

AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, June 28, 2022
12:00 Noon
Via Zoom

Live Stream at Tompkins County YouTube Channel:

<https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>

- 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 the March 22, 2022, April 26, 2022 and May 24, 2022 Minutes (2 mins.)
- 12:06 IV.** Financial Summary (9 mins.)
- 12:15 V.** Reports (15 mins.)
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|-------------------------------|----------------------------------|
| Administration | Children with Special Care Needs |
| Health Promotion Program | County Attorney’s Report |
| Medical Director’s Report | Environmental Health |
| Division for Community Health | CSB Report |
- 12:30 VI.** New Business
- 12:30 Environmental Health** (45 mins)
Enforcement Action:
1. Resolution #EH-ENF-22-0007 – Cayuga Smoke Shop, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
 2. Resolution #EH-ENF-22-0008 – Dream Vape, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product and Underage Sale of Tobacco Product (ATUPA) (5 mins.)
 3. Resolution #EH-ENF-22-0009 – Commons Market, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
 4. Resolution #EH-ENF-22-0012 – Jason’s Grocery & Deli., C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)

5. Resolution #EH-ENF-22-0013 – Ayra Convenience Inc., C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
6. Resolution #EH-ENF-22-0014 – Ithaca Convenience LLC, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
7. Resolution # EH-ENF-22-0015 – Hilton Garden at Seneca Place Spa Pool, C-Ithaca, Violation of Subpart 6-1 of New York State Sanitary Code (Pool) (5 mins.)
8. Resolution # EN-ENF-22-0016 – Finger Lakes GrassRoots Festival, T-Ulysses, Violation of BOH Orders #EH-ENF-21-0011 (Water) (5 mins.)
9. Resolution #EH-ENF-22-0019 – TOSA Apartments, T-Dryden, Violation of BOH Orders #EH-ENF-20-0016 (Water) (5 mins.)

1:15 Administrative Action: (20 mins.)

1. Review of Proposed 2023 Environmental Health Division Fees (10 mins.)
2. Review of Draft Policy for Video Observed Therapy for TB and related consent form for BOH Approval (10 mins.)

1:35 Administration (5 mins.)

Discussion/Action:

1. Merger Update (5 mins.)

1:40 Adjournment

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MINUTES
Tompkins County Board of Health
March 22, 2022
12:00 Noon
Virtual Meeting via Zoom

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

Staff: Samantha Hillson, Director of Health Promotion Program; Deb Thomas, Director of Children with Special Care Needs; Claire Espey, Director of Community Health; Liz Cameron, Director of Environmental Health; William Troy, County Attorney; Frank Kruppa, Public Health Director; Harmony Ayers-Friedlander and Karan Palazzo, LGU Administrative Assistant

Excused: Melissa Dhundale, MD; Brenda Grinnell-Crosby, Public Health Administrator; and William Klepack, MD, Medical Director

Guests: None

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

Privilege of the Floor: No one was present.

Approval of the December 7, 2021, January 25, 2022 and February 22, 2022 Minutes: Ms. Black moved to approve the minutes of the December 7, 2021 meeting as written; seconded by Mr. Ravinder. The vote to approve the minutes as written: Unanimous approval; motion carried. Ms. Black moved to approve the minutes of the January 25, 2022 meeting as written; seconded by Ms. Merkel. The vote to approve the minutes as written: Unanimous approval; motion carried. Ms. Black moved to approve the minutes of the February 22, 2022 meeting as written; seconded by Dr. Evelyn. The vote to approve the minutes as written: Unanimous approval; motion carried.

Financial Summary: Ms. Grinnell Crosby was not present. Mr. Kruppa was available to respond to any questions of the financial report included in the packet.

Administration Report: Mr. Kruppa reported that TCHD continues to monitor the severity of illness from COVID; no active hospitalizations; monitor variants and their evolutions; BA2 is the majority variant in Tompkins County based on Cornell data.

Mr. Kruppa met with Monalita Smiley, Director of the Community Justice Center and discussed the roles that Public Health and Mental Health will play in conversations.

Health Promotion Program Report: Ms. Hillson had nothing to add to her written report included in the packet. She reported reviewing the wide range of applications received for the community health worker position, which is a collaboration with community partners who are working on similar roles. Community health workers will work across departments.

Ms. Hillson said that the Community Health Assessment Process is in the planning stages and due December of this year. They hope to launch the community health survey in late spring or early summer,

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and they are also in the process of updating the data sources including the assistance from the QAI department at Mental Health.

Medical Director's Report and Discussion: Dr. Klepack was not present. On behalf of Dr. Klepack, Mr. Kruppa was available to answer questions from Dr. Klepack's medical report included in the packet.

Division for Community Health (DCH) Report: Ms. Espey had nothing to add to her written report. She referred to Mr. Kruppa's update on COVID as they continue to monitor the situation. She reported that the NYS virtual call center ends their contract the end of April. DCH is addressing how to move forward to support the community in their absence.

Ms. Espey shared that questions from last month's meeting regarding Syphilis and Lyme disease were addressed in this month's report.

Mr. Kruppa responded to a question regarding PCR testing. Mr. Kruppa reported that PCR testing continues at the mall but there is a lack of funding from the Federal funding for uninsured/underinsured.

Mr. Kruppa responded to a question regarding test collection data with Cornell. He said that there is no way to tell for certain with many self-reporting. He believes many are taking the results of a positive antigen test and acting accordingly.

Children with Special Care Needs Report: Ms. Thomas reported that the waitlist for speech therapy continues with 32 children waiting for therapy and now have a wait list for special instruction teachers for those children. She said that a new Public Health Law requires insurance companies to provide \$40 million to the state fiscal agent to help cover early intervention services which might bring some of the therapists back into the program.

County Attorney's Report: Mr. Kruppa reported that the State Declaration of Emergency suspended in-person until mid-April and the BOH's next meeting in April **may** be held in-person in the Rice Conference room at 55 Brown Road, Ithaca, NY.

