

AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, February 25, 2014
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 January 28, 2014 Minutes (2 mins.)

12:06 IV. Financial Summary (9 mins.)

12:15 V. Old Business (15 mins.)

Administration

Children with Special Care Needs

Medical Director's Report

County Attorney's Report

Division for Community Health

Environmental Health

12:30 VI. New Business

12:30 ***Administration*** (5 mins.)

1. Approval to reappoint William Klepack, MD, to a two-year position (2014-2015) as Tompkins County Health Department Medical Director (5 mins.)

12:35 ***Environmental Health*** (30 mins.)

Enforcement Action:

1. Resolution #13.1.34 – German Cross Road Apartments, T-Dryden, Violations of Article VI of the Tompkins County Sanitary Code and of Subpart 5-1 of the New York State Sanitary Code (Water & Sewage) (5 mins.)
2. Resolution #14.1.2 – Massey Apartments, T-Enfield, Violation of Subpart 5-1 of the New York State Sanitary Code (Water) (5 mins.)
3. Resolution #14.1.3 – Mountainview Manor MHP, T-Caroline, Violation of Subpart 5-1 of the New York State Sanitary Code (Water) (5 mins.)
4. Resolution #14.1.4 – Stork H & E Turbo Blading, T-Danby, Violation of Subpart 5-1 of the New York State Sanitary Code (Water) (5 mins.)
5. Resolution #13.1.12 – City of Ithaca, Revised Resolution to Extend Deadline (Water) (5 mins.)
6. Resolution #14.11.5 – Main Street Pizzeria, V-Groton, Violation of Part 14-1 of the New York State Sanitary Code (Food) (5 mins.)

1:05 ***Adjournment***

Tompkins County Board of Health
January 28, 2014
12:00 Noon
Rice Conference Room

Present: Will Burbank; Brooke Greenhouse; Edward Koppel, MD; James Macmillan, MD, President; Patrick McKee; Michael McLaughlin, Jr.; and Patricia Meinhardt, MD

Staff: Liz Cameron, Director of Environmental Health; Sigrid Connors, Director of Patient Services; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Jonathan Wood, County Attorney; and Shelley Comisi, Keyboard Specialist

Excused: Janet Morgan, PhD; Sylvia Allinger, Director of CSCN; and Brenda Grinnell Crosby, Public Health Administrator

Guests: Frank Proto, Former Chair, Health and Human Services Committee; and Skip Parr, Sr. Public Health Sanitarian

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

Dr. Macmillan called the regular meeting of the Board of Health to order at 12:08 p.m.

Introductions were made around the room to welcome Dr. Edward Koppel as a member of the Board of Health. Dr. Koppel thanked everyone for supporting his nomination. He had been thinking about serving for a long time. It was Dr. Macmillan who enlightened him about the role of the BOH during the years they practiced together at Cornell's Gannett Health Services. Dr. Koppel is a Board Certified internist who has been working at Gannett for 15 years. In that capacity he wears a variety of hats that have included primary care, occupational medicine, sports medicine, radiation safety, tuberculosis screening and travel medicine.

Approval of December 10, 2013 Minutes: Mr. McKee moved to approve the minutes of the December 10, 2013 meeting as written; seconded by Mr. Greenhouse. The minutes carried with Mr. Burbank and Dr. Meinhardt abstaining.

Financial Summary: Ms. Grinnell Crosby was not present for the meeting. In her absence, Mr. Kruppa reported staff members continue to work on improving the financial summary report for Board members. More information will be available next month as State Aid claims are still being processed for 2013. By the end of March there should be a financial report for the previous year.

Administration Report: Mr. Kruppa shared the somber news that fellow staff member, Kelly Nickerson, passed away on Christmas Day after a long battle with health issues. She was a Senior Account Clerk Typist in the Division for Community Health who had

worked for the Health Department for a number of years. Staff will gather for a special remembrance of her later in the week.

Reporting on three significant grants in the process of reapplication, Mr. Kruppa noted the programs are important and have been successful through the efforts of 12 full-time equivalent employees. (1) The grant for the Healthy Neighborhoods Program in Environmental Health has been submitted. (2) The Tobacco grant application is in process. Since the catchment area has been expanded from Tompkins County to include Cortland and Chenango counties, the Health Department would provide full service for the three counties. This change would require adding one full-time staff member and subcontracting staff in the other two counties. (3) The Women, Infants and Children (WIC) program is coming to the end of its five-year plan but may be extended for another year. When grant information becomes available, staff will reapply.

Regarding preparedness activities, Mr. Kruppa announced Nina Saeli, Emergency Preparedness Coordinator, is working with Ithaca College student interns on a closed Point of Distribution (POD) plan for the college. With the support of the Health Department, the students will be involved in planning the exercise and then implementing it on their campus in the fall. Ms. Saeli has made some inroads with the college that will hopefully result in a positive relationship and a good plan. The goal is to have as many closed POD agreements as possible within the community. Those agreements will bring in other institutions as partners to assist with the workload required to provide mass prophylaxis to the entire community.

Mr. Kruppa responded to questions regarding the closed POD:

- A closed POD is conducted for a defined population, e.g. staff and students at Ithaca College. Medications, vaccine or other medical countermeasures are distributed by the community partner according to its plan.
- Cornell would be a major partner during an event so staff will be working on an agreement with the university.
- Health Department staff members have worked with Cornell's Environmental Health and Safety personnel and have visited the campus to look at facilities related to mass prophylaxis and sheltering.
- During a countywide event, the Health Department would not be able to act alone to provide prophylaxis to a large portion of the population in the required time frame. This is an effort to build capacity within the community by looking to sign a Memorandum of Agreement (MOA) with individual partners.
- Preparedness planning has morphed from bioterrorism into an all-hazards approach. Since 9/11, progress has been made in planning to respond to a bioterrorism event; however, Tompkins County has not had an event requiring prophylaxis distribution to its entire population of 100,000. H1N1 was the closest experience, but that event covered about 10 to 15 percent of the population. There is an awareness of the need to have partners built into the system so there is a push to make further progress in this area through closed PODs.

Medical Director's Report: Dr. Klepack reported influenza has been widespread across the state for a number of weeks. There was concern about a particular strain, but recent reports from the state and the Centers for Disease Control and Prevention (CDC) do not

indicate any major prevalence. No vaccine is 100 percent effective but this season's vaccine is a good match. He also stated there were no more reported cases of pertussis and no meningococcal disease at this time.

Division for Community Health Report: Ms. Connors had nothing to add to her written report.

Children with Special Care Needs Report: Ms. Allinger was not present for the meeting.

County Attorney's Report: Mr. Wood stated the Government Operations Committee moved its meeting to a later time of the day so he no longer has a scheduling conflict. He will be able to attend BOH meetings regularly.

Environmental Health Report: Ms. Cameron had nothing to add to her written report. When asked about the Blue Frog Café, Ms. Cameron replied the owner paid the outstanding fines before applying for a permit to open at a new location in the Cornell Business and Technology Park.

Recognition of Frank Proto, Former Chair of the Health and Human Services (HHS) Committee: Mr. Kruppa expressed appreciation for Mr. Proto's many roles and years of support for public health. During his 29 years on the Legislature, Mr. Proto served 11 years as a member of the HHS Committee that oversaw the Health Department and 13 more years as its Chair and Vice Chair. He also served as a representative to the BOH. The record shows he completed two six-year terms as the Legislature's representative and one six-year term as an at-large representative for a total of 18 years of additional service to the Board. On behalf of the Health Department and the Board of Health, Mr. Kruppa presented a certificate to Mr. Proto in recognition for his outstanding service and lasting contribution to public health. There was applause from those in attendance.

Mr. Proto thanked everyone for the recognition and shared some of his thoughts. Emphasizing it has been fun; he also noted a lot was accomplished. He announced he will still be involved with public health as he was appointed to serve as a board member on the Health Planning Council. Wanting to stay in touch with the Board, he said he would be happy to help out if his assistance is needed. He will also share information with the Board through his connection with Ms. Cameron on the Water Resources Council.

Board of Health Selection of Officers: The gavel was passed from Dr. Macmillan to Mr. Kruppa who opened the floor for nominations for President. Mr. Greenhouse moved to nominate Dr. James Macmillan; seconded by Mr. Burbank. No other nominations were put forward. The vote in favor of Dr. Macmillan continuing to serve as President of the BOH carried unanimously.

The gavel was passed back to Dr. Macmillan who requested nominations for Vice President. Mr. Greenhouse moved to nominate Mr. McLaughlin; seconded by Dr. Koppel. No other nominations were put forward. The vote in favor of Mr. McLaughlin continuing to serve as Vice President of the BOH carried unanimously.

Approval of revisions to the *Meningococcal Vaccine Policy*: Ms. Connors revised the *Meningococcal Vaccine Policy* to include the new recommendations for high-risk children aged two months to 10 years of age. The Division's nurses routinely vaccinate children 11 to 18 years of age; however, younger children with high-risk indicators would be referred to their primary care providers.

Mr. Greenhouse moved to accept the policy as written; seconded by Mr. McLaughlin. After confirming that Dr. Klepack had reviewed the policy, the vote to approve the revisions to the *Meningococcal Vaccine Policy* was unanimous.

Resolution #13.15.26 – Spruce Row Campground, T-Ulysses, Violation of Subpart 5-1 of the New York State Sanitary Code (Water): Ms. Cameron summarized the campground had a number of recurring problems in maintaining acceptable chlorine levels in its public water system due to operator error and how the equipment was set up. Another difficulty has been obtaining required monthly reports and bacteriological samples from the facility.

Mr. Greenhouse moved to accept the resolution as written; seconded by Dr. Meinhardt.

Mr. Greenhouse asked about the rationale for changing the fine from \$1,000 to \$400. Ms. Cameron explained the fine was based on the absence of reports; however, the owner belatedly submitted those reports. Since the campground was in compliance, the amount of the fine for those reports was removed.

Mr. Burbank wondered if the situation has improved. Ms. Cameron replied the campground is a seasonal operation so staff is waiting for it to reopen. Meanwhile, the owner is making changes that hopefully will be effective.

The vote on the resolution as written carried unanimously.

Resolution #13.10.30 – At the Ridge, T-Lansing, Violation of Subpart 14-1 of the New York State Sanitary Code (Food): Ms. Cameron stated the restaurant did not have a thermometer; therefore, its staff could not determine if food was out of temperature.

Mr. Greenhouse moved to accept the resolution as written; seconded by Mr. McLaughlin.

There was discussion about whether or not the lack of a thermometer to monitor food temperatures is a violation of the New York State Sanitary Code. The resolution was tabled to allow time for Mr. Wood to research the code.

Resolution #13.40.31 – WAL-MART, C-Ithaca, Violation of Adolescent Tobacco Use Prevention Act (ATUPA): Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Macmillan; and carried unanimously.

Resolution #13.13.32 – Argos Inn, C-Ithaca, Violation of Subpart 7-1 of the New York State Sanitary Code (Operating without Permit): Ms. Cameron reported EH staff learned through the newspaper that the Argos Inn was having its grand opening. The issue was the Argos Inn had not submitted an application for a permit to operate a temporary residence prior to the opening.

Mr. Burbank moved to accept the resolution as written; seconded by Mr. McLaughlin.

Mr. Burbank asked about any extenuating circumstances. Ms. Cameron thought there was a problem with communication. As soon as the necessary documentation was completed, EH staff issued the permit.

A brief discussion about bed and breakfast establishments in Tompkins County ensued. Mr. Proto wondered if EH would take the step of reminding the Convention and Visitors Bureau that its membership needs to obtain a permit to operate a bed and breakfast. Ms. Cameron responded staff can certainly reach out to the Bureau. EH regulates bed and breakfast facilities with 10 or more guests so most of them are under the radar. Many people work through their municipal code enforcement officers for a building permit but there is uneven enforcement and follow through. Compliance is the main goal so staff members work with those people who were unaware or unintentionally did not obtain a permit.

The vote on the resolution as written carried unanimously.

Resolution #13.10.30 – At the Ridge, T-Lansing, Violation of Subpart 14-1 of the New York State Sanitary Code (Food): Returning to the tabled resolution, Mr. Wood read the following from the New York State Sanitary Code 14-1.85 on product thermometers: *“Metal stem-type, numerically scaled, indicating thermometers accurate to plus or minus two degrees Fahrenheit (1.1 degrees Celsius) are to be provided and used to determine that proper internal cooking, holding or refrigeration temperatures of all potentially hazardous foods are obtained and maintained.”* Mr. Wood stated thermometers are required according to the code; it is the law.

Mr. Greenhouse moved to take the resolution off the table; seconded by Mr. McLaughlin. The vote on the resolution as written carried unanimously.

Proposed On-site Wastewater Treatment System (OWTS) Permit Fee Revision for 2014: Ms. Cameron reported the permit management software project is starting with the OWTS program. As staff members work through the process, fees are being reanalyzed. In this case, there are two fees for OWTS permits: one for systems that are less than 1,000 gallons per day and another for systems that are greater than or equal to 1,000 gallons per day. This was set up when there was a difference in the rates for engineering plans and applicants received a reduced rate depending on the size of their system. That was restructured, but the permit fee was not restructured. A flat permit fee works best for the Division and is warranted by the workload.

Mr. Greenhouse moved to accept the proposed OWTS permit fee revision for 2014 as written; seconded by Mr. McLaughlin.

Dr. Meinhardt wondered if the lower fee will cover costs in the future. Ms. Cameron said the fees are reviewed annually to consider what is appropriate for cost recovery.

There was discussion on the permitting process for the two sizes of treatment systems. Staff members use the same process to issue permits for the homeowner sewage system or the larger system involving more than a home. Both systems need a permit application, design, inspections and certification of completion. Unusual sites and larger systems usually require the applicant to hire a private engineer.

DRAFT

Mr. Burbank asked if there is a mechanism for assisting economically stressed families. Ms. Cameron responded her Division is working on a policy to bring to the Board that will address those situations.

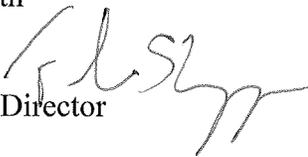
The vote to approve the recommendation for the On-site Wastewater Treatment System (OWTS) permit fee revision for 2014 carried unanimously.

Adjournment: At 1:12 p.m. Dr. Macmillan adjourned the meeting.

