

Tompkins County Board of Health
December 6, 2022
12:00 Noon
Virtual Meeting via Zoom

Approved 1.24.23

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

Staff: Elizabeth Cameron, Director of Environmental Health; Brenda Grinnell Crosby, Public Health Administrator; Rachel Buckwalter, Director of Community Health; William Troy, County Attorney; Samantha Hillson, Director of Health Promotion Program; Dr. William Klepack, Medical Director; Deb Thomas, Director of Children with Special Care Needs; Frank Kruppa, Public Health Director; Harmony Ayers-Friedlander, Deputy Commissioner of Mental Health; and Ted Schiele, HPP; and Karan Palazzo, LGU Administrative Assistant.

Excused: Ravinder Kingra

Guests: Manny Dong, Benjamin Hill Heights Mobile Home Park; and Michele Palmer of Whitham Planning Design Landscape Architecture, representing GrassRoots

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: Mr. Manny Dong, Owner of Benjamin Hill Heights Mobile Home Park was present to address the Board about his violations of failing to maintain minimum water pressure. He understood that he was to install a water pressure booster pump to maintain the required minimum water pressure. He was concerned about the cold January temperatures and the possibility of freezing pipes. and made a request to delay the installation until March 2023. The Board members had no questions.

Approval of the October 25, 2022 Minutes: Ms. Black moved to approve the October 25, 2022 minutes, second by Dr. Dhundale; all were in favor as written with one abstention.

Financial Summary: Ms. Grinnell Crosby referred to the November 2022 report pulled from the County's books included in the packet. This is a partial November report. The County has not posted two payrolls as of 11/28/22. The department is currently filing third quarter claims. The \$1,586,000 target budget of State aid has almost been reached and will likely exceed the State aid revenue projection this year. She had nothing to add to her written report.

Administration Report: Mr. Kruppa shared that the All Staff Meeting is Thursday, December 8th at the Green Street location and will present the new logo to the staff. He will share the new logo with the Board afterwards. The communications plan includes a soft release in December and a full launch of the new logo and name in January 2023 which will introduce all of the services provided to the community.

Health Promotion Program Report: Ms. Hillson updated the Board that TCHD did not receive the Nature Health Equity and Overdose Prevention Mentorship Program, but other opioid prevention initiatives are being implemented. The Community Health Workers are promoting flu vaccines and the new Tompkins County Whole Health branding. TCHD has changed how local COVID-19 data is posted on our website.

These data are now displayed in a dashboard that's connected directly to NYSDOH and CDC databases. The NYS data updates every few days, the CDC data updates weekly.

Medical Director's Report and Discussion: Dr. Klepack noted the discussion from last month's Board meeting addressing the issues about vaping and the infractions, and the potential connection with the legalization of cannabis. THC legalization and the rollout of retail sales must be taken seriously. He referred to an email regarding packaging, labeling, marketing, advertising, laboratory permitting oversight and testing of adult use cannabis which is progressing into the public comment phase in the Office of Cannabis Management (OCM).

Dr. Klepack said that the Office of Cannabis Management's (OCM) regulations are designed to protect public health and reduce waste. The regulations include requirements for child resistant packaging and labeling the products as containing cannabis with THC, marketing limited to adult only audiences and the rules for establishing testing procedures to ensure that products are safe for consumption. He referred to an article from the New York Times on illegal cannabis operations and impurities in the products they sell. The article reported mislabeling, illegal marketing and impurities in unregulated illegal cannabis operations.

The NY Department of Health stated in its evaluation to legalize cannabis that an unbalanced and unregulated market is a hazard to our young people and communities. He encouraged all to make public comments to the OCM on their proposal regulations during the 45-day comment period that ends on January 23rd. He will forward the link.

Ms. Black asked what actions the Board should take to prohibit the sale of cannabis to kids that might be attracted to the snack like packaging. Mr. Troy, County Attorney stated that without statutory language we are unable to prohibit. Dr. Klepack added that if the OCM becomes aware of this type of marketing at businesses and if warranted, they can issue a cease and desist order that can be followed up by additional actions if needed. He encouraged notifying the OCM of the details of the businesses of concern. Mr. Kruppa welcomed information of businesses of concern to be sent to the TCHD, who will forward the information on to the OCM.

Division for Community Health (DCH) Report: Mr. Kruppa welcomed Rachel Buckwalter as the new Director of Community Health. Ms. Buckwalter had nothing to add to her written report included in the packet.

Children with Special Care Needs Report: Ms. Thomas referred to her report included in the package. The draft resolution regarding children with special health care needs was supported by the legislature and submitted to Albany.

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

Community Mental Health Services Board (CSB) Report: Ms. Ayers-Friedlander reported that Mr. Kruppa shared the All Staff meeting information for the roll out of the new logo and communication plan. He shared an overview of the information that was shared with the opioid task force which included available resources specific to our county as well as ways to address the opioid problem. The meeting ended with a slate of officers being selected with voting to be held at the January 2023 meeting.