Environmental Health Report: Ms. Cameron reported that Dillon Shults, EH Technician was promoted to EH Specialist and they will recruit for his replacement for the technician position.

Ms. Cameron said that EH drafted a memo clarifying that reusable containers are allowed under the New York State Sanitary Code for Food Service Establishments, in response to a request from the Zero Waste Initiative Program. The Zero Waste Initiative Program works with restaurants to promote customers to bring in reusable containers.

Ms. Cameron also said that EH is proposing changes to the temporary food program after reviewing the requirements for religious, charitable and fraternal organizations under food service establishment regulations. Religious, charitable, and fraternal organizations are not required to get permits from EH if they hold food service events less than once a week. Ms. Cameron said that Cornell falls under this provision and; has their own review process in place as they track these events and provide education. EH and Cornell are working together to transfer oversight of these Cornell events to Cornell and for EH to no longer issue temporary food permits for Cornell events. This will allow EH to focus on higher risk issues.

Ms. Cameron reported that EH is working with Grassroots on their festival application and water and site plans but are still dealing with issues as in the past with inconsistent information.

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Ms. Cameron reported that the Adolescent Tobacco Use Prevention Act (ATUPA) Program was deferred during COVID and EH only responded on a complaint basis. NYS issued new regulations during COVID (May 2020) prohibiting the sale of flavored vapor products that contain nicotine. The new rules are complicated as facilities are allowed internet sales of flavored products to out-of-state customers as long as the banned products are not on display for sale to in-person customers.

EH has started full compliance checks with facilities and a number of violations have been issued.

Ms. Cameron answered a question regarding the penalties (ATUPA). She said sales to minors (under age 21) carries a minimum penalty of \$300, a maximum penalty of \$1,500 and a state surcharge of \$250. The penalty for the sale of vapor products/individual package is up to a \$100.

Community Mental Health Services Board (CSB) Report: Ms. Ayers-Friedlander reported:

- CSB's March meeting agenda topic was on fentanyl-laced drugs in the community. A local family shared their story of the untimely death of their 23 y/o son and brother and concerns of the fentanyl-laced drug infiltrating our community. Local providers including CARS, ADC and REACH Medical were in representation.

Mr. Kruppa added that fentanyl was topic of conversation prior to COVID and one can assume that fentanyl will be involved in any street drug purchased (even an opioid). TCHD is working on communication and messaging about fentanyl. Ithaca Police Department recently reported a spade of overdoses related to painted street drugs.

Resolution #EH-ENF-22-0002 – Thai Basil, C-Ithaca, Violations Subpart 14-1 of New York State Sanitary Code: Dr. Evelyn moved to accept the resolutions as written; seconded by Ms. Black.

Ms. Cameron explained that this is a case where food was out of temperature. EH proposes a penalty of \$200. No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0003 -Super 8 Motel, C-Ithaca, Violations of Subpart 14-1 of the New York State Sanitary Code: Dr. Koppel moved to accept the resolutions as written; seconded by Dr. Evelyn.

Ms. Cameron explained that this is a case where fire and smoke doors were not maintained, and electrical equipment was used incorrectly. EH proposes a penalty of \$200. No discussion.

The vote to approve the resolution as written was unanimous

Resolution #EH-ENF-22-0004 – Best Western University Inn, T- Ithaca, Violations of Subpart 14-1 of the New York State Sanitary Code: Ms. Touchton moved to accept the resolutions as written; seconded by Dr. Koppel.

Ms. Cameron explained that this is a case where the level of the violation increased because it was not corrected. They failed to maintain emergency lights and exit signs and failed to maintain required exits. EH proposes a penalty of \$400.

No discussion.

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The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0005 – C&C/Chucks, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Underage Sale of Tobacco Products (ATUPA): Ms. Black moved to accept the resolutions as written; seconded by Dr. Evelyn.

Ms. Cameron explained that this is a case of the sale of tobacco products to minors. EH proposes the increased penalties of \$500 plus the \$250 NYS mandatory surcharge totaling \$750.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0006 – Smiley’s Food Mart, T-Newfield, Violation of Article 13-F of New York State Public Health Law for Underage Sale of Tobacco Products (ATUPA): Dr. Evelyn moved to accept the resolutions as written; seconded by Mr. Ravinder.

No discussion.

The vote to approve the resolution as written was unanimous.

Administration: Mr. Kruppa reported that merger updates will be a monthly topic to keep the Board updated and informed in the process, take suggestions and receive feedback.

Merger Update:

- Iron Design, was selected as the company in the branding effort for the new name and logo
- The first discovery meeting will have representatives from both departments and the CSB
- The three-month process will include iterations to understand who we are and what represents us
- The legislature will give final approval of the new name and logo this summer
- A cross-functional team launches around children and youth services
- Introductory conversations with directors around a potential charter for another cross-functional team to research better integration and support for children and youth served across all programs
- Cross-functional team is working on the understanding of each other and the back of the foundation utilizing network surveys and mapping, etc.
- Charter changes and the bylaws in proposed form are due no later than October, for the self-imposed deadline for the end of the year
- Working with the county financial officer in merging the chart of accounts

Mr. Kruppa said the final step in the merger will be the legislature amending the charter. He encouraged Board members to take the opportunity to be part of the branding process.

Dr. Moylan reported that a first edit was done on the bylaws which will be forwarded to Dr. Evelyn and Ms. Merkel for their review before coming to the Board in April.

Dr. Moylan asked the Board members to anticipate an in-person meeting in April, in the Rice Conference Room at 55 Brown Road, Ithaca, NY.

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

Adjournment: Adjourned at 12:56 p.m.