Memorandum

Date: February 18, 2014

To: Board of Health

From: Frank Kruppa 
Public Health Director

Re: January Financial Report

The financial report show red in two areas: Division for Community Health (DCH) and Early Intervention (EI). The shortfall in revenue in DCH is due to issues with Medicare billing. Our staff is working on the solution and expects to recoup the deficit in future months. The expenditures are above target in EI, but that is not unexpected. The expenditures are based on the needs of the current clients. We will track this throughout the year, but expect it will even out.

The other red indicators are reflections of those two areas. EI is a mandate and DCH is a non mandate and they both affect the overall Health Department budget.

Dashboard Display thru January 2014

	Expenditures	Revenues
Health Department		
Mandates		
Non-Mandates		
Preschool Special Education		
Plng. & Coord. (Health)		
Women, Infants & Children		
Occupational Hlth.& Sfty.		
Medical Examiner		
Vital Records		
Division For Community Health		
Medical Examiner Program		
Plng. & Coord. Of C.S.N.		
Phys.Handic.Chil.Treatmnt		
Early Intervention (0-3)		
Environmental Health		
Public Health State Aid		

LAST REFRESH: February 05, 2014

EXPENDITURES

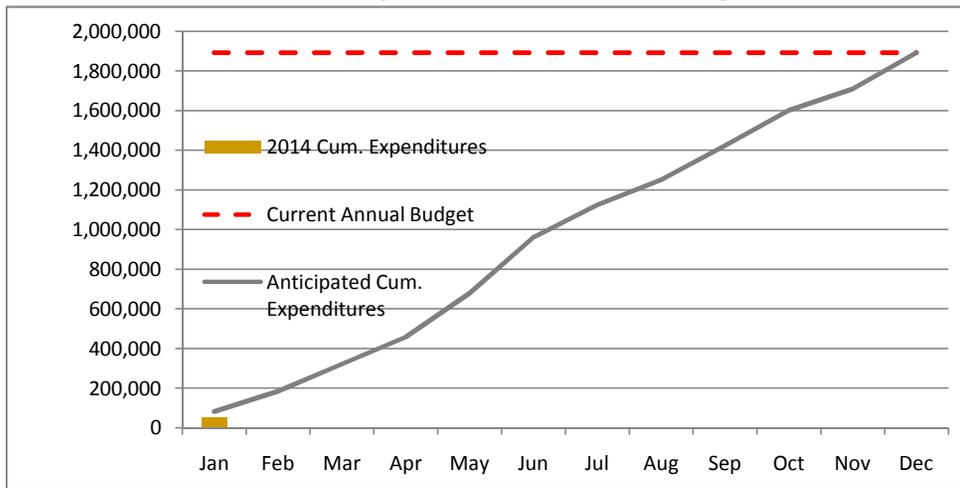
Cumulative to date compared to budget (over budget by more than 25% = Red, between 110% and 125% of budget = Yellow, below 110% of budget = Green)

REVENUES

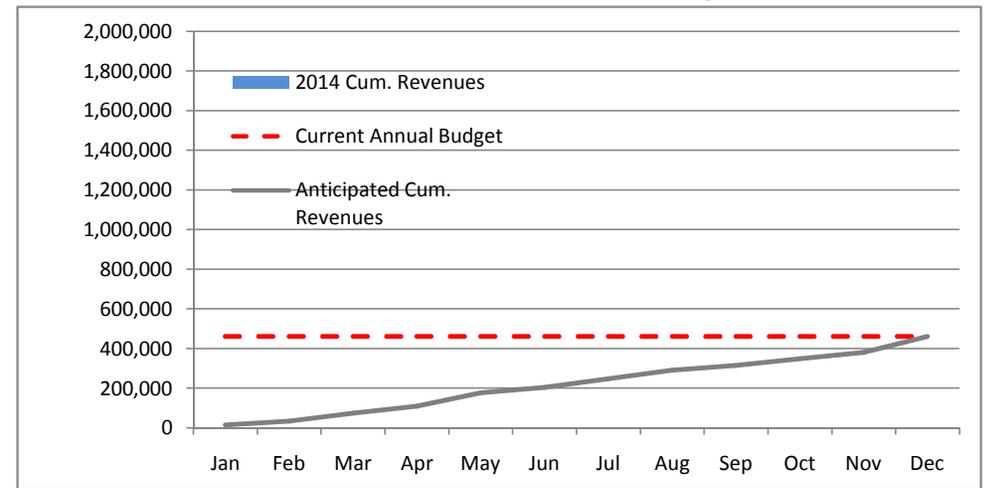
Cumulative to date compared to budget (over = Green, above 90% of budget = Yellow, below 90% of budget = Red)

Health Dept - Division For Community Health (4016)

Cumulative Expenditures thru January 2014



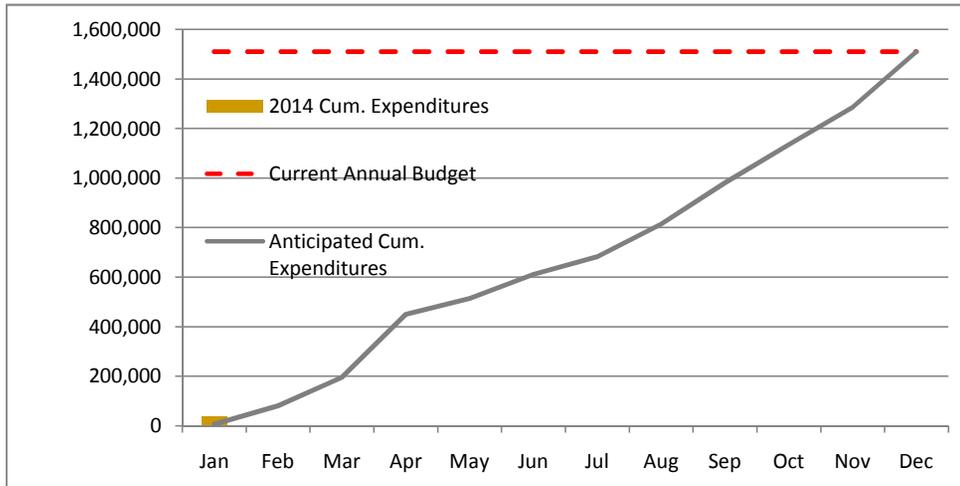
Cumulative Revenues thru January 2014



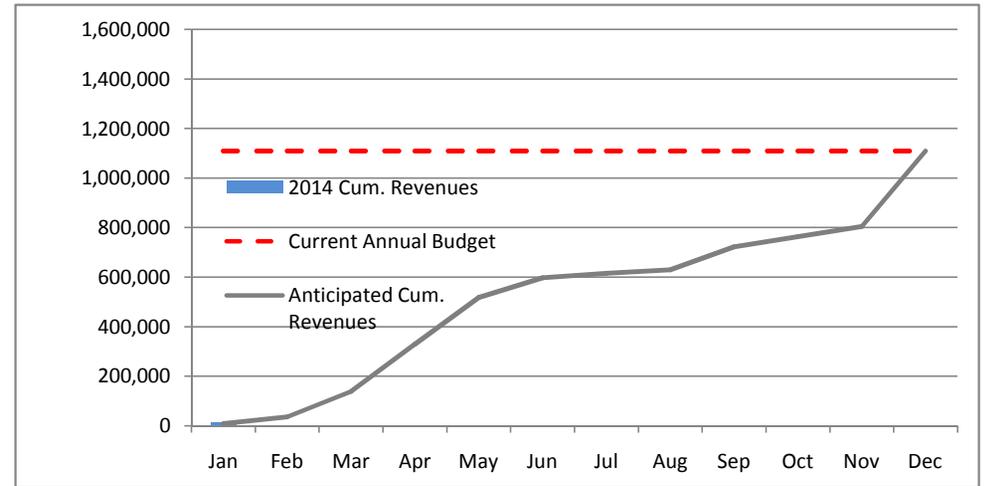
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

Health Dept - Early Intervention (0-3) (4054)

Cumulative Expenditures thru January 2014



Cumulative Revenues thru January 2014



The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

Medical Director's Report
Board of Health
February 2014

Chemical Risks in the Commercial Environment – Recent FDA Actions

The FDA took action in December with regard to a chemical commonly used in liquid and bar soaps, and dental care products, amongst others, which are commercially available to the general population. The specific chemical of concern is triclosan. Studies in animals have shown it to be a disrupter of metabolism, reproductive system and hormone system. In hospitals and clinics it has been used in hand washing soaps. Two years ago I raised concern about triclosan with Cayuga Medical Center and was informed that the Joint Commission on Accreditation of Hospitals (JCAHO) requires an antimicrobial agent in soaps used in hospitals. In other words plain soap used for good hand washing has been judged by JCAHO as being insufficient in the past.

Now the FDA has accumulated scientific information that has prompted it to re-evaluate whether these chemicals are safe. The agency also said that there is no evidence that these substances are any more effective in preventing infection than plain soap and water. The FDA is proposing a rule to remove them from commercial products. The FDA is giving companies a year to produce data showing the chemical is safe and effective. If they are unable to prove this then the rule would require them to remove the products. A public comment period was opened for 180 days in December, 2013.

This move by the FDA has followed a previous move taken just a week before which would phase out the use of antibiotics in animals raised for meat. It is well known that by far more antibiotics are used in animal husbandry than in human health care. The resultant creation of resistant bacteria which find their way throughout the food chain with impacts on human disease has prompted the FDA to take this action.

On another subject, in November the FDA banned the use of trans fats in prepared foods due to their known association with cancer and heart disease.

The common theme which these actions share is one of growing action targeting chemicals in our environment. Most of the chemicals we are exposed to have never been tested regarding human health implications. The national legislation governing chemicals is dated (having been passed in the early 1970s). Efforts to update that legislation have been unsuccessful. But the data base documenting examples of chemical impacts on health has been growing. The chemical burden we carry in our bodies has been documented. Our young people contemplating pregnancy are ever more attuned to this. Witness the concerns about the chemical spill which affected the water supply in West Virginia recently.

The theme of these hormone disrupters and chemicals potentially having an impact on health is also played out in the concerns that have been voiced about chemicals used in hydrofracking

(see next item in my report). Keeping dangerous chemicals out of the bodies of our population is a major challenge for public health. Likely in the future these concerns about chemical impacts will play a larger and larger role in our realization that public health will need at times to trump industrial processes.

Kassotis et al: Estrogen and Androgen Receptor Activities of Hydraulic Fracturing Chemicals and Surface and Ground Water in a Drilling Dense Region. doi:10.1210/en.2013-1697

This report comes from the Department of Obstetrics Gynecology and Women's Health at the University of Missouri in Columbia, Missouri. The authors suggest that their data is evidence indicating that natural gas drilling operations may result in elevated endocrine disrupting chemical activity in ground and surface water.

These authors conducted a study in which they collected water samples from areas of high intensity drilling operations and contrasted those samples to samples taken from low to no drilling activity. The latter areas were both in the vicinity of the high intensity sites, as well as remote sites. The study location was Garfield County, Colorado (an area of very intense drilling) with comparison samples taken within that county and also in the remote locations of Missouri (in a more urban location) and also the Colorado River, which is the main drainage river of Garfield County.

Endocrine disrupting chemicals are important due to the significance of our hormonal systems. These systems not only regulate our metabolism, but interact with potential cancers of our body and play significant roles in our development sexually and non-sexually. Disruption in endocrine activity often produces altered development, sexuality, cancer risks and diseases.

The study design focused on twelve chemicals which are suspected or are known to be endocrine disruptors which are used in natural gas operations. The activities of these disrupting chemicals were measured in surface and ground water from the intense drilling areas and compared with the control areas. The disruptive impact of these samples was determined by a biological test procedure. The results of their analysis reported significant hormone disrupting activity in these chemicals. The authors believe that this was the first demonstration of anti-estrogen and anti-androgenic activity for most of these chemicals. They believe their findings are supported by finding not only an association between natural gas drilling operations and endocrine disruptor activity, but also by the fact that several of these chemicals had been detected by previous researchers at the sample collection sites and the association to drilling supported by the fact that there had been known spills of natural gas fluids occurring at certain of the testing sites. They further believe that their findings are supported by the fact that any agricultural and animal care operations that could potentially contribute to the results of this study had been ceased and no recent activity had been going on. They also had evidence to deny any wastewater from septic systems or treatment plants (which could be another potential source of endocrine disrupting chemicals) affected the results in that the Missouri reference samples were collected in a more urban area than the Colorado samples. Thus, one would expect any contribution from waste water contamination would be higher in the Missouri samples however, the more urban Missouri samples were found to exhibit the lowest levels of hormonal activity in the study.

Conclusion: This study has important implications. While I am not qualified to comment on the specific study design or methodology employed, my general impression of the study design is favorable.

Certainly the results need to be taken seriously in their evaluation by New York State Department of Health and also by all those interested in the public's health.

Hydrofracking Legal Developments in Pennsylvania

The Philadelphia Inquirer of December 20th, 2013 reported that the Supreme Court of Pa has ruled that certain provisions in Act 13 passed by the Pa legislature are unconstitutional and that municipalities DO have the right through zoning to determine where fracking wells, pumps, ponds, pipelines, compressor stations etc. may be located.

The Court also overturned a lower court and stated that a physician DOES have standing to challenge Act 13's "gag" provision which would require a treating physician to sign a gag agreement (euphemistically known as a "confidentiality" agreement) before the physician could learn of the chemicals that might be poisoning his/her patient. The agreement would have prohibited the physician from sharing information with other physicians and concerned parties who could have a need to know to prevent further harm to other persons. With this ruling the physician (Dr. Khan) can now challenge the gag provision in court. It will put the ethics of medicine and public health front and center in front of the court, the media, and the medical profession.

