the Legislature. Mr. Molino is hopeful to have this recommendation into the Legislature by October/November and he stated that he and/or Ms. Hendrix will be at every Board of Health and Community Services Board meeting until the recommendation is made, with updates for the members.

Financial Summary: Ms. Grinnell Crosby stated that the financial report was in the packet and that this is the final 2018 report, unless something else comes up through the audit. Ms. Grinnell Crosby stated that they were behind 2-3 weeks with the filing of the final audit report and she doesn't expect any significant changes. Ms. Grinnell Crosby stated that she believes they ended in a good position. Ms. Grinnell Crosby included the April 2019 report and stated that the Article 6 State Aid Claim went in last week.

Administration Report: Mr. Kruppa reported exciting news. NACCHO, the National Association of City and County Health Officials, have recognized two of our programs as model practices for the year. These are two out of 52 model practices awards that will be recognized at the July conference. One of the programs is the Safe Care Program that is run out of Community Health Services by Ms. Karen

Bishop. The Health Department is paid through Social Services for this evidence-based parenting safety, in-home program for those in Family Treatment Court. The program becomes part of their assignment that they have to do, and the program has a +85% graduation rate and a -85% recidivism rate. The other is for the work by Ms. Nina Saeli, our Community Preparedness Coordinator and her work with Ithaca College. She has worked over the last few years to create a program working with the faculty and students at Ithaca College to provide internship opportunities as well as classes around preparedness so that they get a chance to learn about what preparedness is in the public health world. If they have an internship with Ms. Saeli, they get a chance to work on some of our plans and work with partner organizations as well as getting a chance to work at the point of dispensing at Ithaca College's Flu pod. There has been significant learning as a result of this. They will be attending the conference in July, where they will be presented with their awards. Additionally, Ms. Saeli has been selected as one of the top model practices and she will be doing a Ted-talk type of presentation about her program at NACCHO.

Health Promotion Program Report: Ms. Hillson had nothing to add, other than they have been moving along with the community assessments, trying to determine the focus group topic areas.

Medical Director's Report: Dr. Klepack had nothing to add to his report.

Division for Community Health Report: Ms. Bishop had a quick update regarding the measles outbreak across New York State and the United States. From the time period of January 1st through May 24th, 2019, there have been 940 confirmed cases of measles in 26 different states. NYS plays a large role in the number of cases. Ms. Bishop stated that they have been working with local providers to ensure that they are prepared if a case comes into their office. All other updates for her department is within her written report.

Children with Special Care Needs Report: Ms. Thomas was not present.

County Attorney's Report: Mr. Wood had nothing to report.

Environmental Health Report:

- Ms. Cameron provided additional documentation to the Board (attached).
- Ms. Cameron also stated that they included a Notice of Violation for Cornell Turkish students - there would be no fine for them and follow-up actions were coordinated with Cornell Risk Management.
- Ms. Cameron provided a print out of the fee spreadsheet that was included in the agenda packet; Public Health Directors Order PHD#19-0034, dated May 14, 2019, for the GrassRoots water system plans; PHD #19-0036 dated May 24, 2019, for the GrassRoots Water Supply Plans and a Draft Case Summary for GrassRoots.

Report on the Community Services Board (CSB) Meeting: Mr. Kruppa provided a brief update on the May meeting. Mr. Kruppa stated that their focus has been on the 2020 Priority Plan update and stated that, once it is complete, he will provide copies to the Board for their review. Mr. Kruppa then stated that the CSB had a discussion in which he was present, discussing the dual department role, where Mr. Jason Molino and Ms. Amie Hendrix led the conversation with the Board members. Ms. Moylan asked who was on the schedule to attend the next meeting; Ms. Merkel stated that she would be attending.

Administrative Actions:

Letter of Organization regarding bill in front of NYS Legislature supporting the removal of religious exemptions for vaccinations: Ms. Moylan explained that this topic was an addition to the agenda (letter attached). This letter is an organization of those who have signed on regarding the support of removing the religious exemptions for vaccinations. Mr. Kruppa stated that there is feeling that this could be successful this year and stated that all of the heavy hitters around health have supported this. Mr. McLaughlin asked if this was specific to certain demographics around people using religious exemptions. Dr. Dhundale stated that the American Pediatrics Association made getting rid of all exemptions, except for medical exemptions, a top priority this year.

Mr. McLaughlin moved that the Board send a letter of support, etc. Dr. Evelyn seconded the motion.

