

Tompkins County Board of Health
June 28, 2022
12:00 Noon
Virtual Meeting via Zoom

Approved 7.26.22

Present: Christina Moylan, Ph.D., President; Edward Koppel, MD; David Evelyn, MD; Melissa Dhundale, MD; Susan Merkel; Shawna Black; and Samara Touchton and Ravinder Kingra

Staff: Brenda Grinnell-Crosby, Public Health Administrator; Liz Cameron, Director of Environmental Health; Deb Thomas, Director of Children with Special Care Needs; Claire Espey, Director of Community Health; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Skip Parr, EH; Ted Schiele, HPP; Shannon Alvord, Community Health; Rachel Buckwalter, Community Health; Rachel Buckwalter, Community Health; Michelle Hall, WIC; Dillon Shults, EH; and Karan Palazzo, LGU Administrative Assistant

Excused:

Guests:

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: None.

Approval of the March 22, 2022, April 26, 2022, and May 24, 2022 Minutes: Ms. Merkel moved to approve the minutes of the March 22, 2022 meeting as written; seconded by Ms. Touchton. The vote to approve the March 22, 2022 meeting minutes as written was unanimously approved with one abstaining; motion carried.

Ms. Merkel moved to approve the minutes of the April 26, 2022 meeting as written; seconded by Dr. Dhundale. The vote to approve the April 26, 2022 meeting minutes as written was unanimously approved with one abstaining; motion carried.

Dr. Koppel moved to approve the minutes of the May 24, 2022 meeting as written; seconded by Ms. Merkel. The vote to approve the May 24, 2022 meeting minutes as written was unanimously approved with two abstaining; motion carried.

Financial Summary: Ms. Grinnell Crosby referred to the May financial summary included in the packet. The resolution to put \$2.3 million for COVID sampling passed in the legislature last week and will be reflected in the July or August report. Ms. Grinnell Crosby said that they are working on the 2023 budget proposal and a description will be available at the next meeting.

Mr. Kruppa added that the budget is due to the County Administrator on July 1st and there are no policy changes impacted by the budget. The submitted draft budget to the county administrator will be provided to the Board at the July meeting.

Ms. Merkel asked if PCR testing will be free forever? Mr. Kruppa responded that the legislature has allowed the county to pay for PCR testing for county residents who don't have insurance or are getting

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tested for a reason their insurance won't pay for through the end of the year at the mall. It is believed that starting July 1st FEMA is only going to reimburse 90% versus the previous 100%. The legislature has authorized up to \$200,000 to support the remaining 10%. Normal charitable mechanisms will be utilized for those without insurance as the federal government has not approved further COVID funding and the county will supplement for others that are non-medically necessary/not symptomatic/not a close exposure. Nothing should change through the end of this year.

Administration Report: Mr. Kruppa referred to his report included in the package and had nothing to add.

Health Promotion Program Report: Mr. Schiele reported on Ms. Hillson's behalf and had nothing new to add to the report included in the package. He noted the example of the poster for the Community Health survey and requested the BOH in circulating for more people to participate in the ten-minute survey which includes questions on COVID and accessibility to childcare. They are working with Cayuga Health and messaging the public via social media, posters and handing out flyers. The Community Health Assessment and The Community Health Improvement Plan are both due at the end of this year. Dr. Moylan said that the BOH would be happy to circulate the survey information through their various institutions, if possible, as we are all personal community members. Mr. Schiele noted surveys are only for Tompkins County residents, including college students who live in Tompkins County.

Medical Director's Report and Discussion:

- Monkey Pox
 - 1 adult, male, traveler of monkey pox case was identified from Chemung County and the first case identified outside of the downstate counties
 - A rare disease and part of the small pox virus family
 - Not a lot of transmission in the US; so far, the lower fatality rate variety is detected in the US
 - Practitioners should broaden diagnostic list of possibilities and include when performing STD testing
 - Symptoms include swollen lymph node glands and a rash
 - Transmission requires intimate close contact; is transmitted by large respiratory droplets; spreads via direct contact with infectious rash; and unclear if sexually transmitted; majority of cases have been man to man sex diagnosed in NYC area
 - Treatment has two categories:
 1. Pre-exposure prevention which targets healthcare workers for prophylactical treatment
 2. Infected are diagnosed at high risk of severe disease
- COVID 2022
 - Numbers are not as low from one year ago
 - Other variants are on an uptick
 - Expect new vaccines and better medications
 - Under five and five to eleven year old's have options of two vaccines;
 - Unvaccinated children are twice as likely to end up in the hospital.