February 25, 2014 BOH Meeting
Division for Community Health
January 2014 Highlights

ADMINISTRATION

Sigrid Larsen Connors, Director of Patient Services (DPS)

Action item – none

Administration – The DPS:

- Met with new Vice President for Patient Services, Liz Weissbrot, from Planned Parenthood of the Southern Finger Lakes to review draft 2014 contract for STD services as well as communicable disease reporting, annual reports, on-site quality reviews and best communication practices with STD team Supervising Community Health (CHN) Nurse Karen Bishop, Team Leader Melissa Gatch and CHN Nanette Scogin, January 7.
- Completed TCHD walk-through Safety Audit with Tompkins County Health & Safety Coordinator Frank Croteau, January 13, no issues found.
- Teleconference with regional NYSDOH WIC representatives and WIC Director Beth Huber in review of the new WIC Clinic schedule, January 16.
- Met with Information Technology Director, Greg Potter and Jennifer Grier, Senior Account Clerk Typist January 2 to begin draft of Request For Proposal (RFP) to purchase an updated software system. Additional meetings held with Software Search Team members on January 7, 17 and 23. The Division is in need of a software product to meet the public health and maternal child, clinical documentation, statistical and billing needs. The current software, Cerner, purchased in 2003, was designed for Certified Home Health Agencies (CHHA). With the closure of the CHHA in 2012 the system no longer supports the majority of Division services.
- Interview with Channel 5 WTVH Eyewitness News regarding influenza outbreak at Ithaca College, January 30.
- Interview with Stephen Adams from *The Ithacan* on influenza outbreak at Ithaca College January 30, article published February 5.
- Assisting in review of Request for Application (RFA) Tobacco Control Grant, planning meeting held with PHD Frank Kruppa and Health Promotion Program staff, January 21, 23 and 24.
- Completed 4th Quarter 2013 NYSDOH state aid report on nursing activity hours in the Community Health and Health Promotion programs. Report also includes Emergency Preparedness and Community Assessment/Improvement activity hours for the DPS, Health Promotion Program Director and the Planner/Evaluator, January 30.
- Completed bi-annual renewal of NYSDOH CLIA Limited Service Laboratory certification, January 31. Certificate governs rapid HIV, hemoglobin and pregnancy testing performed in either WIC or Community Health Services.
- Orientated one CSCN staff, January 9.

- Training – *ICD-10 Implementation* webinar training, January 8; *Communicable Disease Draft Guidelines*, NYSACHO teleconference, January 9.
- Emergency Preparedness Training – *Demobilization of Medical Countermeasure Clinops*, January 22.

Other Meetings – Adult Immunization Coalition (7); DCH Management (9); Billing & Support (14); TCHD Management (14) Senior Leadership (15); Tompkins County Safety (15); BOH (28)

Division Statistical Highlights – January preliminary 2014 reports attached.

COMMUNITY HEALTH SERVICES

Karen Bishop, Community Health Nurse Supervisor

Maternal Child/Medicaid Obstetrical Maternal Services (MOMS) – Five Community Health Nurses continued to provide prenatal, postpartum and newborn assessments both in the home and in the office setting.

MOMS program fourth quarter (October-December 2013) statistics include the following:

- 73 pregnant women enrolled
- 20 primipara; 53 multipara
- 63 (86%) accessed prenatal care in the first trimester
- 1 (1.4%) accessed prenatal care in the third trimester
- 32 (44%) were planned pregnancy
- 17 (24%) admitted to substance usage
 - Cigarette smoking only – 12 (71%)
 - Alcohol only – 1 (0.6%)
 - Drugs only – 1 (0.6%)
 - Cigarette smoking & alcohol – 1 (0.6%)
 - Cigarette smoking & drugs – 1 (0.6%)
 - Alcohol & drugs – 1 (0.6%)
 - Cigarette smoking & alcohol & drugs - 0
- 56 (77%) admitted to no substance usage

Communicable Disease – See attached statistical reports.

Influenza – Three sentinel physician practices (Gannett Health Center, Hammond Health Center, and Northeast Pediatrics) as well as Cayuga Medical Center report positive influenza cases to NYSDOH throughout the season. Physician practices performing flu testing in their office are not required to report positive cases to the health department. During January the county saw a significant increase in reported influenza cases. **85 confirmed cases** reported to date, **with 53 of these cases** reported during the last week of January. Of the 53 cases, 41 were on the Ithaca College campus. Of the 85 confirmed cases, 98% were Influenza A with just 2 % Influenza B. This mirrors what is being seen throughout New York State. In response to the flu outbreak at Ithaca College, staff provided consultation to their medical staff regarding testing, treatment, and cohorting of cases. Ithaca College partnered with TCHD and Gannett Health Center to access additional influenza vaccine for their expanded vaccination efforts.

CHS continues to offer influenza vaccinations to children and adults by walk-in and by appointment.

Pertussis – No confirmed cases reported. No subsequent cases as a result of the December outbreak in Newfield.

Lead Poisoning – (4 cases)

#1 case: (open) Update on two year old with initial blood lead level (BLL) of 65 mcg/dL which required chelation in April 2013. BLL now 24 mcg/dL. Child Protective and CSCN involved. Case management coordinated with primary care provider and Lead Resource Center. Plan: Continue case management until meets case closure criteria.

#2 case: (open) Update on two year old with initial BLL of 25 mcg/dL on 8/2/13. Child moved to a lead free home. Recent BLL 19 mcg/dL. Repeat blood lead level due in April. Plan: Continue case management until meets case closure criteria.

#3 case: (open) Update on 10 month old with initial BLL 11 mcg/dL on 11/01/13. No lead sources found in primary home. Parents believe source was in grandparents home and refuse follow up by the health department in either home. Repeat blood lead level to be done in provider office. Plan: Keep case open to ensure repeat lead testing done and discharge case when meets case closure criteria.

#4 case: (new) One year old with BLL 10 mcg/dL on 12/20/13. Father makes fishing flies with lead containing products at home. Recommended removing lead containing products from home and father to practice good hand hygiene before handling infant. Plan: Repeat blood lead level in three months.

Tuberculosis

TB Disease- (Active TB) - None

TB Infection – (Latent TB)

- 3 referred for evaluation
- 1 refused treatment
- 1 ongoing case- anticipated completion of treatment June 2014
- 0 admissions for treatment

Tuberculosis Screening Tests (TST)

- 18 TST's placed in January, none were positive

HEALTH PROMOTION PROGRAM

Theresa Lyczko, Director

Tobacco Control Program

- Discussion, planning, and preparation of the Tobacco Program Request for Application (RFA) for grant period, July 2014 – June 2019 due February 25. Ted Schiele, Program/Evaluator, Samantha Hillson, Tobacco Education Coordinator, Theresa Lyczko
- Meeting with New Roots students in preparation for meeting with Assemblywoman Barbara Lifton and brainstorming activities for Kick Butts Day (KBD) on March 19, January 9. Samantha Hillson
- Regional Steering Committee call, January 16. Ted Schiele
- Meeting with Assemblywoman Barbara Lifton, January 10. Ted Schiele, Samantha Hillson
- Kick Butts Day planning meetings with GIAC, Southside Community Center (SSCC), CMC, January 13, 30. Ted Schiele, Samantha Hillson
- Media planning for Feb–June, and for COLA funds. Ted Schiele
- Press release sent regarding the 50th Anniversary of Surgeon General report on tobacco. Posted badge on TCHD home page. Ted Schiele

- Legislative Day planning conference call, January 7. Samantha Hillson
- Community education conference call, January 10, 17, and 31. Samantha Hillson
- Point of Sale conference call, January 14. Ted Schiele, Samantha Hillson
- Smoke free housing conference call, January 15. Samantha Hillson
- Facilitated discussion and activities in one teacher's (5) seventh grade health classes on Point of Sale (POS) tobacco marketing and displays, January 14.
- Meeting with Residential Services Director at Titus Towers/Ithaca Housing Authority to discuss smoke-free housing initiative and to set a date for a town hall meeting with residents about the topic, January 21. Samantha Hillson
- Tobacco Free Outdoors conference call, January 28. Samantha Hillson
- Modality Webinar, January 16. Ted Schiele, Samantha Hillson
- Media: Submitted e-cigarette article to *COPD Foundation Digest*, January 8. Samantha Hillson
- Media: Sent press release on the 50th Anniversary Surgeon General's report on Smoking and Health, January 14. Samantha Hillson
- Media: Interview on Lee Rayburn WHCU Morning Newswatch – 50th Anniversary of Surgeon General report, January 17. Ted Schiele
- Youth Action Committee meeting, January 17. Samantha Hillson
- Kick Butts Day statewide conference call, January 22. Ted Schiele
- Webinar: Smoke-Free Places, American Academy of Pediatrics Julius B. Richmond Center of excellence, 1.0 hours, January 29. Samantha Hillson
- Tobacco program data entered and submitted through state reporting system, January 31. Ted Schiele

TCHD Support and Participation

- Media: Calls on incidence and severity of flu this season from *Ithaca Journal*, January 22 (article published January 28); *Elmira Star Gazette*, WHCU, January 22. Theresa Lyczko
- Media: Inquiry from *Ithaca Journal* on rabies incidence in animals – coordinated information and staff interview. Article published January 30. Theresa Lyczko
- Coordinated monthly interview on WHCU Newswatch, January 29. Theresa Lyczko. Susan Dunlop spoke on pre-diabetes and the Diabetes Prevention Program
- Attended TCHD staff satisfaction committee meeting, January 6. Susan Dunlop, Community Health Nurse
- Public Health Preparedness: PIO meeting, January 30. After Action Report meeting on ice jam in City of Ithaca, January 31. Theresa Lyczko

Web site postings

- WIC calendars posted and entered on Google calendar
- ServeSafe Course info posted
- BOH: Oct minutes, January packet
- Diabetes Prevention Program and page updates

Community Outreach

- Facilitated the Diabetes Prevention Program (DPP) monthly post-core class; 5 people attended, January 7. Susan Dunlop
- Met with Health Planning Council staff and partner in DPP program to plan outreach for upcoming classes, January 15. Susan Dunlop
- Co-led (with CMC staff) the Chronic Respiratory Educational series held at TCHD; 8 people attended, January 16. Susan Dunlop

- Met with CMC staff to develop a chronic respiratory educational program for persons living in assisted living facilities, January 21. Susan Dunlop
- Creating Healthy Places (CHP) Wellness Committee meetings with 2 different worksites, January 16 and 23. Ted Schiele
- CHP: Cold call on human resource manager of a local car dealership to encourage participation in worksite wellness grant program; offer declined, January 23. Ted Schiele
- CHP: Worksite contractors' (statewide) conference call, January 31. Ted Schiele
- Cornell Cooperative Extension annual board and committee member meeting – worked on strategic plan for organization, January 9. Samantha Hillson

Meetings and Trainings

- TCHD annual mandatory training, Ted Schiele
- County Coalition Healthy Youth Committee meetings, January 13, 23. Ted Schiele
- Health Planning Council Executive meeting, January 22. Theresa Lyczko
- Cornell Cooperative Extension Program Committee, January 21. Samantha Hillson

WIC Program

Beth Huber, Director

- A conference call was held with the NYSDOH Regional Office to discuss a new WIC clinic schedule to begin February 2014. The new schedule includes an increased number of evening hours, staggered staffing to allow more available appointments for participants and standardization of hours. The TCHD building locks have also been programmed to open and close in accordance with the new WIC clinic times.
- The Breastfeeding Coordinator, Cindy Mallery provided an in-service training for staff on January 6 to learn about the new “Breastfeeding Toolkit” available on the WICSIS desktop. It is to be used as a tool with breastfeeding women to open up the discussion about breastfeeding.
- A new “Breast Pump Assessment and Justification Form” was developed by NYS WIC and distributed to agencies in January. This form must be used by Competent Professional Authorities (CPA’s) to document the necessity and appropriateness of any breast pump or breastfeeding aid before is issued. After completion it is kept on record in the participant chart. The “Breast Pump Policy and Procedure Manual” is in the process of being updated to include this new form as well as clarify the process.
- WIC Program Director Beth Huber, RD completed a quality assurance site visit to Jacksonville WIC Clinic on January 28. Outreach checklist completed.

Attachments

- Division Statistical Highlights, January 2014
- Communicable Disease Summary Report
- WIC Dashboard, January 2014

Division for Community Health
Clinic Statistical Highlights 2014

Community Health Services	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2014	YTD 2013	Total 2013
Clinics															
# of Immunization Clients	24												24	25	272
# of Immunizations Given	35												35	29	434
Children 0 - 19 yrs.	18												18	14	321
Adults 20 yrs. & over	17												17	15	113
# of Flu Immunizations	48												48	2	971
Rabies Vaccination Program															
Post-Exposure Clients	1												1	1	91
Post-Exposure Vaccinations	3												3	3	210
Tuberculosis Program															
Cumulative Active TB clients	0												0	2	3
Active TB Admissions	0												0	0	1
Active TB Discharges	0												0	1	3
Cumulative Latent TB Infection Clients	7												7	33	42
Latent TB Infection Admissions	1												1	3	12
Latent TB Infection Discharges	1												1	1	27
TB Direct Observe Therapy Visits	0												0	21	251
# of PPDs	18												18	25	532
Anonymous HIV Clinics															
# of HIV Clinics - including Walk-Ins	5												5	7	71
# of Counseled & Tested	5												5	10	84
HIV+ Eliza & Western Bloc	0												0	0	0
WIC															
Total Enrolled (average)	Prelim														
Total # Served (average)	1736												1736	1806	1797
% Caseload Target (avg) *2000 FY14	1458												1458	1545	1507
Monthly Clinic No-Show Rate (% avg.)	72.9%												72.9%	79.50%	75.58%
# of Clinics	16.0%												16.0%	12.00%	15.33%
	21												21	21	251

All statistics are considered primary as data is continually collected and updated
 UA = Unavailable at this Time

**Division for Community Health
Program Visit Statistical Highlights**

Maternal Child Services/MOMS program	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2014	YTD 2013	Total 2013
Cumulative Unduplicated Client Count	197												0	186	513
# of Admissions	29												29	37	354
# of Discharges	38												38	37	351
Total # of Office Visits	31												31	31	382
# of Antepartum Home Visits	47												47	46	533
# of Postpartum Home Visits	34												34	31	311
# of Pediatric Home Visits	3												3	14	136
Total # of Home Visits	84	0	0	0	0	0	0	0	0	0	0	0	84	91	980
Total # of Home & Office Visits	115	0	0	0	0	0	0	0	0	0	0	0	115	122	1362
# of RN Home Visit Hours	131.5												131.5	89	1175
# of Childbirth Education Classes	1												1	2	15
# of Childbirth Education Moms	7												7	8	49
On Call Visits															
Maternal Child On Call Visits	0												0	0	5
Rabies On Call Vaccinations	1												1	0	30
TB Direct Observe Therapy On Call Visits	0												0	0	3