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MINUTES

Tompkins County Board of Health
April 26, 2022
12:00 Noon
Virtual Meeting via Zoom

Present: Christina Moylan, Ph.D., President; Susan Merkel; Melissa Dhundale, MD and Ravinder Kingra

Staff: Deb Thomas, Director of Children with Special Care Needs; Claire Espey, Director of Community Health; William Klepack, MD, Medical Director; William Troy, County Attorney; Frank Kruppa, Public Health Director; Harmony Ayers-Friedlander, Deputy Commissioner; Skip Parr, EH; Ted Schiele, HPP; and Karan Palazzo, LGU Administrative Assistant

Excused: Edward Koppel, MD; David Evelyn, MD; Shawna Black; Samara Touchton.

Guests: None

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

Privilege of the Floor: None.

Approval of the March 22, 2022 Minutes: The March 22, 2022 minutes could not be approved as a quorum was not met.

Financial Summary: Ms. Grinnell Crosby was not present. Mr. Kruppa was available to respond to questions of the financial report included in the packet. He said that the 2021 closing out with the county finance office will be finalized next month.

Administration Report: Mr. Kruppa referred to his report included in the package. He added that case numbers are up in our community and the region; hospitalizations are on an uptick; moving to the high designation based on the CDC metrics of hospitalizations per hundred thousand over the last seven days; preparing press releases to the community about issuing a mask advisory.

Health Promotion Program Report: Ms. Hillson is out on maternity leave and Mr. Schiele will be reporting until her return in July. He provided the link in the chat for to the KN95 mask video which can also be found on the TCHD website. The Community Health Assessment work group will begin to circulate the community survey in June. He said two community health workers have been hired and will start in May.

Medical Director's Report and Discussion: Dr. Klepack reported that:

- CDC predicts 92% national increase in COVID cases by the end of April
- BA2 variant is very contagious (even more that the earlier omicron variants) but case, hospitalization and death rates reflect vaccination accomplishments, immunity gained from prior infections, and the extent to which the public is using preventive measures. Predominantly the unvaccinated are

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the ones encountering serious and life threatening disease. I urge all who are not vaccinated and boosted to become up to date with vaccination.

- Precautions are still necessary. The public is encouraged to wear masks, social distance and hand sanitize in a prudent manner.
- Medication therapy for COVID is available when someone is positive. They should contact their practitioner for advice. For persons who have qualifying conditions (such as immune compromise) pre exposure Covid therapy is available. Persons should discuss this possible option with their personal practitioner.
- Positive COVID cases are occurring regardless of age, occupation, and at all levels of education and employment status

Dr. Klepack shared his screen of PCR tests, 7-day average of new positive cases (all of which have risen) which can be found on the TCHD website. Dr. Klepack added that parents interested in getting a child under the age of two tested should opt for a PCR test as no antigen tests have been approved for this age group and, thus, should not be relied upon.

Ms. Merkel asked about the increase in drug overdose deaths. Dr. Klepack said the numbers are rising and have reached new and distressing levels. The concerns are several: individuals not having access to NARCAN, and fentanyl laced drugs on the street causing quick deaths. Many are not aware that drugs cannot be adequately tested with test kits to detect fentanyl. TCHD is encouraging individuals at risk of overdoses to reach out for supportive care and help. According to the ME summary spreadsheet, we had 23 deaths in 2021 attributed to polydrug overdoses (22 accidental, 1 suicide).

Mr. Kruppa updated that figure stating that Tompkins County had 25 drug overdose deaths in 2021, previous numbers were around 18 since 2016. There were a couple of months in 2021 where there were significant overdoses.

Public messaging will be going out about fentanyl laced drugs aimed at informing the public of the risks of using illicit drugs (even those that are purported to be diverted prescription drugs and even those that are not supposed to be opioids). These products are highly likely to have synthetic fentanyl like substances in them.

Dr. Dhundale asked about the availability of antivirals for COVID. Dr. Klepack said it was initially Kinney's and CVS pharmacies offering them but there are federal initiatives to increase the number of pharmacies to offer them. He stressed that it is very important to use the antiviral medicines as soon as possible after becoming positive and preferably within a day or two of becoming positive. Dr. Dhundale added that people should discuss with their doctors regarding their risk factors, including obesity.

Dr. Dhundale asked about the availability of NARCAN for the public. Dr. Klepack said TCHD does not dispense NARCAN to the public. Mr. Kruppa added there are multiple providers in the community that can train and distribute NARCAN including the Alcohol and Drug Council and Southern Tier Aids Program (STAP) and pharmacies, to name a few.

Dr. Dhundale asked about THC packaging for kids. Dr. Klepack said so far, the focus of the Office of Cannabis Management has been on rules and regulations regarding the growth of cannabis and how to obtain a license to grow THC. Marketing and packaging has not been addressed at this time but will in the near future.

Division for Community Health (DCH) Report: Ms. Espey had nothing to add to her written report. She referred to Mr. Kruppa's and Dr. Klepack's update on COVID and DCH is responding to those changes. DCH continues to monitor severe illness in the hospitals, high risks and congregate living and providing support to any organization that needs it. There have been increased calls from the public which coincides with the end of the virtual call center from the State Department of Health. The newly hired community health nurse is responsible for communicable disease and will respond to support the community for COVID, supported by our public health fellows.

Ms. Espey reported that DCH was awarded the Perinatal and Infant Community Health Collaborative grant which will begin on July 1st. This award was a joint effort between HPP and CHS with support from community partners including Cayuga Health Partners, Cornell Cooperative Extension, and Human Services Coalition among others. The goal is to improve perinatal and infant health outcomes and eliminate racial, ethnic, and economic disparities.

Ms. Espey reported that the "Peace of Mind Meeting" on May 23rd will discuss sexually transmitted infection prevalence in Tompkins County and coordinate messaging education to the community and the response.

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

County Attorney's Report: Mr. Troy complimented the testing center on quick efficient service during a recent visit. He and his family are doing fine.

Environmental Health Report: Ms. Cameron was not present, and Mr. Parr reported on her behalf. He reported that EH will be at full staff with a new EH technician starting on Monday. He reported on giving a presentation to Health and Human Services on tobacco and vaping enforcement.