Environmental Health Report: Ms. Cameron referred to an email from Thai Express (resolution #5) and Applegate Park (resolution #7) to be discussed; and acknowledged guest Michelle Palmer from Whitham Planning Design Landscape Architecture, the consultant for GrassRoots (resolution #10). She asked that

Resolution # 7 be pulled from the agenda for the Board's approval in order for EH to review and revise per the request for a more structured penalty.

Dr. Moylan pulled resolution #7 as requested to revise enforcement actions.

Resolution #EH-ENF-22-0033 Trumansburg Main Street Market, V-Trumansburg, Violation of Subpart 14-1 of New York State Sanitary Code (Food) – Dr. Koppel moved to accept the resolution as written; seconded by Dr. Dhundale.

Ms. Cameron reported that this is a case of not maintaining food at the proper temperatures during hot holding. EH proposes a fine of \$200.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0035 – Casper's Kitchen, V-Groton, Violation of Subpart 14-1 of New York State Sanitary Code (Food) - Dr. Evelyn moved to accept the resolution as written; seconded by Ms. Touchton.

Ms. Cameron reported multiple violations on this case. EH proposes a fine of \$400.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0036 – SPM Empanadas, Throughout Tompkins, Violation of Subpart 14-4 of New York State Sanitary Code (Mobile Food) - Dr. Dhundale moved to accept the resolution as written; seconded by Dr. Koppel.

Ms. Cameron reported that this is a case of not maintaining food at the proper temperatures. EH proposes a fine of \$200.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0041 – Zocalo Mexican Bar & Grill, V-Lansing, Violations of Subpart 14-1, and Violation of BOH Orders # EH-ENF-22-0017 (Food) – Ms. Merkel moved to accept the resolution as written; seconded by Ms. Touchton.

Ms. Cameron reported that this is violation of BOH orders, not maintaining food at the proper temperatures during hot and cold holdings. EH proposes a fine of \$800.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0044 – Taste of Thai Express, C-Ithaca, Violations of Subpart 14-1, and Violation of BOH Orders # EH-ENF-22-0001 (Food) – Dr. Koppel moved to accept the resolution as written; seconded by Dr. Evelyn.

Discussion in reference to the email received and EH recommendations. Ms. Cameron explained that this is a facility that has been brought to the Board annually since 2016 except when they were closed during COVID or when EH was doing limited COVID inspections in 2020 and 2021. New to the orders vs. past orders is that EH is requiring Taste of Thai Express to contract with a food safety expert and prepare a food safety plan. Questions raised in their email will be addressed within the EH department with the exception of the requested extension. EH supports an extension to February 17th and a proposed penalty of \$1,600.

The vote to approve with a friendly amendment to extend the due date to February 17, 2023 was unanimous.

Resolution #EH-ENF-22-0030 – Dollar General – North Lansing #22623, T-Lansing, Violations of Subpart 5-1 of New York State Sanitary Code (Water) - Dr. Evelyn moved to accept the resolution as written; seconded by Dr. Dhundale.

Ms. Cameron explained that this is a case related to their drinking water treatment system with multiple violations. There have been several issues with the Dollar General in North Lansing and other Dollar Generals throughout the county. A boil water order has been effect since February 2022. The water system was not fully constructed in accordance with the engineering plans. Additionally, EH's site visit revealed that the plans failed to show the storm water retention pond that contained a sewage discharge and that is close to their drinking water well. Ms. Cameron stated that new revised plans must be submitted to address the issues. EH proposes a fine of \$3,500.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0038 – Benjamin Hill Heights MHP, T-Newfield, Violations of Subpart 5-1 of New York State Sanitary Code (Water) – Dr. Dhundale moved to accept the resolution as written; seconded by Dr. Evelyn.

Ms. Cameron explained this is a case of public water system violations at a mobile home park due to inadequate water pressure. EH proposes a \$500 penalty and installation of a booster pump to increase pressure throughout the park. EH supports extending the deadline from December 16, 2022, to January 30, 2023.

Discussion. Ms. Cameron confirmed that deadline extensions and other revisions to resolutions can be done without penalty. Water systems may be constructed are done during the winter months. The design engineer should raise concerns to EH if he has some. She said that it is the mobile home park's responsibility under mobile home park regulations to ensure the park's water pressure is at least 20 psi.

The vote to approve with the friendly amendment to extend the due date to January 30, 2023 was unanimous.

Resolution #EH-ENF-22-0042 – Newfield Estates MHP, T-Newfield, Violation of Part 17 – Operating without a Permit (Mobile Home Park) - Dr. Evelyn moved to accept the resolution as written; seconded by Ms. Merkel.

Ms. Cameron reported that this is case of operating without a permit due to a failure to pay fees. They are now current in their permit and late fees. EH supports reducing the penalty from \$500 to \$400.

No discussion.

The vote to approve with the friendly amendment to reduce the penalty from \$500 to \$400 due to extenuating circumstances and the completion of all activities was unanimous.

Resolution #EH-ENF-22-0027 – Finger Lakes GrassRoots Festival of Music and Dance, T-Ulysses, Violations of Subpart 5-1, Subpart 7-3, Subpart 7-4 and BOH Orders #EH-ENF-21-0011 (Water, Campground, Mass Gathering) - Dr. Koppel moved to accept the resolution as written; seconded by Ms. Merkel.