2014 Log of Public Contacts* (Via Telephone or Email) For Community Health Services													2014 Total	2013 Total	2012 Total
Communicable Disease (including Flu/Pneumonia disease related, HIV, Rabies and TB)	134												134	1934	2182
Immunization (including Flu)	164												164	1853	1460
Maternal Child/Family/MOMS	378												378	3520	4127
Miscellaneous	51												51	543	472
Total	727	0	727	7850	8241										

All statistics are considered preliminary as data is continually collected and updated.
UA = Unavailable at this time

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 03FEB14
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=January

Disease	2014		2013		2012		2011		Ave (2011-2013)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
CAMPYLOBACTERIOSIS**	1	11.7	0	0.0	2	23.4	1	11.7	1	11.7
CRYPTOSPORIDIOSIS**	1	11.7	1	11.7	0	0.0	1	11.7	1	11.7
GIARDIASIS	0	0.0	1	11.7	1	11.7	0	0.0	1	11.7
HAEMOPHILUS INFLUENZAE, NOT TYPE B	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
HEPATITIS B,CHRONIC	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
HEPATITIS C,CHRONIC	9	105.3	3	35.1	1	11.7	0	0.0	1	11.7
INFLUENZA A. LAB CONFIRMED	65	760.6	58	678.7	0	0.0	17	198.9	25	292.5
INFLUENZA B. LAB CONFIRMED	2	23.4	9	105.3	0	0.0	4	46.8	4	46.8
LYME DISEASE** ****	1	11.7	1	11.7	1	11.7	0	0.0	1	11.7
PERTUSSIS**	0	0.0	1	11.7	1	11.7	0	0.0	1	11.7
STREP,GROUP B INVASIVE	2	23.4	1	11.7	0	0.0	0	0.0	0	0.0
STREP PNEUMONIAE,INVASIVE	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
TUBERCULOSIS***	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
GONORRHEA TOTAL.....	5	58.5	1	11.7	2	23.4	2	23.4	2	23.4
- GONORRHEA	5	58.5	1	11.7	2	23.4	2	23.4	2	23.4
CHLAMYDIA	19	222.3	21	245.7	21	245.7	19	222.3	20	234.0

*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 2011, 14 counties investigated a sample of positive laboratory results. In 2012 - 2014: 18 counties.

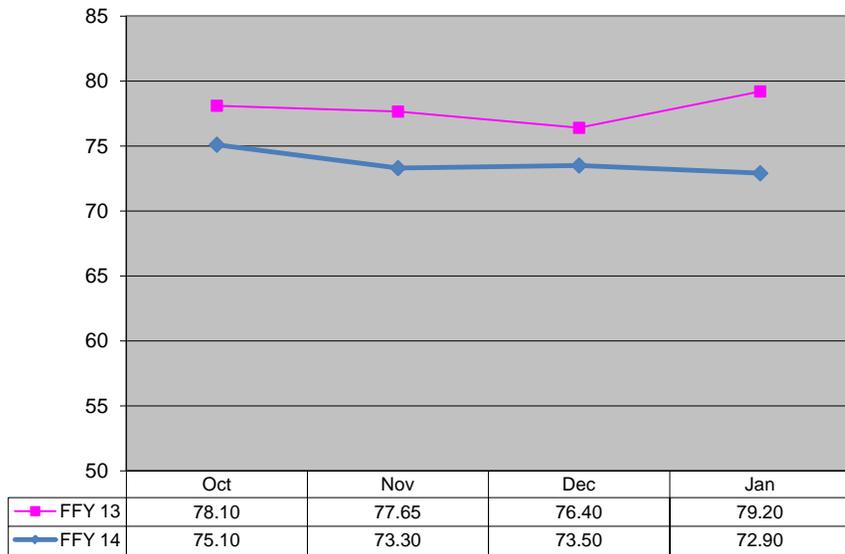
2014 Communicable Disease Report

DISEASE	2013													2014
	TOTALS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
AIR-BORNE ENVIRONMENTAL DISEASE	4	0	0	0	0	0	0	0	0	0	0	0	0	0
LEGIONELLOSIS	4	0	0	0	0	0	0	0	0	0	0	0	0	0
ARTHROPODA-BORNE DISEASES	36	1	0	0	0	0	0	0	0	0	0	0	0	1
ANAPLASMOSIS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BABESIOSIS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
*LYME DISEASE	34	1	0	0	0	0	0	0	0	0	0	0	0	1
MALARIA	2	0	0	0	0	0	0	0	0	0	0	0	0	0
BLOODBORNE DISEASES	63	9	0	0	0	0	0	0	0	0	0	0	0	9
HEPATITIS C, ACUTE	4	0	0	0	0	0	0	0	0	0	0	0	0	0
HEPATITIS C, CHRONIC	59	9	0	0	0	0	0	0	0	0	0	0	0	9
CENTRAL NERVOUS SYSTEM DISEASES	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MENINGITIS, BACTERIAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GASTROINTESTINAL ILLNESSES	74	2	0	0	0	0	0	0	0	0	0	0	0	2
BACTERIAL	47	0	0	0	0	0	0	0	0	0	0	0	0	0
CAMPYLOBACTERIOSIS	20	1	0	0	0	0	0	0	0	0	0	0	0	1
E. COLI O157:H7	7	0	0	0	0	0	0	0	0	0	0	0	0	0
LISTERIOSIS	2	0	0	0	0	0	0	0	0	0	0	0	0	0
SALMONELLOSIS	15	0	0	0	0	0	0	0	0	0	0	0	0	0
SHIGELLOSIS	1	0	0	0	0	0	0	0	0	0	0	0	0	0
YERSINIOSIS	2	0	0	0	0	0	0	0	0	0	0	0	0	0
PARASITIC	27	0	0	0	0	0	0	0	0	0	0	0	0	0
AMEBIASIS	1	0	0	0	0	0	0	0	0	0	0	0	0	0
CRYPTOSPORIDIOSIS	12	1	0	0	0	0	0	0	0	0	0	0	0	1
CYCLOSPORIASIS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GIARDIASIS	14	0	0	0	0	0	0	0	0	0	0	0	0	0
MYCOBACTERIUM AGENTS	1	0	0	0	0	0	0	0	0	0	0	0	0	0
TUBERCULOSIS	1	0	0	0	0	0	0	0	0	0	0	0	0	0
RABIES EXPOSURE	96	0	0	0	0	0	0	0	0	0	0	0	0	0
ADMINISTERED @ TCHD	87	0	0	0	0	0	0	0	0	0	0	0	0	0
ADMINISTERED @ GANNETT	9	0	0	0	0	0	0	0	0	0	0	0	0	0
SEXUALLY TRANSMITTED DISEASES	314	24	0	0	0	0	0	0	0	0	0	0	0	24
CHLAMYDIAL INFECTIONS	268	19	0	0	0	0	0	0	0	0	0	0	0	19
GONORRHEA	45	5	0	0	0	0	0	0	0	0	0	0	0	5
LYMPHOGRANULOMA VENEREUM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SYPHILIS, INFECTIOUS	1	0	0	0	0	0	0	0	0	0	0	0	0	0
INVASIVE DISEASES, NOT VACCINE PREV.	10	2	0	0	0	0	0	0	0	0	0	0	0	2
STREPT GROUP A	2	0	0	0	0	0	0	0	0	0	0	0	0	0
STREPT GROUP B	8	2	0	0	0	0	0	0	0	0	0	0	0	2
VACCINE PREVENTABLE DISEASES	27	1	0	0	0	0	0	0	0	0	0	0	0	1
DIPHTHERIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HAEMOPHILUS INFLUENZAE, INVASIVE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HEPATITIS A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HEPATITIS B, ACUTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HEPATITIS B, CHRONIC	6	1	0	0	0	0	0	0	0	0	0	0	0	1
MEASLES	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MUMPS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PERTUSSIS	10	0	0	0	0	0	0	0	0	0	0	0	0	0
RUBELLA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STREPT PNEUMO, INVASIVE	7	0	0	0	0	0	0	0	0	0	0	0	0	0
TETANUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MISCELLANEOUS	4	0	0	0	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL OF REPORTS	625	39	0	0	0	0	0	0	0	0	0	0	0	39

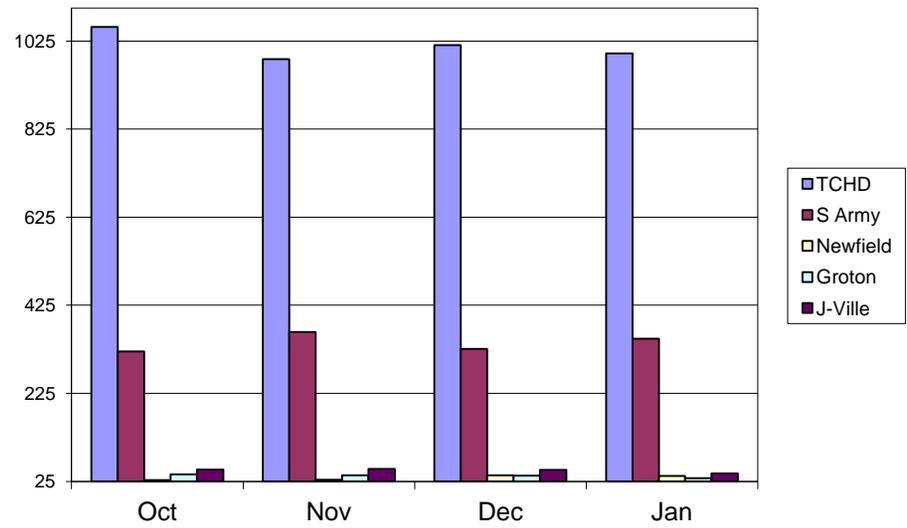
*Due to high incidence, Tompkins Co. designated "sentinel county" by NYSDOH, only 20% of reported lab confirmed cases are investigated.

Tompkins County WIC Dashboard for February BOH Meeting - Report of official NYS WIC statistics

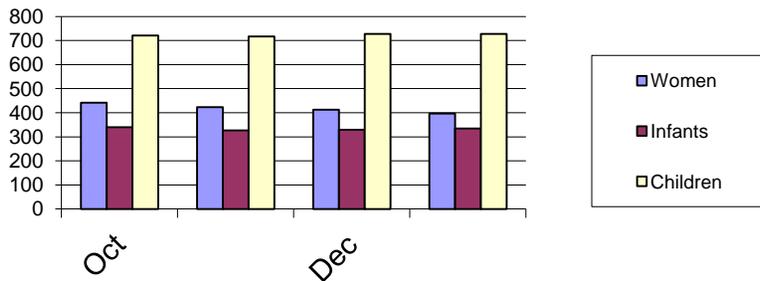
Percentage of Caseload Target



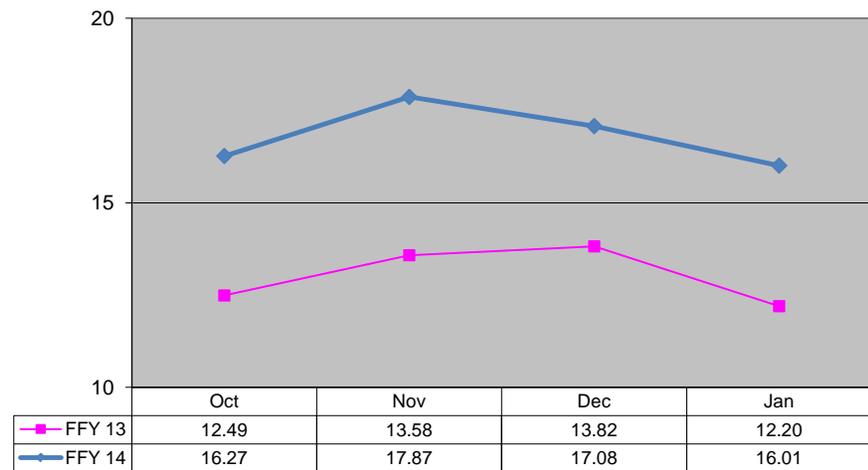
WIC Participants Receiving Benefits at each Site