Mr. Parr said most stores know that they are not supposed to be selling flavored nicotine products.

Community Mental Health Services Board (CSB) Report: Ms. Ayers-Friedlander reported that the CSB's April meeting continued the discussion on fentanyl-laced drugs in the community. They identified the need to further explore ensuring that mental health and substance use treatment can be provided together if a person is struggling with their mental health and also going to a substance use provider. Rich Shaw, TC Dual Recovery Coordinator will speak at next month's meeting about supporting and improving the coordinated care approach in our community. The CSB also discussed the bylaws in more detail.

Dr. Moylan said the March minutes and enforcement actions will be moved to next month's meeting.

Administration: Merger Updates

Mr. Kruppa reported:

- The Cross functional team working on branding had their first discovery meeting with consultant Iron Design and are reviewing his summation from that meeting
- Another cross functional team working around understanding more about what each other does throughout the joint departments is analyzing the completed network survey

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- Exploring how to better integrate our children and youth services with the creation of another cross functional team.
- Senior leadership is creating the framework for a charter and scope for another potential cross functional team to work on
- Bylaw work continues and the linking from the bylaws to public health law will be shared for the broader group to review

Dr. Moylan asked the Board to expect the edits to the bylaws and thanked Ms. Merkel and Dr. Evelyn for their comments.

Dr. Moylan referred to a recent email sent to BOH members and asked for their feedback or concerns on a request for a letter of support for a new hiking trail. The Board had no concerns, and all were in favor of the letter of support for a new hiking trail.

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

Adjournment: Adjourned at 12:45 p.m.

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MINUTES

Tompkins County Board of Health
May 24, 2022
12:00 Noon
Virtual Meeting via Zoom

Present: Christina Moylan, Ph.D., President; Edward Koppel, MD; Shawna Black; and Samara Touchton

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

Excused: David Evelyn, MD; Susan Merkel; Melissa Dhundale, MD; and Ravinder Kingra

Guests: None

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

Privilege of the Floor: None.

Approval of the March 22, 2022 and April 26, 2022 Minutes: The March 22, 2022 and April 26, 2022 minutes could not be approved as a quorum was not met.

Financial Summary: Ms. Grinnell Crosby reported that the 13th period financial report included in the pack is the final report for 2021 but may need changing as the county is currently going through an audit. Month four of 2022, included in the packet reflects the continued shows inflation and sampling costs and the effects of the pandemic on our revenues related to programs. She submitted a resolution to the committee and legislature to put \$2.1 million of reimbursement on the books to cover the ongoing expense estimate given from finance. They continue to work through grant claims. State aid is nearing completion and work on the 2023 budget is underway.

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

Merger Update: Mr. Kruppa reported:

- First list of potential new names for the organization was received from branding consultants and the work group meets tomorrow to discuss and provide feedback for the consultants
- Cross-functional team continues to work on services around children and youth
- Work group completed network surveys of all staff getting to know each other and connections
- The All Staff meeting is June 29, 2022. Both departments will be closed to the public and meet for team building; get to know each other; and use what was learned from the network survey to enhance and broaden connections
- Bylaw and Charter work continues
- The CSB bylaw and charter work group will present their draft to the Community Service Board at their next meeting
- On-going meetings with County about financials in the budget process

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Health Promotion Program Report: Ms. Alvord reported on Ms. Hillson's behalf and had nothing new to add to the report included in the package. A project assistant was onboarded for the Healthy Neighborhood Program in May and two community health workers were also onboarded.

Medical Director's Report and Discussion:

- Monkey Pox
 - Recent media coverage
 - 25 monkey pox cases identified in the US and 250 identified worldwide
 - Communicability is far less than COVID
 - Transmission requires close contact and is transmitted by respiratory droplets
 - Vaccines and medications are available if needed

- Syphilis and Congenital Syphilis have two parts:
 1. Practitioners doing what they do by good medical practice and what is mandated
 2. What the public understands and having the public understand is part of the equation:
People's sexual behavior changes dynamically over the ages, (sexual maturity to old age), sexual behavior can change during pregnancy and put the unborn child at risk or themselves.

Dr. Klepack said that with the uptick in syphilis cases in the last several years, we now must re-align to address these issues with increased clear, public messaging on various platforms and partner with community partners to convey the reality of syphilis and other STDs. He shared his screen of the next practitioner bulletin, coming out tomorrow, which will reinforce more details on syphilis including timelines, trends, and symptoms.

Division for Community Health (DCH) Report: Ms. Espey had nothing new to add to her written report. She asked if there were any questions on the topic of syphilis which was discussed two months ago. She said Ms. Buckwalter convened with relevant stakeholders, the "Peace of Mind Coalition" on the infection prevalence in Tompkins County. Ms. Buckwalter added that the meeting yesterday provided valuable information about a case of concern and the next steps. A meeting is in the plans to meet with CMC, local OB-GYN providers, along with Dr. Klepack and Ms. Alvord. Ms. Buckwalter said the "Peace of Mind Coalition" addresses the rise in sexually transmitted infections, works on educational messaging, the importance of testing, treatment, and prevention. Mr. Kruppa added that it was designed around the increase in STDs (pre-COVID) to get the information out in various forms, which continues today.

Ms. Espey addressed the formula shortage that the WIC program has been working through with outreach opportunities supported by Health Promotions. She said that Mr. Kruppa has been interviewed by a local tv station to clarify the message. Ms. Hall heads the team and responds to an increased volume of calls from participants to navigate them in the right direction. Mr. Kruppa said that under tutelage of Ms. Hall, press releases and participants communicating with their healthcare providers, the county has been able to find alternatives or formula supplies for all of our participants. He said that WIC has been flexible in allowing alternatives and working with vendors. There has not been an increase in mothers choosing to breast feed and works with the parent to meet their needs.