Dr. Klepack referred to the NYS DOH's informative website on Monkey Pox which clarifies more details on who should be aware and what to look out for. The messaging has been limited to the NYC area, but our local area clinical providers have been made aware with protocols in place and to reach out the Health Department if needed. Dr. Klepack added that cases of congenital syphilis and repeat testing is required for any pregnant client of the STAP network as the clinicians consider diagnosing monkey pox, syphilis, and other STDs.

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Ms. Buckwalter added that they receive phone inquiries from the community regarding the pre-vaccines which are not available locally and in very short supply in NYC.

Division for Community Health (DCH) Report: Ms. Espey had nothing new to add to her written report. DCH is restarting programs and services. She asked the BOH for their assistance to recruit two community health worker positions and a community health worker supervisor position by circulating and promoting these opportunities in their circles for qualified candidates. These positions will work on the Perinatal and Infant Community Health Collaborative (PITCH) program which is focused on health equity.

Ms. Hall, WIC Program Director was available to answer questions about the formula shortage. She said their Facebook page is regularly updated with helpful tools including a shopping guide of formula store availability by categories of milk based, soy based, hypoallergenic and alternative formulas to ease shopping. There has been an improvement with powered, hypoallergenic and some specialty formulas on shelves. Premature babies' doctors can submit a form online to try to help families receive specialty formulas and by working with our vendor agency. Overall the number and volume of necessity has decreased in the last month and is getting better.

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

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

Environmental Health Report: Ms. Cameron had nothing to add to the written report included in the packet. She introduced Environmental Health Specialist, Dillon Shults who is here to assist on the vaping related enforcements.

Community Mental Health Services Board (CSB) Report: Ms. Ayers-Friedlander was not in attendance.

Administrative Action/Statement: Dr. Moylan stated that one initial action will be taken to update all agenda resolutions with a penalty due date of August 15th if they are not already at that date.

Resolution #EH-ENF-22-0007 – Cayuga Smoke Shop, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product

Resolution #EH-ENF-22-0008 – Dream Vape, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product and Underage Sale of Tobacco Product

Resolution #EH-ENF-22-0009 – Commons Market, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product

Resolution #EH-ENF-22-0012 – Jason's Grocery & Deli., C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product

Resolution #EH-ENF-22-0013 – Ayra Convenience Inc., C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product

Resolution #EH-ENF-22-0014 – Ithaca Convenience LLC, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product

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Ms. Cameron stated that all of the above resolutions have a proposed penalty of \$600 for selling flavored vape products **except for Resolution #EH-ENF-22-0008 – Dream Vape, Ithaca.**

Resolution #EH-ENF-22-0007 – Cayuga Smoke Shop, C-Ithaca; Resolution #EH-ENF-22-0009 – Commons Market, C-Ithaca; Resolution #EH-ENF-22-0012 – Jason’s Grocery & Deli., C-Ithaca; Resolution #EH-ENF-22-0013 – Ayra Convenience Inc., C-Ithaca; and Resolution #EH-ENF-22-0014 – Ithaca Convenience LLC, C-Ithaca: Ms. Black motioned to approve the first-timed offenses with the same \$600 penalty for the above grouped resolutions; seconded by Dr. Evelyn as written was unanimous

Ms. Cameron explained that because the flavored vapor ban came out during COVID 2020, things were handled on a complaint basis then and EH is now doing inspections at these facilities. These inspections are considered first time offenses and penalties are consistent with previous penalties of \$600 (\$350 penalty plus a \$250 surcharge) for the specific facilities.

Discussion: Ms. Black recommends increasing fines to discourage preying on our children. Ms. Cameron reported that Resolution #EH-ENF-22-0008 – Dream Vape, C-Ithaca, has a proposed penalty of \$2500 for the sale to an underage person.

The vote to approve the resolutions as written was unanimous.

Resolution #EH-ENF-22-0013 – Ayra Convenience Inc., C-Ithaca: Request for a motion to consider a fine reduction per the request of the complainant.

No discussion.

Motion denied.

Resolution #EH-ENF-22-0008 – Dream Vape, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product and Underage Sale of Tobacco Product: Dr. Evelyn moved to accept the resolution as written; seconded by Mr. Kingra.