Total Number of Women, Infants & Children Receiving Benefits



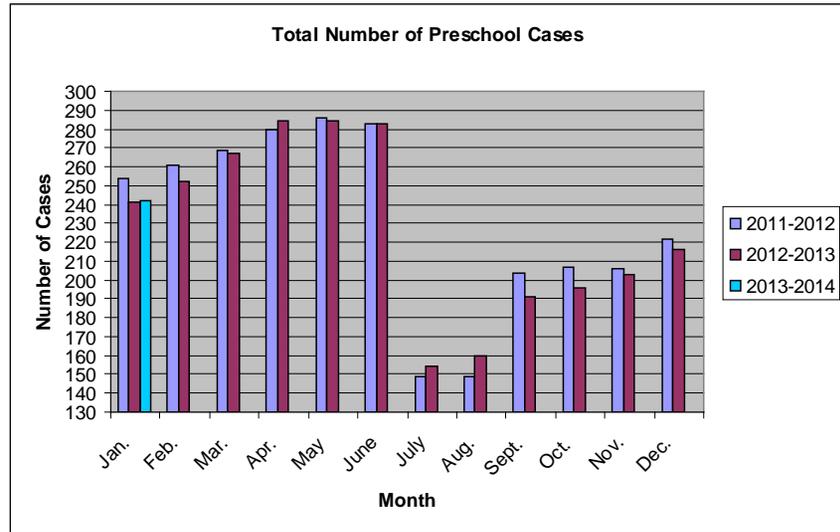
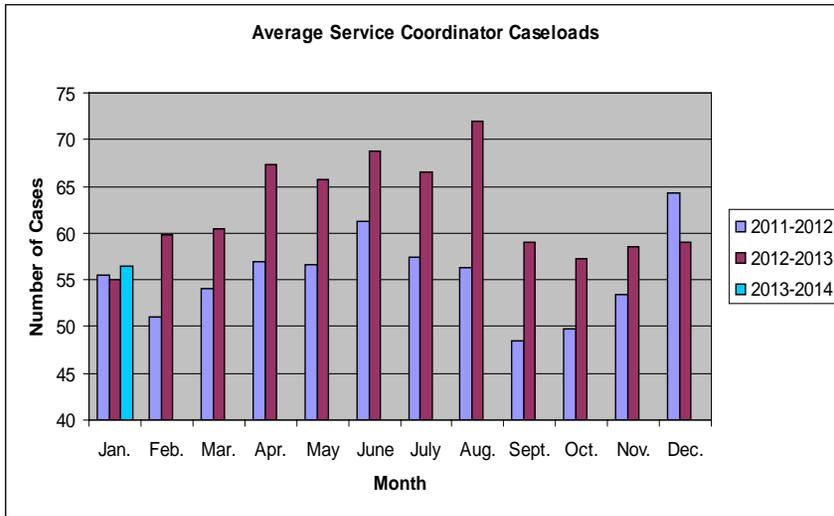
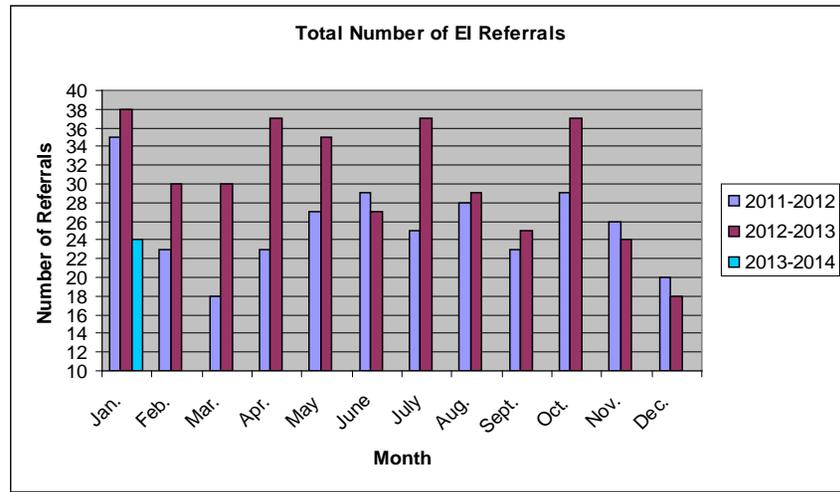
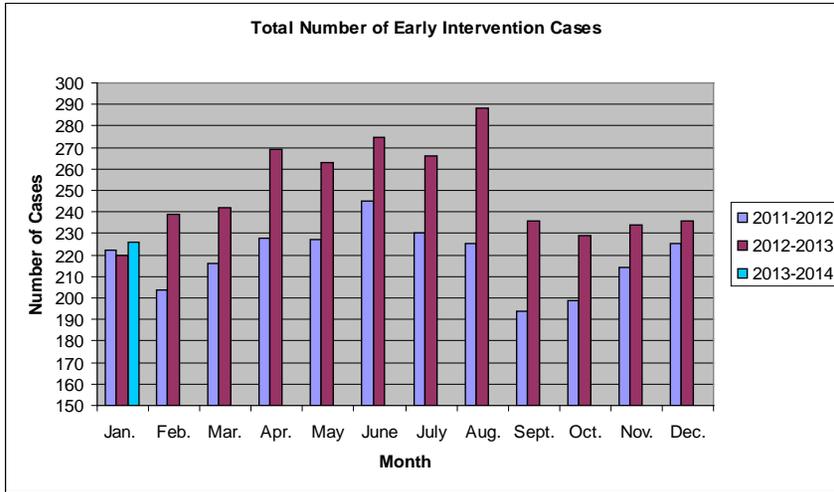
Participant No Show Rate



Total WIC Participation	January 2013	January 2014
	1545	1458

WIC Participant Target Caseload	FFY 2013	FFY 2014
	2000	2000

Children with Special Care Needs Division



Children with Special Care Needs Division														
Statistical Highlights 2014														
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2014 Totals	2013 Totals
Early Intervention Program														
Number of Program Referrals	24	0	0	0	0	0	0	0	0	0	0	0	24	367
Initial Concern/reason for referral:														
-- Birth/Medical History													0	0
-- DSS Founded Case													0	10
-- Failed MCHAT Screening													0	0
-- Gestational Age	2												2	16
-- Gestational Age & Hearing													0	0
-- Global Delays	2												2	4
-- Hearing	1												1	2
-- Physical													0	0
-- Feeding	1												1	11
-- Gross Motor	5												5	74
-- Gross Motor & Feeding													0	3
-- Gross Motor & Fine Motor	1												1	4
-- Gross Motor & Social Emotional													0	3
-- Fine Motor													0	3
-- Fine Motor/Vision													0	0
-- Vision													0	0
-- Social Emotional													0	15
-- Social Emotional & Adaptive													0	3
-- Social Emotional & Cognitive													0	0
-- Social Emotional & Feeding													0	1
-- Social Emotional & Vision													0	0
-- Speech	6												6	127
-- Speech & Adaptive													0	0
-- Speech & Cognitive													0	1
-- Speech & Fine Motor	1												1	0
-- Speech & Gross Motor	3												3	11
-- Speech & Social Emotional	1												1	14
-- Speech & Feeding													0	4
-- Speech & Hearing													0	2
-- Transfer from other Municipality													0	0
-- Adaptive													0	1
-- Adaptive/Feeding													0	5
-- Vision													0	0
-- Qualifying Congenital / Medical Diagnosis													0	15
-- Child Find (At Risk)	1												1	33
Total # of clients qualified and receiving svcs	210													
Total # of clients pending intake/qualification	16													
Total # qualified and pending	226	0	0	0	0	0	0	0	0	0	0	0		
Average # of Cases per Service Coordinator	56.5	0	0	0	0	0	0	0	0	0	0	0		
# of Family/Client visits														
-- Intake visits	17												17	293
-- Introduction Visits													0	0
-- IFSP Meetings	47												47	471
-- Amendments	20												20	224
-- Core Evaluations	29												29	342

ENVIRONMENTAL HEALTH DIVISION

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

Ph: (607) 274-6688

Fx: (607) 274-6695

ENVIRONMENTAL HEALTH HIGHLIGHTS

January 2014

Outreach and Division News

We would like to thank Audrey Balander, Senior Public Health Sanitarian and Supervisor of the Community Sanitation Section of the Division, who retired on January 30, for her 33 years of service.

Audrey managed her programs as she did all her work in the Division – balancing Public Health with program needs and code requirements, always with thoroughness and tons of energy. She especially spent time and effort with the Rabies Program and the Children's Camp Program.

She spent hundreds of evening and weekend hours answering phone calls from the public concerning their rabies concerns and questions in her efforts to protect the public health and many more than that through the years during regular office hours; she took her job seriously.

Audrey was the protector of kids at Children's Camps, working with camp operators to develop and follow effective camp safety plans and procedures, to maintain effective waterfront procedures and to hire staff with appropriate experience and certifications. We will always remember the article written about her in the Ithaca Times by a staff writer who shadowed her during her inspections – she is indeed "one tough cookie"!

Audrey and her laughter will be greatly missed by all of us in Environmental Health and throughout the Health Department. We all wish her health and well being in her retirement.

Congratulations to Adriel Shea! Public Health Sanitarian Adriel Shea was promoted to Senior Public Health Sanitarian on the recommendation of the EH 2014 Sr. Sanitarian Selection team. Adriel has demonstrated leadership potential and expressed a strong vision for his role in the Division.

The EH Division continues the restructuring process with Adriel's promotion. We are modifying the responsibilities of the Sr. Sanitarians and some other staff to facilitate meeting the organizational objectives that were developed last year by the EH Structure Committee. Some of these objectives include adapting to changing workload needs and promoting the development and evaluation of essential Division policies, procedures, regulations and similar projects.

We will be not able to back-fill the Public Health Sanitarian vacancy created by Adriel's promotion until we know if our Healthy Neighborhoods Program grant is renewed. We will be under-staffed until at least April 1, 2014, while training existing staff in new program areas due to staff transitions.

Ithaca Ice Jam: On January 10th, Skip Parr facilitated an inter-departmental outreach in response to the emergency situation the City of Ithaca was experiencing with ice jams along several local creeks. The Healthy Neighborhoods Program Staff, Eric Shearer, Pat Jebbett, Sarah Caputi, and Project Assistant Salis Hollis assisted the City of Ithaca Emergency Operations Center with a door to door campaign to disseminate information to residents in the neighborhoods along Cascadilla Creek regarding the potential of flooding, actions they could take and numbers to call for assistance. Letters of appreciation were received from the Tompkins County Administrator, Joe Mareane, and City of Ithaca Mayor, Svante Myrick for our participation.

EH/ITS Permit Management Software Project: The configuration of the Accela software for office use is nearing completion. Punch list items can now be counted on one hand. Redmark has started work on "reports."

Reports are essentially what we currently have in paper forms – the hard copy version of the permit applications and the permits themselves, renewal and transfer forms, etc.

TC Assessment/CEO meeting: Liz Cameron and Adriel Shea attended the annual Code Officers Meeting that is sponsored by the Tompkins County Assessment Department on January 14 at the Lansing Community Center. Each year they invite a different government agency or organization to discuss a topic that may be relevant to municipal building departments. This year we were invited to speak about Accela and to discuss ways in which we might be able to work together more effectively.

Project Assistants: Project Assistant Salis Hollis resigned effective January 22 and was replaced by Mik Kern on January 27. Mik and Caitlin are completing the digitization of all our OWTS permit files and will be working in the Healthy Neighborhoods Program in February.

Rabies Control Program

The Winter Rabies Clinic was held at the Tompkins County SPCA in January. 112 cats and dogs were vaccinated during this clinic.

Key Data Overview				
	This Month	YTD 2014	YTD 2013	TOTAL 2013
Bites ¹	9	9	11	234
Non Bites ²	1	1	2	66
Referrals to Other Counties	5	5	4	47
Submissions to NYS Rabies Lab	7	7	3	203
Human Post-Exposures	3	3	2	88
Unvaccinated Pets 6-Month Quarantined ³	0	0	1	3
Unvaccinated Pets Destroyed ⁴	0	0	0	0
Rabid Animals Lab Confirmed	0	0	1	8

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 2014	YTD 2013	Total 2013	By TCHD	By Cornell	Totals		Mo	YTD 2014	YTD 2013	Total 2013
							Mo	YTD				
Cat	5	5	3	80	2	0	2	2	0	0	0	0
Dog	3	3	7	133	0	0	0	0	0	0	0	0
Cattle	0	0	0	1	0	0	0	0	0	0	0	0
Horse/Mule	1	1	0	0	0	0	0	0	0	0	0	0
Sheep/Goat	0	0	0	0	0	1	1	1	0	0	0	0
Other Domestic	0	0	0	2	0	0	0	0	0	0	0	0
Raccoon	0	0	0	1	0	0	0	0	0	0	1	1
Bats	0	0	0	5	3	0	3	3	0	0	0	6
Skunks	0	0	0	1	0	0	0	0	0	0	0	0
Foxes	0	0	0	3	0	0	0	0	0	0	0	1
Other Wild	0	0	1	8	0	1	1	1	0	0	0	0
Totals	9	9	11	234	5	2	7	7	0	0	1	8

Childhood Lead Program

CHILDHOOD LEAD PROGRAM	MONTH	YTD 2014	YTD 2013	TOTAL 2013
A: Active Cases (total referrals):				
A1: # of Children w/ BLL>19.9ug/dl	0	0	0	2
A2: # of Children w/ BLL 10-19.9ug/dl	0	1	0	5
B: Total Environmental Inspections:				
B1: Due to A1	0	0	0	11
B2: Due to A2	1	1	0	0
C: Hazards Found:				
C1: Due to B1	0	0	0	8
C2: Due to B2	1	1	0	0
D: Abatements Completed:	0	0	0	0
E: Environmental Lead Assessment Sent:	1	1	0	7
F: Interim Controls Completed:	0	0	0	3
G: Complaints/Service Requests (w/o medical referral):	5	5	3	52
H: Samples Collected for Lab Analysis:				
- Paint	0	0	0	0
- Drinking Water	0	0	0	3
- Soil	0	0	0	4
- XRF	1	1	0	7
- Dust Wipes	1	1	0	9
- Other	0	0	0	0

Food Program

***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:

Auntie Anne's, V-Lansing	Ithaca Housing Authority, C-Ithaca
Café Pacific, C-Ithaca	Lansing Pizzeria, T-Lansing
Capital State Kitchen, C-Ithaca	Ling Ling Takeout, C-Ithaca
Cornell Child Care Center, T-Ithaca	Little Venice Restaurant, T-Ulysses
Domino's Pizza, C-Ithaca	Napoli Pizzeria, C-Ithaca
Downtown Children's Center, C-Ithaca	New York Garden, V-Groton
Dunkin Donuts – Meadow St., C-Ithaca	Paradise Café, T-Ulysses
Foodnet – Titus Towers, C-Ithaca	Sal's Pizzeria, C-Ithaca
Foodnet – Groton Village Court, V-Groton	Sarah's Patisserie, V-Cayuga Heights
Franziska Racker Center, T-Ulysses	Spicy Asian, C-Ithaca
Freddy's Place, V-Newfield	Tamarind, C-Ithaca
Ithaca Community Childcare Center, T-Ithaca	TC Action – Groton, V-Groton

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.

None

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:

Main Street Pizzeria, V-Groton
Northeast Pizza & Beer, V-Lansing

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:

Main Street Pizzeria, V-Groton

Foods or food area was contaminated by sewage or drippage from waste lines. Facility closed until leak could be repaired and area cleaned. Board of Health action will be taken.

Subway-Buttermilk Falls, C-Ithaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in food preparation cooler was observed to be at 48-52°F. Product was removed from service and placed in a cooler to be rapidly chilled to 45°F or less before use.

Coddington Road Community Center, T-Ithaca

Toxic chemicals were improperly labeled. An unlabeled bottle containing a chemical was observed during the inspection. The bottle was properly labeled during the inspection.

Marks Pizzeria, V-Groton

Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F in cold holding. Products in a pizza preparation cooler were observed to be at 58-60°F. Products were either discarded or moved to functioning refrigeration equipment to be chilled to 45°F or less before use.