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

County Attorney's Report: Mr. Troy was not present.

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Environmental Health Report: Mr. Parr had nothing to add to the written report included in the packet.

Community Mental Health Services Board (CSB) Report: Mr. Kruppa reported on behalf of Ms. Ayers-Friedlander who was not in attendance. Mr. Kruppa reported on developments from the April meeting where a family discussed losing a family member to a drug overdose that was laced with fentanyl. He said to address their concerns, the below items were initiated.

- Monthly updated county statistics on overdose calls in graphical form can now be found on the Tompkins County Public Health Department website under Opioid Use and Resources
- Fentanyl press releases go out with help from Dr. Klepack
- Working with the legislature on the use of the opioid settlement monies

Dr. Moylan said the March and April minutes and enforcement actions will be moved to next month's meeting as per Ms. Cameron. The administrative actions will also be moved to next month as per Ms. Espey. Dr. Moylan confirmed with present board members for their attendance to next month's June meeting and all confirmed. She will communicate with those not in attendance to confirm their attendance to next month's meeting to ensure a quorum.

The next meeting is Tuesday, June 28th, 2022 @ Noon.

Adjournment: Adjourned at 12:45 p.m.

Board of Health
June 28, 2022
Financial Report

May 2022 / Month 5

COVID sampling costs (\$659,440) not budgeted inflate expenditures in functional unit 4010. The County continues to seek FEMA reimbursement on these expenses. A resolution was processed to the Legislature to add funding for COVID sampling costs, it should be reflected in the June or July report. Grant claims and first quarter state aid have been filed. The department is awaiting payment of \$217,203 for Preparedness, COVID, and Public Health Fellows grants.

Tompkins County Financial Report for Public Health

Percentage of Year **41.67%**

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	2,350,629	1,529,905	65.08%	886,062	56,371	6.36%	1,464,567	1,473,534	112.09%
4011 EMERGING LEADERS IN PH	0	788	0.00%	0	0	0.00%		788	
4012 WOMEN, INFANTS & CHILDREN	508,520	189,813	37.33%	508,520	126,804	24.94%		63,009	
4013 OCCUPATIONAL HLTH.& SFTY.	100,376	43,788	43.62%	0	0	0.00%	100,376	43,788	43.62%
4015 VITAL RECORDS	78,674	37,781	48.02%	108,000	46,142	42.72%	-29,326	-8,361	28.51%
4016 COMMUNITY HEALTH	2,671,038	864,100	32.35%	1,513,361	234,310	15.48%	1,157,677	629,790	55.41%
4018 HEALTHY NEIGHBORHOOD PROG	172,368	46,142	26.77%	172,368	28,709	16.66%		17,433	
4047 PLNG. & COORD. OF C.S.N.	1,429,374	544,369	38.08%	406,690	123,859	30.46%	1,022,684	420,510	41.12%
4090 ENVIRONMENTAL HEALTH	2,046,987	809,721	39.56%	625,195	159,492	25.51%	1,421,792	650,229	46.93%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,458,348	635,403	43.57%	-1,458,348	-635,403	43.57%
Total Non-Mandate	9,357,966	4,066,407	43.45%	5,678,544	1,411,091	24.85%	3,679,422	2,655,317	72.17%
2960 PRESCHOOL SPECIAL EDUCATI	6,122,407	1,605,691	26.23%	3,992,177	582,025	14.58%	2,130,230	1,023,666	48.05%
4017 MEDICAL EXAMINER PROGRAM	329,516	93,320	28.32%	0	0	0.00%	329,516	93,320	28.32%
4054 EARLY INTERV (BIRTH-3)	578,000	149,684	25.90%	283,220	23,061	8.14%	294,780	126,623	42.95%
Total Mandate	7,029,923	1,848,694	26.30%	4,275,397	605,086	14.15%	2,754,526	1,243,608	45.15%
Total Public Health	16,387,889	5,915,101	36.09%	9,953,941	2,016,176	20.26%	6,433,948	3,898,925	60.60%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	652,571	829,691	2960 Preschool	4,516,716	3,410,152
4012 WIC	304,009	381,716	4054 Early Intervention	428,316	260,159
4013 Health & Safety	56,588	0	4017 Medical Examiner	113,044	0
4014 Medical Examiner	0	0		<hr/>	<hr/>
4015 Vitals	40,893	61,858		5,058,077	3,670,311
4016 Community Health	1,795,307	1,279,051			
4018 Healthy Neighborhood	126,226	143,659			
4047 CSCN	885,005	282,831			
4048 PHCP	0	0			
4090 Environmental Health	1,220,315	465,703			
4095 State Aid	0	822,945			
	<hr/>	<hr/>			
	5,080,914	4,267,453			

Total Public Health Balances	
Available Budget	Revenues Needed
<hr/> 10,138,991	<hr/> 7,937,765

**Public Health Director
Report
June 2022**

- I had the opportunity to participate in mock interviews for the TST BOCES Criminal Justice Program. The students were well prepared, and many had interests in MH and alternative response. They do crime scene investigations exercises as part of their training and most of them identified that as their favorite part of the program. Perhaps some future Medical Examiners in the group. The program is doing an excellent job preparing the students to join the workforce.
- The branding cross functional team continues to work with our consultant to narrow down possible names for our merged department.
- I was asked by the County Administrator to represent the county on an external working group that is trying to address the homeless encampments in Ithaca. The group is experiencing what many others have, that addressing homelessness is a complex issue. They are determined, and I am hopeful some options will come from their work.
- A lot of planning is going into our All Staff Meeting scheduled for 6/29. PH & MH will be coming together for the day to get to know each other better and do some team building.
- The Senior Leadership Team had a final workshop with the Batiste Group to further develop our skills in creating and launching cross functional teams. Our contractual relationship with Batiste is now over. They were with us for over two years and really helped us develop and launch our strategic plan. All during a pandemic.