Ms. Cameron reported that GrassRoots has come before the Board on multiple occasions. EH is requiring them to hire a licensed professional to prepare campsite layout maps for the fairgrounds and Across the Way and plans for implementing the layout at the festival. These maps and plans are due January 15, 2023. Michelle Palmer was present, representing GrassRoots. GrassRoots has hired a professional engineer for plans for the water systems.

EH previously revoked their advertising waiver and GrassRoots is not allowed to advertise the 2023 festival or sell tickets until:

- Approvable plans have been submitted to TCHD for the fairgrounds and Across the Way;
- The fairground board has approved the water system plans for the fairgrounds site;
- Receipt of a signed construction contract for both the fairgrounds and the Across the Way water systems;
- Submission of approvable construction schedules which ensure completion of each project no later than May 1st, 2023.

In addition, a complete and final application must be submitted 45 days in advance of the festival. Everything must be completed and laid out five business days in advance of the festival. The festival must be cancelled if they fail to meet either of these requirements of the order. Additionally, EH must have a secure, air-conditioned office trailer. Engineer Dan Walker is not allowed to submit plans until 2026 due to prior issues. EH does not intend to issue a culture camp campground permit for camping by anyone other than staff, workers, or performers for the fairgrounds site.

Fines due:

\$22,000 due December 15, 2022

\$20,000 due February 28, 2023 (waived if the layout and implementation plan is submitted by 1/15/2023)

\$20,000 due June 15, 2023 (waived if all is completed and submitted by June 15, 2023)

No discussion.

The vote to approve the resolution as written was unanimous.

Administrative Actions:

Review of the Community Health Assessment Plan (CHAP) and Community Health Improvement (CHIP) Plan – Ms. Hillson stated that the CHAP and CHIP plans are done in partnership with Cayuga Health System. These plans are required by the state for the purposes of identifying main health challenges, determining gaps and disparities, prioritizing strengths, resources, assets in the community and to ultimately advance health equity in the County.

Numerous data sources are used to develop priority needs including reviewing both local and state data, US Census, partner agencies, community input and expert input as well as through our steering committees such as Community Voices and then select goals and interventions.

NYS Prevention Agenda Priorities 2019 - 2024

1. Prevent Chronic Disease,
2. Healthy and Safe Environment
3. Promote Healthy Women, Infants, and Children
4. Promote Well-Being and Prevent Mental and Substance Use Disorders
5. Prevent Communicable Disease

Mr. Schiele reviewed data collected from the community health survey which was promoted from July 7 – August 1, 2022 and noted differences in data from the 1,569 responses that were received.

Ms. Hillson stated that the health system has done qualitative research by holding focus groups around diversity, equity, and inclusion to be included in the work in progress.

Tompkins County is one of the healthiest counties in New York State overall and has greater access to health care and supportive services than surrounding counties. There are significant barriers to services and overall health and well-being leading to serious disparities in the health outcomes.

Tompkins County Health Department and partners in the community as a whole, will continue to have regular conversations about our Community Health Improvement Plan.

COMMUNITY HEALTH IMPROVEMENT PLAN (CHIP)

Prevent Chronic Disease:

Healthy Eating and Food Security

Increase access to healthy and affordable foods and beverages

Preventive Care & Management:

Increase cancer screening rates for breast, cervical, and colorectal cancer screening

Increase early detection of CVD, diabetes, and obesity

Promote Healthy WIC:

Cross Cutting

Reduce racial, ethnic, economic, and geographic disparities in maternal/child health outcomes, promote health equity

Promote Well-Being & Prevent MH and Substance Use Disorders

Strengthen opportunities to build well-being and resilience across the lifespan

Facilitate supportive environments that promote respect and dignity for people of all ages

Mental Health & Substance Use Disorders

Prevent opioid and other substance misuse and deaths

Prevent and address Adverse Childhood Experiences (ACEs)

Prevent suicides

Questions:

How are outcomes assessed? The CHIP matrix includes setting objectives and measures to evaluate and measure each intervention and its effectiveness. The prevention agenda lists objectives for each of the goals and in working toward objectives we evaluate by process as we move along.

Dr. Klepack added that based on research done prior to COVID, aggressively addressing the social medial risk to prevent to adverse childhood experience is necessary. He stated that a facility for safe consumption of substances to prevent overdose deaths is needed as well as a providing a portal for harm reduction for long-term relationships with people who have substance use disorder. Although a detox center will open soon on Triphammer Road, there is more to do.

Dr. Moylan thanked Ms. Hillson and the team for all the work put into the plans.

Dr. Moylan brought attention to bylaws decisions for upcoming meetings and encouraged board members to consider leadership positions on the Board. She gave an overview of the President and Vice President' responsibilities.

Dr. Evelyn shared that he may not be able to fulfill his role as Vice President. Mr. Kruppa stated that a notice will be sent out and nominations will take place.

Happy Holidays!

The next meeting is Tuesday, January 24th, 2022 @ Noon.

Adjournment: Adjourned at 1:40 p.m.