Bunn Appetit Bakery, V-Groton

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product on counter for customer use was observed to be 53°F. Product was removed from service and placed in a cooler to be 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 13 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:

None

Critical Violations were found at the following establishments:

None

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

Plans Approved:

Best Western University Food Service, T-Ithaca

Le Cent Dix, C-Ithaca

New Permits Issued:

Café Pacific, C-Ithaca

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

Engineering Plans Approved

- Brown, 390 GPD Sewage System, Groton-T
- Beech Hill Pond Community, Two Alternative Grey Water Sewage Systems, Danby-T
- Goldberg, 75 GPD Gray Water Alternative Sewage System, Caroline

Problem Alerts/Emergency Responses

- 14-01-1 Congers Mobile Home Park, T-Dryden. Boil Water Order (BWO) issued 1/7/14 due to inadequate water pressure and distribution system leaks. Repairs were made and satisfactory sample results obtained. BWO lifted on 1/17/14.
- 14-01-2 Hanshaw Village Mobile Home Park, T-Dryden. BWO issued 1/30/14 due to inoperable well pump. Repairs completed and BWO released 2/6/14.

BWOs remain in effect at:

- 13-01-14 Bell Gate Mobile Home Park, T-Enfield. Boil Water Order (BWO) issued 11/21/13 due to no detectable chlorine in the distribution system. No chlorine detected during repeat inspection on 12/12/13. Enforcement action initiated.
- 13-01-11 German Cross Roads Apartments, T-Dryden. Boil Water Order (BWO) issued 9/13/13 due to positive coliform samples. Enforcement action initiated. Owners have added a well and plan to add disinfection.
- 12-01-08 J-A-M Mobile Home Park, T-Lansing. BWO issued 8/16/12 due to positive total coliform results. Lost disinfection waiver. Currently under BOH orders to submit plans and install disinfection or to connect to municipal water. Ready for connection to municipal system; waiting for municipal inspector.

Healthy Neighborhoods Program

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2014
# of Home Visits	35	35
# of Revisits	11	11
# of Asthma Homes	4	4
# of Homes Approached	35	35

On January 8, Pat Jebbett conducted outreach for Healthy Neighborhoods (HNP) at Salvation Army. Four people signed up for visits and at least 10 others received information about the program.

On January 13, Eric Shearer and Pat Jebbett conducted outreach for HNP at Loaves and Fishes. Fourteen people signed up for visits and at least 50 more were informed about the program. HNP staff will be working with J.R. Clairborne (Advocacy Coordinator) to set up ongoing outreach events at this location.

Sarah Caputi conducted outreach at the Enfield Food Pantry on January 28. Six people signed up for home visits and several others received information about the program.

A participant of the Healthy Neighborhoods Program wrote a letter to thank HNP staff for their January 17 home visit. This person has severe asthma and appreciated the information and products that were provided during the visit.

Status of Enforcement Actions

Office Conference Scheduled:

Main Street Pizza, V-Groton, Dale Dickey, manager: sewage on floor in building; 2/5.

Bell-Gate MHP, Greg Carman, owner: water and mobile home park violations; 2/12.

Office Conferences Held:

Massey Apts, T-Enfield, Orson Ledger, owner: water violation; signed Stipulation Agreement with PHD Orders on 1/28/2014; to BOH 2/25/2014.

Mountainview Manor MHP, T-Caroline, Orson Ledger, owner: water violation; signed Stipulation Agreement with PHD Orders on 1/28/2014; to BOH 2/25/2014.

Stork H & E Turbo Blading, T-Danby, Don Chandler, President and CEO: water violation; signed Stipulation Agreement with PHD Orders on 1/29/2014; to BOH 2/25/2014.

German Cross Road Apts, T-Dryden, Matthew Wyllie, owner: water and sewage violations; signed Stipulation Agreement with PHD Orders on 1/23/2014; to BOH 2/25/2014.

Compliance Schedules/Board of Health Orders/PH Director's Orders:

- Ulysses WD #3, T-Ulysses, Doug Austic, operator: water system violation; signed Stipulation Agreement with PHD Orders on 10/30/2013; BOH issued Orders for compliance on 12/10/2013; **awaiting compliance.**
- PDR's Catering, C-Ithaca, Penny Kinsman, owner: repeat food service violations; signed Stipulation Agreement with PHD Orders 10/23/2013; BOH assessed \$400 penalty on 12/10/2013; **payment received, case closed.**
- Stella's, C-Ithaca, Matthew Garner, owner: repeat food service violations, signed Stipulation Agreement with PHD Orders on 10/30/2013; BOH assessed \$400 penalty on 12/10/2013; **payment received, case closed.**
- Triphammer Mobil, V-Lansing; Carman Evenson, manager: Adolescent Tobacco Use Prevention Act (ATUPA) violation; signed Stipulation Agreement with PHD Orders on 11/13/2013; BOH assessed \$400 penalty on 12/10/2013; **payment received, case closed.**
- Spruce Row Campground, T-Enfield, Scott Sherwood, owner: water system violations; signed Stipulation Agreement with PHD Orders on 11/20/2013; BOH assessed \$400 penalty on 12/10/2013; **awaiting payment.**
- Village of Dryden, PWS: water system violations; signed a Compliance Schedule with PHD Orders on 11/15/2012; BOH ordered Compliance on 12/11/2012; **awaiting compliance.**
- Beaconview MHP, T-Dryden; Rudy George, owner: Violation of BOH Orders regarding water system violations (see below); BOH assessed \$800 penalty on 12/10/13; **payment received, awaiting compliance,**
- Beaconview MHP, T-Dryden, Rudy George, owner: water system violations, signed Stipulation Agreement with PHD Orders on 8/12/2013; BOH assessed Timetable of Compliance and penalty on 8/27/2013; further BOH action scheduled for 12/10/2013; **payment received, awaiting compliance.**
- JAM MHP, T-Lansing, Jack and Mary Burns, owners: water system violations, signed Stipulation Agreement with PHD Orders on 8/12/2013; BOH assessed Timetable of Compliance and penalty on 8/27/2013; **payment received; awaiting compliance.**
- WalMart, C-Ithaca, Dave Jacobson, manager: ATUPA violation; signed Stipulation Agreement with PHD Orders on 12/5/2013; BOH assessed \$500 penalty on 1/28/2014; **payment received, case closed.**

- At The Ridge, T-Lansing, Sherri Hildreth, owner: FSE violation; signed Stipulation Agreement with PHD Orders on 12/4/2013; BOH assessed \$400 penalty on 1/28/2014; **awaiting payment.**
- Argos Inn, C-Ithaca, Avi Smith, owner: operating without a Temporary Residence permit; signed Stipulation Agreement with PHD Orders on 12/30/2013; BOH assessed \$500 penalty on 1/28/2014; **awaiting payment.**

Referred to Collection:

- CC's, C-Ithaca, Jian Wang
- P&Y Convenience, T-Lansing, Min Gyu Park
- William Crispell, T-Caroline – two penalties
- 1795 Mecklenburg Road, T-Enfield, V. Bruno

Training

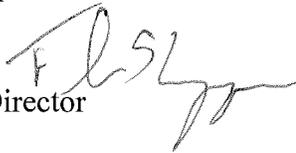
Chris Laverack, Cindy Schulte, and Liz Cameron attended NY State Office of Emergency Management training on Disaster Management for Water and Wastewater Utilities on January 29 and 30 in Syracuse. The training, conducted by the Texas A&M Engineering Extension Service, provided information on the EPA Response Protocol Toolbox and guided participants through various issues concerning preparing for, responding to, and recovering from various natural and man-made hazards that may affect water and wastewater systems.

Memorandum

Date: February 14, 2014

To: Board of Health

From: Frank Kruppa
Public Health Director



Re: Reappointment of Dr. Klepack as Medical Director

Approval to Reappoint William Klepack, MD to a two-year position as Tompkins County Health Department Medical Director. NYSDOH Code of Rules and Regulation Title 10 Health 751.2(h) regulations require reappointment of the medical director role on a biennial basis. As a certified Article 28 Diagnostic & Treatment Center (D&TC) regulations require biennial credentialing and (re)appointment of the center's medical director. As the Cayuga Medical Center is also required to assure that physician credentialing is up to date and appropriate, TCHD obtains assurance from CMC that physicians employed or contracted for TCHD public health services are fully credentialed. D&TC certification is required for TCHD to offer vaccination clinics such as the childhood and adult immunizations, influenza and rabies.

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

February 11, 2014

Matthew Wyllie
296 Brooktondale Road
Brooktondale, NY 14817

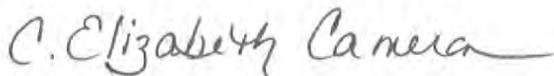
**Re: Tompkins County Board of Health *Revised* Draft Resolution # 13.1.34
German Cross Road Apartments, (T) Dryden**

Dear Matthew Wyllie:

On February 5, 2014, the consulting engineer you are working with contacted this office regarding the due dates for evaluation of the sewage systems serving German Cross Road Apartments. Based on the engineer's visit to the property on February 4, 2014, snow cover and frozen conditions are preventing a comprehensive evaluation of the system. Therefore, we have revised the draft stipulation extending due dates for items #4 and #5 on the attached revised Draft Resolution.

Enclosed is a revised copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. 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, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Apartments (SC-9)\German Cross Road Apts\Enforcement\Draft Resolution 13.1.34.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
John Andersson, P.E.; CEO T-Dryden; Supervisor T-Dryden; Martha Robertson, TC Legislature; John Strepelis, P.E.,
NYSDOH ; TCHD: Frank Kruppa, Public Health Director; Elizabeth Cameron, P.E.; Steve Maybee; Steven Kern, Chris
Laverack; Adriel Shea; Skip Parr; Brenda Coyle
scan: Signed copy to eh

ENVIRONMENTAL HEALTH DIVISION

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

Ph: (607) 274-6688

Fx: (607) 274-6695

DRAFT RESOLUTION # 13.1.34 FOR

**German Cross Road Apartments
Matthew Wyllie, Owner
1-9-13 German Cross Road, T-Dryden
Ithaca, NY 14850**

Whereas, it is a violation of Article VI Section 6.02 (b) of the Tompkins County Sanitary Code for anyone to discharge human wastes or sewage to the atmosphere or to the surface of the ground; **and**

Whereas, public water systems must comply with all requirements of Part 5-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, on September 23, 2013, October 15, 2013 and December 10, 2013, sewage was observed on the ground surface by Health Department staff at 1-9-13 German Cross Road, T-Dryden; **and**

Whereas, on September 13, 2013, you received notice that your waiver from disinfection was revoked due to multiple positive total coliform samples and a Boil Water Notice was issued to all apartments; **and**

Whereas, in December 2013, two new wells were connected to separate buildings on the German Cross Road Apartments' property so that each building now has its own well connection; and

Whereas, Matthew Wyllie, Owner, signed a Stipulation Agreement with Public Health Director's Orders on January 23, 2014, agreeing that German Cross Road Apartments 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 Matthew Wyllie, Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, due within 30 days notice. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Immediately and until the sewage system is replaced, prevent the discharge of sewage to the ground surface by keeping the septic tank pumped as needed by a licensed septic hauler; **and**
3. Have the sewage system evaluated by a NYS-licensed design professional to determine whether the sewage system needs to be repaired or replaced; **and**
4. Submit the findings and recommendations made by the contracted NYS-licensed design professional to prevent sewage from surfacing from the sewage system for approval by the Health Department by **April 18, 2014; and**
5. If necessary, submit engineering plans for repair or replacement of the system and the Onsite Wastewater Treatment System (OWTS) Application for a Construction Permit along with the appropriate fees, on or before **May 2, 2014; and**
6. Complete the replacement or repair of the sewage system in accordance with the OWTS Construction Permit and/or approved plans within **45 days** after the OWTS Construction Permit and/or plan approval has been issued; **and**

7. a) Submit approvable plans for disinfection of the water supply prepared by a NYS-licensed design professional no later than **February 28, 2014**, and install disinfection treatment equipment as per approved plans by **March 31, 2014**;
OR
 - b-1) Connect the original well directly to the west 4-unit building and no longer use the existing buried storage tank by **March 17, 2014**; **and**
 - b-2) Provide satisfactory bacteriological results from the two new wells prior to releasing the boil water notice to the units served by these wells; **and**
 - b-3) Provide six months of satisfactory bacteriological sample results from the original well, prior to releasing the boil water notice to the units served by this well; **and**
 - b-4) Submit photos to this office documenting all new well connections made by **March 31, 2014**.

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

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

STIPULATION AGREEMENT AND ORDERS # 13.1.34

**German Cross Road Apartments
Matthew Wyllie, Owner
1-9-13 German Cross Road, T-Dryden
Ithaca, NY 14850**

I, Matthew Wyllie, as a representative for German Cross Road Apartments, agree that on September 23, 2013, October 15, 2013, and December 10, 2013, I was in violation of Article VI of the Tompkins County Sanitary Code, Section 6.02 (b) for the discharge of human wastes or sewage to the atmosphere or to the surface of the ground. I also agree that I am in violation of Part 5-1.30 of New York State Sanitary Code for failure to provide continuous disinfection of a public water supply.

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. Immediately and until the sewage system is replaced, prevent the discharge of sewage to the ground surface by keeping the septic tank pumped as needed by a licensed septic hauler.
2. Have the sewage system evaluated by a NYS-licensed design professional to determine whether the sewage system needs to be repaired or replaced.
3. Submit the findings and recommendations made by the contracted NYS-licensed design professional to prevent sewage from surfacing from the sewage system for approval by the Health Department by **February 14, 2014.**
4. If necessary, submit engineering plans for repair or replacement of the system and the Onsite Wastewater Treatment System (OWTS) Application for a Construction Permit along with the appropriate fees, on or before **February 28, 2014.**
5. Complete the replacement or repair of the sewage system in accordance with the OWTS Construction Permit and/or approved plans within **45 days** after the OWTS Construction Permit and/or plan approval has been issued.
6. a) Submit approvable plans for disinfection of the water supply prepared by a NYS-licensed design professional no later than **February 28, 2014**, and install disinfection treatment equipment as per approved plans by **March 31, 2014;**

OR

- B-1) Connect the original well directly to the west 4-unit building and no longer use the existing buried storage tank by **March 17, 2014; and,**
- B-2) Provide satisfactory bacteriological results from the two new wells prior to releasing the boil water notice to the units served by these wells; **and,**
- B-3) Provide six months of satisfactory bacteriological sample results from the original well, prior to releasing the boil water notice to the units served by this well; **and,**
- B-4) Submit photos to this office documenting all new well connections made by **March 31, 2014.**

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: 1-23-14

Matthew Wyllie is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 1/23/14
Frank Kruppa
Public Health Director

SEWAGE CASE SUMMARY – FOR RESOLUTION # 13.1.34

**German Cross Road Apartments
Matthew Wyllie, Owner/Operator
1-9-13 German Cross Rd, T-Dryden
Ithaca, NY 14850**

1/31/14

Date	Action
9/19/2013	Tompkins County Health Department (TCHD) staff received an email from Dave Sprout (Code Enforcement Officer (T) Dryden), referring a complaint initially registered at his office. The complainant was concerned that the onsite wastewater treatment system (OWTS) at the above referenced property was failing and was responsible for creating large wet areas in the lawn.
9/23/2013	TCHD staff spoke with the complainant by phone, and then made a field visit to the site. During the visit, TCHD staff observed an area just beyond the southernmost corner of the large, raised OWTS where pooling water had the appearance and odor of septage.
10/15/2013	Prior to the issuance of a Notice of Violation (NOV), TCHD staff returned to the site and confirmed that the violation remained unchanged.
10/21/2013	A NOV was issued by TCHD to Matthew Wyllie, owner of German Cross Road Apartments. The NOV established 12/5/2013 as the deadline by which Mr. Wyllie was to submit an OWTS construction application and engineered plans detailing a repair or replacement of the system.
12/10/2013	After the deadline passed without the submittal of an application or plans, TCHD staff returned to the site and verified that the violation had not been abated.
1/9/2014	Stipulation Agreement and Orders sent by TCHD.
1/23/2014	Stipulation Agreement signed by Matthew Wyllie.