HEALTH PROMOTION PROGRAM – JUNE 2022

Samantha Hillson, Director, PIO
 Ted Schiele, Planner/ Evaluator
 Diana Crouch, Healthy Neighborhoods Education Coordinator
 Shannon Alvord, Communications Coordinator
 Pat Jebbett, Project Assistant
 Mara Schwartz and Tenzin Aaya, Community Health Workers

HPP staff strive to promote health equity and address underlying determinants of health, including but not limited to, health care access, health literacy, housing quality and environmental conditions, and food insecurity. We do this through education and outreach, community partnerships, home visits, public communication and marketing, and policy change.

Highlights

- TCHD awarded \$1,275,000 in NYS PICHC Grant (Perinatal and Infant Community Health Collaboratives program) for five-year contract period.
- NYSPHA Presentation: “Meeting People Where They Are: How Public Health Ambassadors Brought COVID-19 Vaccines to Underserved Communities”.
- Strategic Plan implementation: branding development underway
- Community Health Workers fully on-boarded

Community Outreach

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

Groups, Programs, Organizations	Activity/Purpose	Date
Childhood Nutrition Collaborative	Collective Impact, Healthiest Cities and Counties Challenge, Steering Committee and Monthly meeting	monthly
CHIP Steering Committee	Support CHIP working groups to guide process and progress through the plan	monthly
Long Term Care Committee	Planning and sharing resources for long-term care in the community.	quarterly
Health Planning Council	Advisory Board and Executive Committee, Hillson reappointed as Secretary and Co-Chair of Community Health and Access Committee	Bi-monthly
Community Health and Access Committee	Sub-committee of the HPC. Focus on telehealth, maternal health, etc.	quarterly
COFA Advisory Board	Updates and Age Friendly	quarterly

Suicide Prevention Coalition	Revival of this coalition, new leadership, strategic planning process	monthly
Immunization Coalition	Quarterly meeting, updates about COVID-19 vaccine and discussion/feedback, youth vaccination promotion	quarterly
Lead Poisoning Prevention Network	Quarterly meeting, review lead cases, prevention, new regulation	quarterly
Cayuga Health Women's Service Line	Re-launch of this service line and discussion. Collaboration with community partners	quarterly
Aging Services Network	Regular meeting	
Homeless & Housing Taskforce	Regular meeting	

COVID-19

- Mask Advisory remains in effect through May, Tompkins County Medium Community Level.
- Outreach, promotion, and distribution of KN95 masks and self-test kits continues. KN95 mask video filmed and narrated by local videographer Shira Evergreen, <https://vimeo.com/693836241>; video is being translated into multiple languages, including Spanish, Karen, Mandarin, Cantonese, and Russian.
- In collaboration with COVID Communications team, develop and disseminate public information on guidance updates. Update website and social media.
- Ongoing website updates related to COVID-19 developments (see Media, Website section below).
- Ongoing review, analysis, and updates of COVID-related data. Regularly updated data is available on the COVID Data Page.
- Bi-weekly Communications Team meetings – planning a vaccination/booster and masking campaign with funding from NYS. Includes a KN95 video and print advertising in local weeklies and online. Work is underway to develop a 30 second commercial to run on public television and YouTube for promotion of vaccines/boosters, featuring TCHD staff and community members; development for a longer video outlining current COVID-19 guidance, featuring TCHD staff

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

- Community Health Survey drafting process involving a steering committee workgroup
- The CHA/CHIP Steering Committee meets monthly (first Thursday):

- The intended purpose of the Steering Committee is to support the workgroups both individually and collectively through consultation, feedback, and community networking.
- 2022 focus on collecting data for health equity and completing next round of the CHA, including redesigning and disseminating the community health survey.
- Cancer screening intervention monthly meeting.
- Social Determinants of Health (SdoH) intervention bi-monthly meeting.
- Maternal and Child Health

Healthy Neighborhoods Program

- HNP staff continues to receive calls requesting information regard indoor air quality, radon, mold and mildew, bed bug infestations, etc.
- HNP staff are continuing to assist with COVID work.
- Participation in field safety training, planning, and discussion to improve internal training for staff.
- HNP hiring project assistant Pat Jebbett began May 2nd.
- Outreach at Rabies Clinic & Groton Library Food Give Away
- Canvassed Several Areas in Groton/Left Flyers in Many Blue Pantry Boxes, Town Hall, Fire Department, Churches, Head Start & Village Office
- LPPN Meeting

May 2022

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2022	May 2021	TOTAL 2021*
# of Initial Home Visits (including asthma visits)	23	78	10	100
# of Revisits	1	3	0	0
# of Asthma Homes (initial)	2	14	2	19
# of Homes Approached	55	66	187	448

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

Health Promotion

- In collaboration with Community Health Services Moms Plus+ program, HPP applied for funding for the NYS PICHC Grant (Perinatal and Infant Community Health Collaboratives program). TCHD was selected for this competitive award, to receive \$1,275,000 for a five-year contract period.
- The PICHC funding will enable CHS to hire 2 additional Community Health Workers, a CHW Supervisor, and further promotion of Moms Plus+ services to the community.
- Working with community partners and NYS on training.

- May 27, assisted with moderating PICHC Virtual Workshop (4hr) with community partners and stakeholders, to kick-off the project
- Community Health Workers on-boarded; continue to work with community partners who have similar roles, or plans for similar roles, including Cayuga Health, CCE, REACH Medical, and HSC.
- Two CHWs joined HPP in May.
- Initial focus will be on intensive on-boarding and training, followed by community outreach and field work shadowing opportunities.
- First tabling/outreach event: Family & Children Services Mental Health/Wellness Fair, Press Bay Alley, Ithaca, May 21st
- HPP strategic planning: outlining the main goals of the program, compiling a list of all board and committee meetings we attend, delegating workflow.
- Website Migration: Edits and re-organization continues on the new platform.
- Assisting with updates and organization of the Mental Health website.
- CHS website update
- Continued development of “Text-to-Sign-Up” campaign for Tompkins County WIC to increase participation in rural neighborhoods. Posters created, printed, laminated.
- Ongoing participation and support of the NYS Public Health Fellows program.