Ms. Cameron explained that there were two sales of flavored vape nicotine products with one sale to an under aged minor. Flavored vape nicotine products were for sale on March 4th and March 16th with no signage visible. EH proposes a penalty of \$2,500.00.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution # EH-ENF-22-0015 – Hilton Garden at Seneca Place Spa Pool, C-Ithaca, Violation of Subpart 6-1 of New York State Sanitary Code: Dr. Koppel moved to accept the resolutions as written; seconded by Dr. Evelyn.

Ms. Cameron explained that this is a case of failing to maintain sufficient disinfection residual on two occasions. Disinfection was changed upon EH’s approval and no other additional violations since making those corrections. The pool is open and in compliance with the actions of the order. EH proposes a penalty of \$200.

No discussion

The vote to approve the resolution as written was unanimous.

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Resolution # EN-ENF-22-0016 – Finger Lakes GrassRoots Festival, T-Ulysses, Violation of BOH Orders #EH-ENF-21-0011: Dr. Evelyn moved to accept the resolutions as written; seconded by Ms. Black.

Ms. Cameron explained that problems continue with GrassRoots Festival onsite water plans. They failed to submit water plans by the deadline and submitted inadequate onsite water plans. EH subsequently issued a public health directors order. Ms. Cameron said there will be additional enforcements brought before the Board after the festival is over with respect to these and any other violations that arise. EH recently approved plans for a temporary water system for this years' festival with a requirement for a permanent system must installed by October 2022.

Discussion: Ms. Cameron confirmed that the \$500 violation is for not submitting approvable water system plans by the 2/21/22 deadline.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0019 – TOSA Apartments, T-Dryden, Violation of BOH Orders #EH-ENF-20-0016: Dr. Evelyn moved to accept the resolution as written; seconded by Mr. Kingra.

Ms. Cameron explained that TOSA Apartments has a past history of difficult communication and responsiveness regarding their water system. EH has not received a response from TOSA Apartments on the boil water order; and they failed to maintain sufficient chorine levels; failed to submit a quarterly total coliform sample result for the first quarter of 2022; and have not met the provisions of Board of the Health resolutions. EH proposes a penalty of \$1,500.

No discussion.

The vote to approve the resolution as written was unanimous.

Administrative Action:

Review of Proposed 2023 Environmental Health Division Fees: A copy of the *Departmental Summary – Public Health – 2023 Request* was included in the packet. Ms. Cameron stated that the information in the packet is for discussion as it will be adopted as part of the budget process. She said that the budget is due to the County Administration by the end of July. Ms. Cameron gave an overview of the proposed changes highlighted in red for new Board members. She said EH is not proposing any changes this year except for three minor ones.

EH is proposing:

- a regulated vending machine permit fee of \$85;
- a mass gathering operating permit fee of \$3,100; and
- an operating permit renewal fee of \$50 for enhanced treatment units for on-site wastewater treatment systems.

Review of Draft Policy for Video Observed Therapy for TB and related consent form for BOH Approval: A copy of the draft was included in the packet. Ms. Black moved to accept the resolution as written; seconded by Dr. Evelyn.

Discussion: Ms. Buckwalter explained that this came out of COVID for a formal document when doing direct observed therapy by video. Policy, procedures, and consent forms were formalized in consultation with Dr. Klepack, Dr. Macqueen, and CDC resources.

The vote to approve the resolution as written was unanimous.

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Administration

Merger Update: Mr. Kruppa reported:

- Work continues on bringing both budgets together
- The chart of accounts will stay the same with only the county system needing to update to a single department
- The All Staff meeting is tomorrow and both departments will be closed for the day for staff to get to know each other by interacting in small workgroups in a variety of activities and events
- An online internal directory is being created
- Work continues on co-location of services
- **Tompkins County Whole Health** has been selected as the new name of the merged departments

Mr. Kruppa appreciated the feedback he received regarding the new name and will continue to work with the consultants on remaining branding work. In preparation for the charter process, the total package will return to the Board for final review and vote; the package will include the bylaws, new name, logo, and proposed charter language. Mr. Kruppa will meet with Dr. Moylan on the bylaws conversation for both the CSB and BOH to create consistency.

Dr. Moylan asked the Board members to reach out to Mr. Kruppa with any concerns of the new name. Dr. Moylan announced that she will not be able to attend next month's meeting on July 26th. Ms. Merkel agreed to chair next month's meeting.

The next meeting is Tuesday, July 26th, 2022 @ Noon.

Adjournment: Adjourned at 1:20 p.m.