ENVIRONMENTAL HEALTH DIVISION

Ph: (607) 274-6688

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

Fx: (607) 274-6695

WATER CASE SUMMARY – FOR RESOLUTION # 13.1.34

**German Cross Road Apartments
Matthew Wyllie, Owner/Operator
1-9-13 German Cross Rd, T-Dryden
Ithaca, NY 14850**

Compiled on 12/23/2013

Date	Action
9/10/2013	A quarterly bacteriological monitoring water sample was taken by Microbac labs. The results were positive for coliform bacteria.
9/13/2013	Due to the positive coliform bacteria result, five repeat samples were taken by Microbac labs at various taps throughout the apartments (including the tap the positive 9/10/13 sample was taken from). All five bacteriological water samples were found to be positive for coliform bacteria.
9/13/2013	A Boil Water Notice was issued for all apartments. A Notice of Violation and Revocation of disinfection waiver letter was mailed. This letter required that disinfection plans be submitted by 10/15/2013.
10/11/2013	The Boil Water Notice was reposted.
10/16/2013	<p>Christa Wyllie contacted our department stating that they had a well driller scheduled to drill 2 new wells (1 for the single house and one for the east 4 unit building). Upon connecting these wells, they would abandon the buried storage tank at the west 4 unit building and connect the original well directly to the distribution system.</p> <p>This decision was made due to 1) The original well is unable to supply the demand of the water system without a storage tank. 2) No interior space exists for installing a disinfection contact tank inside the apartments & building a separate water utility building posed challenges. Upon completion, this facility will be considered having multiple distribution systems and will no longer be considered a Part 5 Public Water System.</p> <p>The additional criteria discussed for completion of this transition were:</p> <ol style="list-style-type: none"> 1) Photos of the connections to the new wells. 2) Satisfactory bacteriological results from the two new wells prior to connecting them to the apartments and boil Water Notice removal. 3) Six months of satisfactory bacteriological water samples from the original well, prior to being able to release the boil water notice.
12/19/2013	The Tompkins County annual Sanitary survey was performed by TCHD staff and the Boil water Notice was reposted.
1/9/2014	Stipulation Agreement and Orders sent by TCHD.
1/23/2014	Stipulation Agreement signed by Matthew Wyllie.

Inclusion Through Diversity



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

CERTIFIED AND REGULAR MAIL

February 3, 2014

Orson Ledger
224 Linden Avenue
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # 14.1.2
Massey Apartments, T-Enfield**

Dear Orson Ledger:

Thank you for signing the Stipulation Agreement on January 28, 2014, for Massey Apartments.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. 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 Steven Kern 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, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Apartments (SC-9)\Massey Apts\enforcement\Draft Resolution 14.1.2.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
CEO T-Enfield; Supervisor T-Enfield; James Dennis, TC Legislature; Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; John Strepelis, P.E., NYSDOH Steven Kern, TCHD; Skip Parr, TCHD; Brenda Coyle, TCHD
scan: Signed copy to eh

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

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

DRAFT RESOLUTION # 14.1.2 FOR

**Massey Apartments
Orson Ledger, Owner
Mecklenburg Road, T-Enfield
Ithaca, NY 14850**

Whereas, Subpart 5-1.51 (b) Table 8C of the New York State Sanitary Code (NYSSC) requires that one annual entry point nitrate sample report shall be sent to the Tompkins County Health Department every year; **and**

Whereas, Massey Apartments did not submit an annual nitrate sample report for 2013 during the required sampling period; **and**

Whereas, Orson Ledger, Owner, signed a Stipulation Agreement with Public Health Director's Orders on January 28, 2014, agreeing that Massey Apartments 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 Orson Ledger, Owner, is ordered to:**

1. Pay a penalty of \$400 for this violation, due within 30 days notice. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit an annual nitrate sample report as required by Subpart 5-1.51 (b) Table 8C of the NYSSC to the Tompkins County Health Department every year.



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

Stipulation Agreement and Orders

#14.1.2

For

Massey Apartments

T-Enfield

Orson Ledger, owner

I, Orson Ledger, understand that Subpart 5-1.51 (b) Table 8C of the New York State Sanitary Code (NYSSC) requires that one annual entry point nitrate sample report shall be sent to the Tompkins County Health Department every year.

I agree that the report for the annual nitrate sample for 2013 has not been submitted to the Health Department in violation of Subpart 5-1.51 (b) Table 8C of the NYSSC.

I also agree to pay a penalty, not to exceed \$400 for this violation, following a Board of Health Resolution. (**Do Not** submit penalty payment until notified by the Tompkins County Board of Health.)

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

- 1. To submit an annual nitrate sample report as required by Subpart 5-1.51 (b) Table 8C of the NYSSC to the Tompkins County Health Department every year.

I recognize that the Tompkins County Health Department may take further action if I do not comply with this Order.

I also recognize that the penalty may be doubled if the violation happens again.

Signed Orson A Ledger Date 1/25/14
Orson Ledger, owner

Orson Ledger is hereby ordered to comply with these Orders of the Public Health Director.

Signed Frank Kruppa Date 1/28/14
Frank Kruppa, Public Health Director

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

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

CASE SUMMARY – FOR RESOLUTION # 14.1.2

**Massey Apartments
Orson Ledger, Owner/Operator
Mecklenburg Road, T-Enfield**

1/30/2014

Date	Action
1/28/2014	Stipulation Agreement signed by Orson Ledger.
1/15/2014	Notice of Violation and Stipulation Agreement sent by TCHD to Mr. Ledger with date for Office Conference.
12/4/2013	Reminder letter mailed by TCHD to system owner to sample for nitrate by the end of the year.
11/13/2013	Reminder letter mailed by TCHD to system owner to sample for nitrate by the end of the year.
11/12/2013	TCHD staff discussed the nitrate sample requirement with Mr. Ledger at the sanitary survey.
1/20/2013	Annual Sample Schedule mailed by TCHD to system owner noting the requirement to sample for nitrate by the end of the year.

Massey Apartments
P.O. Box 822
Ithaca, New York 14851
Phone (607) 273-7842

February 07, 2014

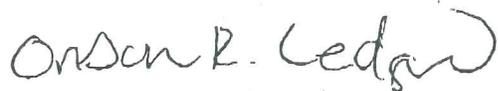
Re: Nitrate Sample

To Board of Health Department:

I would like to take this time to apologize for the inconvenience for not having the Nitrate Testing done as Benchmark was to do the testing on a regular base or as needed.

When we originally received the notice from the Tompkins County Health Department. We called and left a message at Benchmark to notify them we left a message, but we did not follow up. Once again I'm sorry for any inconvenience.

Sincerely,



Orson R. Ledger
Owner



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

CERTIFIED AND REGULAR MAIL

February 3, 2014

Orson Ledger
224 Linden Avenue
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # 14.1.3
Mountainview Manor MHP, T-Caroline**

Dear Orson Ledger:

Thank you for signing the Stipulation Agreement on January 28, 2014, for Mountainview Manor Mobile Home Park.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. 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 Steven Kern 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, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\MOBILE HOME PARKS (MHP)\Facilities (MHP-4)\Mountainview Manor\Enforcement\Draft Resolution 14.1.3.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
CEO T-Caroline; Supervisor T-Caroline; Dan Klein, TC Legislature; Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; John Strepelis, P.E., NYSDOH; Steven Kern, TCHD; Skip Parr, TCHD; Brenda Coyle, TCHD
scan: Signed copy to eh

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

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

DRAFT RESOLUTION # 14.1.3 FOR

**Mountainview Manor MHP
Orson Ledger, Owner
53 Lounsberry Road, T-Caroline
Caroline, NY 14817**

Whereas, Subpart 5-1.51 (b) Table 9A of the New York State Sanitary Code (NYSSC) requires that one Disinfection By-Product sample report shall be sent to the Tompkins County Health Department every three years; **and**

Whereas, Mountainview Manor MHP did not submit a Disinfection By-Product sample report for 2013 during the required sampling period; **and**

Whereas, Orson Ledger, Owner, signed a Stipulation Agreement with Public Health Director's Orders on January 28, 2014, agreeing that Mountainview Manor MHP 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 Orson Ledger, Owner, is ordered to:**

1. Pay a penalty of \$400 for this violation, due within 30 days notice. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit a Disinfection By-Product sample report as required by Subpart 5-1.51 (b) Table 9A of the NYSSC to the Tompkins County Health Department every three years.

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

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

Stipulation Agreement and Orders

#14.1.3

For

Mountainview Manor MHP

T-Caroline

Orson Ledger, owner

I, Orson Ledger, understand that Subpart 5-1.51 (b) Table 9A of the New York State Sanitary Code (NYSSC) requires that one Disinfection By-Product sample report shall be sent to the Tompkins County Health Department every three years.

I agree that the report for the annual Disinfection By-Product sample for 2013 has not been submitted to the Health Department in violation of Subpart 5-1.51 (b) Table 9A of the NYSSC.

I also agree to pay a penalty, not to exceed \$400 for this violation, following a Board of Health Resolution. (**Do Not** submit penalty payment until notified by the Tompkins County Board of Health.)

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

1. To submit a Disinfection By-Product sample report as required by Subpart 5-1.51 (b) Table 9A of the NYSSC to the Tompkins County Health Department every three years.

I recognize that the Tompkins County Health Department may take further action if I do not comply with this Order.

I also recognize that the penalty may be doubled if the violation happens again.

Signed Orson R Ledger Date 1/28/14

Orson Ledger, owner

Orson Ledger is hereby ordered to comply with these Orders of the Public Health Director.

Signed Frank Kruppa Date 1/28/14

Frank Kruppa, Public Health Director



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

CASE SUMMARY – FOR RESOLUTION # 14.1.3

**Mountainview Manor MHP
Orson Ledger, Owner/Operator
Lounsberry Road, T-Caroline**

1/30/2014

Date	Action
1/28/2014	Stipulation Agreement signed by Orson Ledger.
1/15/2014	Notice of Violation and Stipulation Agreement sent by TCHD to Mr. Ledger with date for Office Conference.
11/12/2013	TCHD staff discussed the nitrate sample requirement with Mr. Ledger at the sanitary survey.
8/27/2013	Reminder letter mailed by TCHD to system owner to sample for disinfection by-products during August or September.
1/20/2013	Annual Sample Schedule mailed by TCHD to system owner noting the requirement to sample for nitrate by the end of the year.

Mountain View of Caroline
P.O. Box 822
Ithaca, New York 14851
Phone (607) 273-7842

February 07, 2014

Re: Disinfection By-Product Sample

To Board of Health Department:

I would like to apologize for the inconvenience for not having the Disinfection By-Product Sample, which, is required every three years. I have spoken to benchmark and they will be doing the sample in August 2014. We will be sending them a copy of the updated list of what samples are due and when. Once again I'm sorry for any inconvenience.

Sincerely,



Orson R. Leger
Owner



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

CERTIFIED AND REGULAR MAIL

February 3, 2014

Ron Chandler, President
Stork H & E Turbo Blading
334 Comfort Road
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # 14.1.4
Stork H & E Turbo Blading, T-Danby**

Dear Ron Chandler:

Thank you for signing the Stipulation Agreement on January 29, 2014, for the Stork H & E Turbo Blading.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. 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 Steven Kern 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, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Stork H&E\enforcement\Draft Resolution 14.1.4.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
CEO T-Danby; Supervisor T-Danby; Dan Klein, TC Legislature; Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; John Strepelis, P.E., NYSDOH; Steven Kern, TCHD; Skip Parr, TCHD; Brenda Coyle, TCHD
scan: Signed copy to eh

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

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

DRAFT RESOLUTION # 14.1.4 FOR

**Stork H & E Turbo Blading
Ron Chandler, President
344 Comfort Road, T-Caroline
Ithaca, NY**

Whereas, Subpart 5-1.51 (b) Table 9A of the New York State Sanitary Code (NYSSC) requires that one Disinfection By-Product sample report shall be sent to the Tompkins County Health Department every three years; **and**

Whereas, Stork H & E Turbo Blading did not submit a Disinfection By-Product sample report for 2013 during the required sampling period; **and**

Whereas, Ron Chandler, President, signed a Stipulation Agreement with Public Health Director's Orders on January 29, 2014, agreeing that Stork H & E Turbo Blading violated this provision of the New York State Sanitary; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ron Chandler, President, is ordered to:**

1. Pay a penalty of \$400 for this violation, due within 30 days notice. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Submit a Disinfection By-Product sample report as required by Subpart 5-1.51 (b) Table 9A of the NYSSC to the Tompkins County Health Department every three years.



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

Stipulation Agreement and Orders

#14.1.4

For

Stork H & E Turbo Blading

T-Danby

~~John Berry~~, President & CEO

Ron Chandler

Ron Chandler

I, ~~John Berry~~, understand that Subpart 5-1.51 (b) Table 9A of the New York State Sanitary Code (NYSSC) requires that one Disinfection By-Products sample report shall be sent to the Tompkins County Health Department every three years.