Tobacco Free Tompkins

- Tobacco Free Zone for Cortland-Tompkins-Chenango grant staff call.
- Planning for hiring of a Health Educator in 2022 to serve half-time in Tobacco and half-time in HNP is on hold. The position will be reposted this summer.

Media, Website, Social Media

- Health Department’s COVID-19 web pages updated regularly
- COVID-19 Press Releases in May 2022:
 - [COVID-19 Update: Mask Advisory Still in Effect, Encouraging Patience](#), Monday, May 2, 2022
 - [COVID-19 Update: Pfizer COVID-19 Vaccination Boosters Approved for Youth Ages 5-11](#), Friday, May 20, 2022
 - [COVID-19 Update: Mask Advisory Still in Effect in Tompkins County](#), Tuesday, May 31, 2022
- Other Press Releases in May 2022:
 - [Health Department Closed on Tuesday Morning, May 17](#), Monday, May 16, 2022
 - [Health Alert: Fentanyl Present in Street Drugs, Cautions and Preventative Measures to Take to Limit Risk of Overdose](#), Thursday, May 19, 2022

- [Health Alert: Information for Tompkins County Families Amid Nationwide Infant Formula Shortages](#), Thursday, May 19, 2022
- [Health Alert: Health Department Seeks Information About a Dog to Rule Out Rabies Infection](#), Tuesday, May 31, 2022
- Ongoing work with Mental Health to update/ upgrade the [TCMH website](#).
- [OP-ED: Addressing the Mental Health Crisis in Tompkins County](#), Tuesday, May 17, 2022
- Tompkins County Suicide Prevention Coalition [website launched](#)
- Ongoing work with CHS and WIC re: social media pages

PH-MH Strategic Planning with Batiste Leadership

- Cross-Functional Integration Team – on hold as branding agency Iron Design of Ithaca develops through Iron’s Branding Discovery process. A second meeting was held in May.
- Services Team will be meeting monthly. Current plans involve working to update Staff Directory that was created end of 2019. Results from an internal connectivity/social network survey are being analyzed. Review of County HR on-boarding training materials and “buddy system.”
- Integration of children and youth services: initial conversation about co-location of services, licensing, universal consent, etc.

Training/Professional Development

- JEDI: General Meeting and subcommittees (Shannon – Communications, Samantha – Data and Analysis, Diana – Recognition).
- Collaborative Center for Health Equity, UW Madison School of Medicine & Public Health, “Why Wealth Matters to Your Health” (Social Determinants of Health 2 part webinar series)
- De-escalation Training (for staff throughout TCHD/TCMH)
- Managing Common Indoor Pests - Cockroaches, Rodents and Fleas Webinar
- COVID-19: From Pandemic to Endemic Workshop
- Women's Fund Event: Is It Imposter Syndrome or Is It Racism? Webinar

How Do You Rate Your Health?

WE WANT TO KNOW what you think about health in our community, so we can identify the most important public health needs in Tompkins County.

This survey is completely anonymous. Take the survey, then register to win a gift card!

This Community Health Survey is part of the 2022 Tompkins County Community Health Assessment and Community Health Improvement Plan. For more information, visit tompkinscountyny.gov/health

Take the survey at
bit.ly/TCHDSurvey2022



Your Partner for a Healthy Community

Medical Director's Report
Board of Health
June 2022

Covid

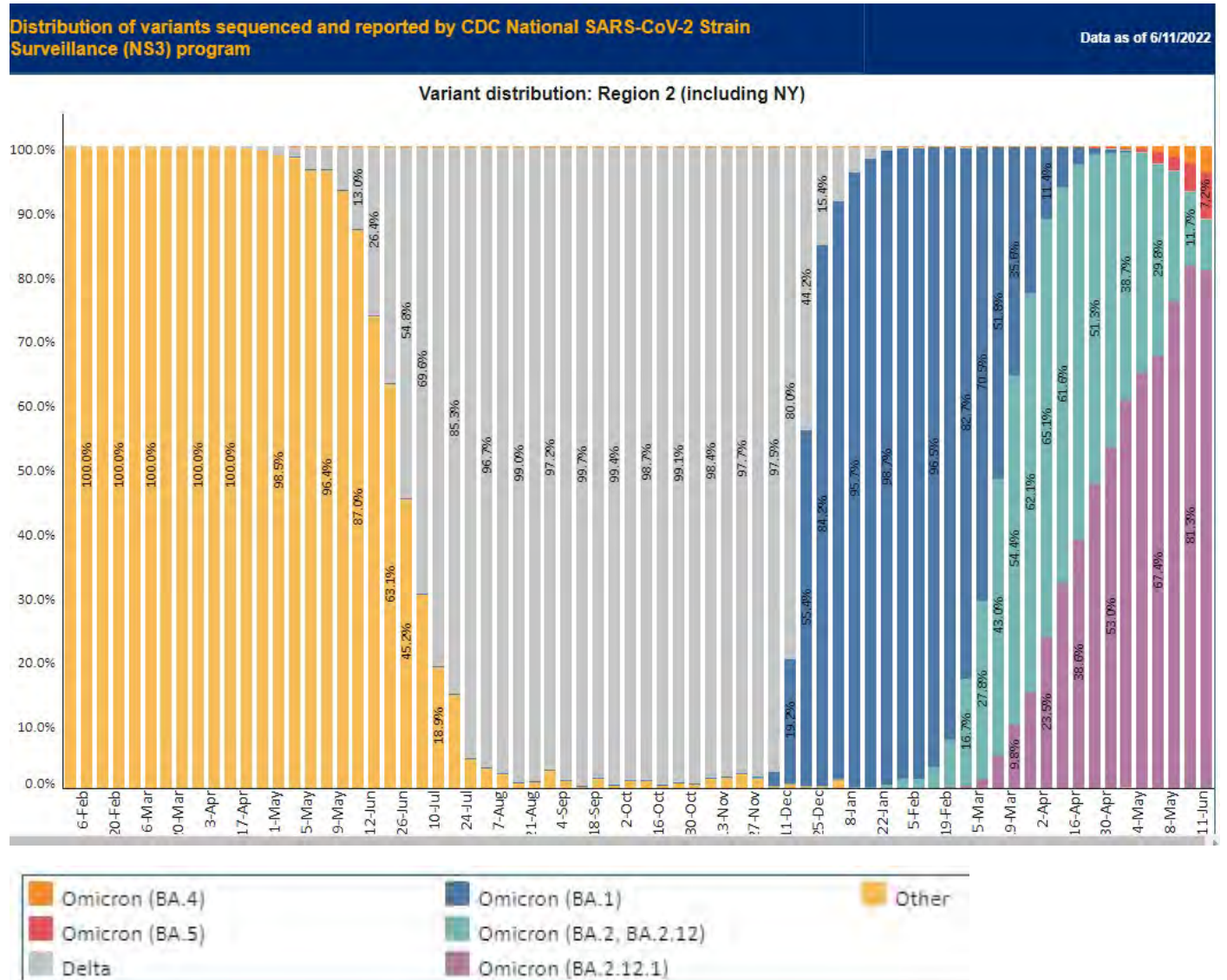
Certainly, the most important development since my last report was the approval by the FDA for an EUA for use of Moderna vaccine in 5–17-year-olds and for both Moderna and Pfizer for 6 mos -4-year-olds. As has been pointed out, we vaccinate children from infections far less likely to cause serious illness and death than does Covid. Since the onset of the pandemic more than 1,200 children have died and more than 12, 000 have required hospitalization nationwide.