The vote to accept the support was carried unanimously.

Review of Proposed 2020 Environmental Health Division Fees (excluding plan review fees) Ms. Cameron explained the proposed Health Division Fees for 2020, with the highlighted proposed fee changes. Ms. Cameron stated that this month was the permit fees for review for change, with fairly minor changes (increasing high risk food service permits and reducing a low risk food service). This was for review only. No changes were requested to the proposed permitting fees.

Tompkins County Health Department Request for Discretion to Waive OWTS Application Replacement Fees: Ms. Cameron explained that she would like to be able to waive the OWTS Application Replacement fees, in certain limited situations, at the discretion of the department.

Ms. Morgan moved to accept the request as written; seconded by Dr. Dhundale; and carried unanimously.

Camp Comstock Request for Waiver of Article 6.06(f)(1) for Installation and Use of a Permanent Holding Tank: Ms. Cameron explained that the department has discovered that there are more holding tanks in use in Tompkins County than they were previously aware of. Camp Comstock wants to replace a holding tank that they've had but it is currently not allowed under the Tompkins County Sanitary Code. It is believed that this is the best option for them and they would operate it responsibly with an operator on site and with alarms. This is for a seasonal operation.

Dr. Evelyn moved to accept the request as written; seconded by Ms. Black; and carried unanimously.

North Lansing Enterprise Request for Waiver of Annual Water System Operation Fee: Ms.

Cameron explained that this is a public water system that has been losing service connections over time. They are requesting a waiver of their annual water system fee and the department is in favor of their request for this year but did state that they would need to develop a plan for sustainable operation in the long term.

Ms. Black moved to accept the request as written; seconded by Dr. Dhundale; and carried unanimously.

Resolution #EH-ENF-19-0009 – Bun Appetit Bakery, V-Groton, Violation of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was a hot holding violation; first time, repeat violation. Ms. Black proposed an amendment to bring the fine down to \$200. Dr. Dhundale seconded the motion. There was discussion regarding the reduction of the fine, but this motion was ultimately denied.

Dr. Koppel moved to accept the resolution as written; seconded by Ms. Morgan. Ms. Black opposed; all else in favor. Motion carried.

Resolution #EH-ENF-19-0011 – 11 Ellis Drive, T-Dryden, Violation of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron stated that this is a public water supply violation. They have been having difficulty maintaining their chlorine residual and have had multiple boil water advisories. Their chlorine test kit was inadequate and has been corrected.

Dr. Evelyn moved to accept the resolution as written; Dr. Koppel seconded this motion; Motion carried unanimously.

Resolution #EH-ENF-19-0012 – Finger Lakes Marine Service, T-Lansing, Violation of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron stated that Finger Lakes Marine Service is a public water supply that was not previously regulated. They have submitted water supply plans but the system has not been fully constructed in accordance with the established deadline. New deadline of 6/19/19 was proposed with recommendation of no additional wording regarding additional fines.

Mr. McLaughlin moved to accept the resolution with the amendment for the new deadline; Ms. Morgan seconded. All in favor; motion carried unanimously.

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): Ms. Cameron explained that this is a violation of Board of Health orders for out of temperature violation.

Mr. McLaughlin moved to accept the resolution as written; Dr. Evelyn seconded. All in favor; motion carried unanimously.

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): Ms. Cameron explained that this is a violation of Board of Health orders for a cold holding violation.

Ms. Morgan moved to accept the resolution as written; Dr. Dhundale seconded that motion. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0116 – 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): Ms. Cameron explained that this is a violation of Board of Health orders for sliced tomatoes being out of temperature.

Dr. Evelyn moved to accept the resolution as written; Ms. Black seconded that motion. All in favor; motion carried unanimously.

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): Ms. Cameron explained the case summary that was passed around to all in attendance (attached). She discussed corrections the Festival had made last year and explained that the Public Health Director issued additional orders to the Festival. Discussion was had regarding what is left of the water plans for the Festival to complete.

Dr. Evelyn moved to accept the resolution as written; Ms. Morgan seconded that motion. All in favor; motion carried unanimously.

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): Ms. Cameron explained that the Festival mass gathering application is almost complete. This fine is failure to comply with deadlines and incomplete submittals.

Ms. Black moved to accept the resolution as written; Dr. Koppel seconded that motion, All in favor; motion carried unanimously.

Adjournment: At 2:11 p.m. Dr. Moylan adjourned the meeting.