I agree that the report for the Disinfection By-Product sample for 2013 has not been submitted to the Health Department in violation of Subpart 5-1.51 (b) Table 9A of the NYSSC.

I also agree to pay a penalty, not to exceed \$400 for this violation, following a Board of Health Resolution. (**Do Not** submit penalty payment until notified by the Tompkins County Board of Health.)

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

1. To submit Disinfection By-Product sample report as required by Subpart 5-1.51 (b) Table 9A of the NYSSC to the Tompkins County Health Department every three years.

I recognize that the Tompkins County Health Department may take further action if I do not comply with this Order.

I also recognize that the penalty may be doubled if the violation happens again.

Signed *Ron Chandler* Date *1/29/2014*

~~John Berry, owner~~
Ron Chandler, President

John Berry is hereby ordered to comply with these Orders of the Public Health Director.

Signed *Frank Kruppa* Date *1/29/14*

Frank Kruppa, Public Health Director

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

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

CASE SUMMARY – FOR RESOLUTION # 14.1.4

**Stork H & E Turbo Blading
Ron Chandler, President
Comfort Road, T-Danby**

1/30/2014

Date	Action
1/29/2014	Stipulation Agreement signed by Ron Chandler
1/15/2014	Notice of Violation and Stipulation Agreement sent by TCHD to Mr. Chandler with date for Office Conference.
8/27/2013	Reminder letter mailed by TCHD to system owner to sample for disinfection by-products during August or September.
1/20/2013	Annual Sample Schedule mailed by TCHD to system owner noting the requirement to sample for disinfection by-products during July, August or September.



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

CERTIFIED AND REGULAR MAIL

February 12, 2014

Mayor Svante Myrick
City of Ithaca
108 East Green Street
Ithaca, New York 14850

**Re: Tompkins County Board of Health *Draft Revised* Resolution # 13.1.12
Water System Violations of the New York State Sanitary Code Subpart 5-1
City of Ithaca, Ithaca-C**

Dear Mayor Myrick:

In response to a request from Assistant City Attorney Krin Flaherty, enclosed is a copy of the Draft Revised Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. The only change to the original resolution is extending the deadline for the plan for reviewing existing structures from January 15, 2014 to March 15, 2014. 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 Stephen Maybee, P.E. 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).

We appreciate the cooperation to date shown by the City in resolving this matter.

Sincerely,

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

Enclosure(s) – Draft Revised Resolution

pc: Steven Kern, TCHD Senior Public Health Sanitarian; Cyril (Skip) Parr, TCHD Senior Public Health Sanitarian
F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\IthacaPWS\Enforcement\IthacaCityBackflowBOHResRevised.docx
ec: Mayor Myrick, C-Ithaca; Pamela Mackesey, TC Legislature; Eric Whitney, P.E., Assistant Superintendent of Public Works
Charles Baker, Chief Operator; John Strepelis, P.E., NYSDOH
Frank Kruppa, TCHD Public Health Director; Steve Maybee, TCHD Public Health Engineer
scan: Signed copy to EH

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

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

DRAFT REVISED RESOLUTION #13.1.12 FOR

**Mayor Svante Myrick
City of Ithaca Public Water System
108 East Green Street
Ithaca, New York 14850**

Whereas, the City of Ithaca allowed Collegetown Terrace Apartments to install backflow prevention devices at Buildings 109, 2.1, 2.2, 2.3, 2.4, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3 and 4.4 before receiving approval from the Tompkins County Health Department which is a violation of Subpart 5-1.31(a) and Subpart 5-1.22(a) of the New York State Sanitary Code (NYSSC); **and**

Whereas, Mayor Svante Myrick, representative for the City of Ithaca Public Water System, signed a Stipulation Agreement with Public Health Director's Orders on August 26, 2013, agreeing that the City of Ithaca Public Water System violated these provisions of the New York State Sanitary Code; **and**

Whereas, on September 24, 2013, the Tompkins County Board of Health adopted Resolution #13.1.12; **and**

Whereas, on January 14, 2014, the City of Ithaca requested a deadline extension which is incorporated below; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That the City of Ithaca Public Water System, is ordered to:**

1. Pay a penalty of \$1000 for these violations **by October 31, 2013 (completed); and**
2. Develop an approvable cross connection control program plan and procedures to protect the water supply from aesthetically objectionable and hazardous facilities and submit it to the Tompkins County Health Department **by November 1, 2013. (completed)** It is within the discretion of the water supplier to assess the degree of hazard; **and**
3. Develop an approvable plan for reviewing existing structures to ensure that cross connection control devices are installed, approved, and operational where required to protect the water supply from aesthetically objectionable and hazardous facilities, including the maintenance of adequate installation, maintenance and repair records, and submit it to the Tompkins County Health Department **by March 15, 2014; and**
4. As required in Subpart 5-1 of the New York Sanitary Code, require all users who require backflow prevention to protect the water supply from aesthetically objectionable and hazardous facilities to first obtain approval from the Tompkins County Health Department before connecting to the City of Ithaca Public Water system.



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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

February 13, 2014

Dale Dickey
PO Box 164
Groton, NY 13073

**Re: Tompkins County Board of Health Draft Resolution # 14.11.5
Main Street Pizzeria, V-Groton**

Dear Dale Dickey:

Thank you for signing the Stipulation Agreement on February 11, 2014, for the Main Street Pizzeria.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, February 25, 2014**. 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, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Main Street Pizzeria\Enforcement\Draft Resolution 14.11.5.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
CEO V-Groton; Mayor V-Groton; Brian Robison, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of
Environmental Health; Frank Kruppa, Public Health Director; Adriel Shea; Steven, Kern; Skip Parr; Brenda Coyle
scan: Signed copy to eh

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

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

DRAFT RESOLUTION # 14.11.5 FOR

**Main Street Pizzeria
Dale Dickey, Owner/Operator
120 Main Street, 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; **and**

Whereas, on January 10, 2014, Health Department staff inspected Main Street Pizzeria and observed a violation of 14-1.10(c) 3 of the New York State Sanitary Code. The Critical Violation included contamination of a food storage area with sewage. Sewage contamination of a food storage area is a violation of Part 14-1 of the New York State Sanitary Code for Food Service Establishments and requires immediate closure; **and**

Whereas, the facility closed for several hours on January 10, 2014, and reopened after food products and disposable cups and containers were removed from the basement area where sewage was present. The sewage leak was observed corrected by Health Department staff on January 13, 2014; **and**

Whereas, Dale Dickey, Owner/Operator, signed a Stipulation Agreement with Public Health Director's Orders on February 11, 2014, agreeing that Main Street Pizzeria 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 Dale Dickey, Owner/Operator, is ordered to:**

1. Pay a penalty of \$400 for these violations, due within 30 days notice. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

RECEIVED



Your Partner for a Healthy Community

FEB 12 2014

TOMPKINS COUNTY HEALTH DEPARTMENT

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

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkins-co.org/health/ch>

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

STIPULATION AGREEMENT AND ORDERS # 14.11.5

**Main Street Pizzeria
Dale Dickey, Owner/Operator
120 Main Street, V-Groton
Groton, NY 13073**

I, Dale Dickey, as a representative for Main Street Pizzeria, agree that on January 10, 2014, I was in violation of Part 14-1 of New York State Sanitary Code for operating a Food Service Establishment with sewage on the floor in a food storage area.

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

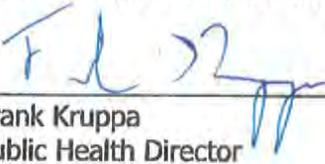
I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. 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:  Date: FEB 11 2014

Dale Dickey is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 2/12/14
Frank Kruppa
Public Health Director

PLEASE SEE THREE ATTACHED PAGES

I am writing regarding the incident at Main Street Pizzeria.

I strive to comply with every regulation that the health department has. My inspections are always good and I've never had an issue with the health department until now.

On Saturday November 02, 2013, heavy rains that day and I discovered leakage from my sewer pipe. Immediately, I called a plumber, The Drain Brain, to have the line cleared and repaired. The Drain Brain was not able to fix the line after pulling a soda can out of the line. It was in the basement away from any open food and literally had approximately a 1/2 cup of water that had leaked from it after the blockage was removed. I was referred to my regular plumber Burris Plumbing but he was busy with other more important tasks at the time as he had many customers with no heat during the cold snap. He assured me he would get right to it and not to worry since the leak was insignificant.

It took Burris Plumbing three weeks to address the issue. In the meantime, someone called the health department regarding the leak. Had I realized that it was a health and safety issue, I would have pressured my plumber to get it done sooner.

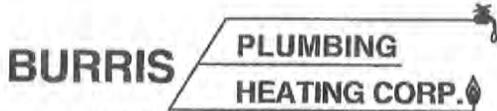
I immediately complied with the health departments request and moved my packaging and freezer to the first floor from the basement so that it was not near the sewer leak.

I urge you to consider my history with Main Street Pizzeria before assessing a penalty. I keep the business far cleaner than any of my competitors and far cleaner than the previous owner did. I adhere closely to food storage time standards while many of my competitors leave pizza out literally all day. I want to operate a clean and safe business.

RECEIVED

FEB 12 2014

TOMPKINS COUNTY
HEALTH DEPARTMENT



P.O. BOX 4448 ITHACA, NY 14852

(607) 257-4554

INVOICE

INVOICE NO.	INVOICE DATE
18139	1/11/2014

RECEIVED

FEB 12 2014

SOLD TO:

**MAIN STREET PIZZERIA
120 MAIN ST.
GROTON, NY 13073**

TOMPKINS COUNTY
HEALTH DEPARTMENT

PURCHASE ORDER NUMBER	DATE ORDERED	PAYMENT DATE	SALESPERSON
	1/11/2014	1/11/2014	JP
TERMS		NOTES	

Due on receipt

REFERENCE	DESCRIPTION	AMOUNT
EPOXY Plumbing - Labor	11/09/13 - MAIN SEWER LINE LEAKING IN BASEMENT MADE TEMPORARY REPAIR LEAD EPOXY Hourly Labor	25.00T 80.00T
MISCPARTS MISSIONCOUP4 DONUT GLUEPRIMER Plumbing - Labor HELPER	01/11/14 - REPLACED MAIN SEWER LINE MISC. PVC PIPE AND FITTINGS 3" X 4" MISSION COUPLER DONUT GASKET GLUE PRIMER Mec. Hourly Labor 6 1/2 Hrs. / NO OVERTIME CHARGE PER "JIM" Hourly Labor Helper 6 1/2 Hrs. / NO OVERTIME CHARGE PER "JIM"	94.59T 19.98T 15.21T 5.00T 520.00T 195.00T
		\$954.78

MESSAGE:

Thank you for your business.

SUBTOTAL	
SALES TAX (8.0%)	\$76.38
SHIPPING	
TOTAL	\$1,031.16

INVOICE

41133

**THE DRAIN BRAIN
DRAIN & SEWER CLEANING SERVICE
VIDEO PIPE INSPECTION**

P.O. BOX 6781
ITHACA, NEW YORK 14851

Cortland
753-1533

Horseheads
739-8311

Ithaca
273-8311

JOB PHONE	DATE OF ORDER 11-2-13
JOB NAME/LOCATION Main Street Pizzeria	
Groton	

TO Main Street Pizzeria

PHONE

ORDER TAKEN BY
Peter

TERMS: UPON RECEIPT

paid # 3104

DESCRIPTION	AMOUNT
LINE CLEANED: <u>Waste line on overtime</u>	<u>295.00</u>
SIZE OF LINE: <u>4"</u>	
APPROX. LENGTH: <u>15'</u>	
FEET CLEANED: <u>25'</u>	
CLEANOUT LOCATION: <u>Bemt.</u>	
CAUSE OF BLOCKAGE: <u>soda can in line</u>	
CUTTER SIZE: <u>1/2-shopvac</u>	

Months Guaranteed: Guarantee honored 9 to 5 except Saturday, Sunday & Holidays.

LABOR	HOURS	RATE	AMOUNT	TOTAL MATERIAL
				TOTAL LABOR <u>295.00</u>
				TAX <u>23.60</u>

WORK ORDERED BY

DATE COMPLETED

TOTAL LABOR

TAX

23.60

PAY THIS AMOUNT →

318.60

Thank You

(SIGNATURE (I hereby acknowledge the satisfactory completion of the above described work.))

RECEIVED

FEB 12 2014

TOMPKINS COUNTY
HEALTH DEPARTMENT

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

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

CASE SUMMARY – FOR RESOLUTION # 14.11.5

**Main Street Pizzeria
Dale Dickey, Owner/Operator
120 Main Street, V-Groton
Groton, NY 13073**

2/12/14

Date	Action
2/12/14	Signed Stipulation received by TCHD.
2/5/14	Office Conference held with Dale Dickey, Owner. Mr. Dickey requested extension to signed stipulation so a written statement could be submitted with the signed stipulation.
1/13/14	Re-inspection by TCHD staff on January 13, 2014. New piping and plumbing was observed in the basement. No leaking sewage observed. Owner was given authorization to re-open restaurant and allowed to store food and containers in the basement again.
1/10/14	Field visit by TCHD staff as follow-up to inspection earlier in the day. Food products and disposable cups and containers were observed removed from basement. The restaurant was allowed to temporarily open for the weekend. Plumbing was required to be repaired by Monday (1/13/14).
1/10/14	Complaint investigation by TCHD staff. Staff observed sewage drippage in basement adjacent to shelf area containing bags of takeout food containers. Room also had side by side cooler containing cheese and romaine lettuce, an upright freezer and a chest freezer. The restaurant was open for business. Operator voluntarily closed business. Food to be moved out of room, plumber called and area affected to be de-contaminated. Violation cited for Food area contaminated by sewage. Facility ordered to remain closed until all food/food contact surfaces are relocated or repair is made and area sanitized.
12/31/13	Complaint received by TCHD stating that there was a sewage leak in the basement of Main Street Pizza.
10/1/13	One year permit to operate restaurant issued by TCHD.
2/6/13	Inspection by TCHD staff. No violations observed.
10/1/12	One year permit to operate restaurant issued by TCHD.
5/17/12	Inspection by TCHD staff. No violations observed.
10/1/11	One year permit to operate restaurant issued by TCHD.
7/8/11	Inspection by TCHD staff. No violations observed.