The CDC quickly followed by approving the vaccines for these age groups. As I write, vaccines have and are being shipped to states and from there to practitioners for delivery to the children whose parents have been waiting for this to occur. It is important to note that pharmacies are not approved for vaccination of children 3 and under. For this age group, primary care practitioners will need to be the resource. I am confident that they will meet this need. In addition to passing the test of a meaningful intervention, vaccination is another way that primary care practices can demonstrate that they stand ready to deliver relevant protection to their patients in these years in which the mode of delivery of healthcare is in such flux.

The advisory boards of both the FDA and the CDC unanimously approved of the vaccines. Safety was consistently shown. Efficacy is thought to be high but will need to be further defined by real world usage as the number of subjects and events in the trials were low enough to recommend caution in relying on preliminary estimates of efficacy.

Additional **variants** are being detected a low level presently. However, the possibility of their rising to significant levels is probable. Hopefully, they will remain favorably influenced by current vaccines. And, hopefully, 2nd and 3rd generation vaccines will come about which are even more effective.

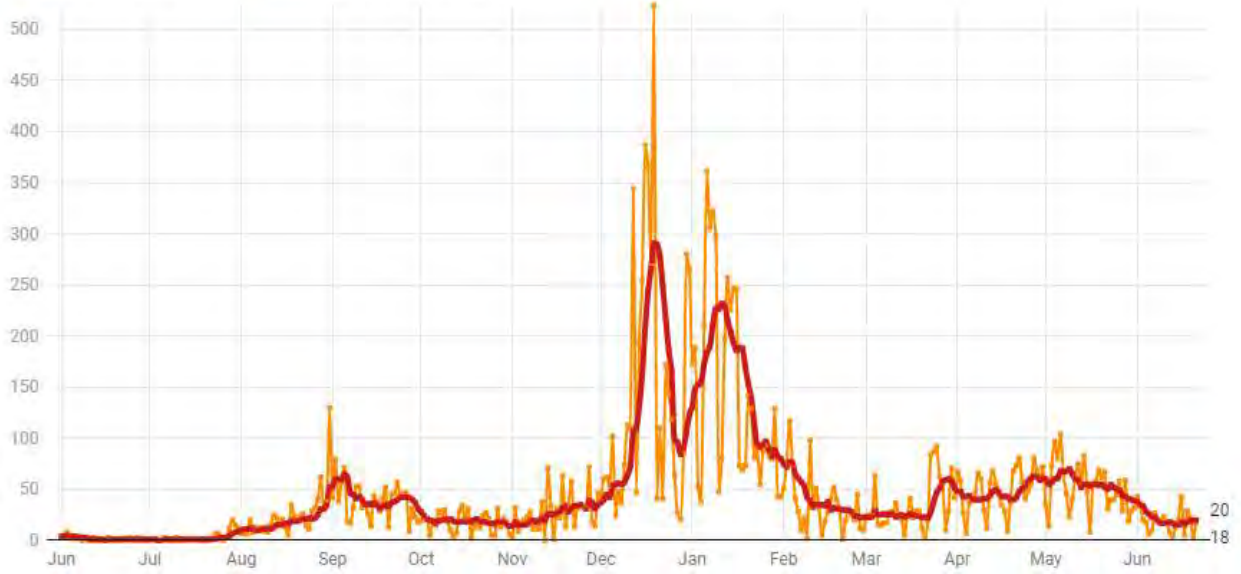
In the graph below, BA.4 is about 4% and BA.5 is about 7%. BA.2+BA.2.12 is 8%, the lion's share is BA.12.1. You can easily see the trend in the variants and in the graphs that follow our local experience.



Daily New Cases + 7-Day Avg. New Cases

From June 1, 2021. COVID-19, Tompkins County, N.Y.

— Daily New Positive Cases — 7-day Avg. New Positive Cases



Percent Positive Tests, 7-day Average (from 6/1/21)

COVID-19, Tompkins County, N.Y. Rate calculation is 7-day average cases / 7-day average tests. From 6/1/21 to the present.

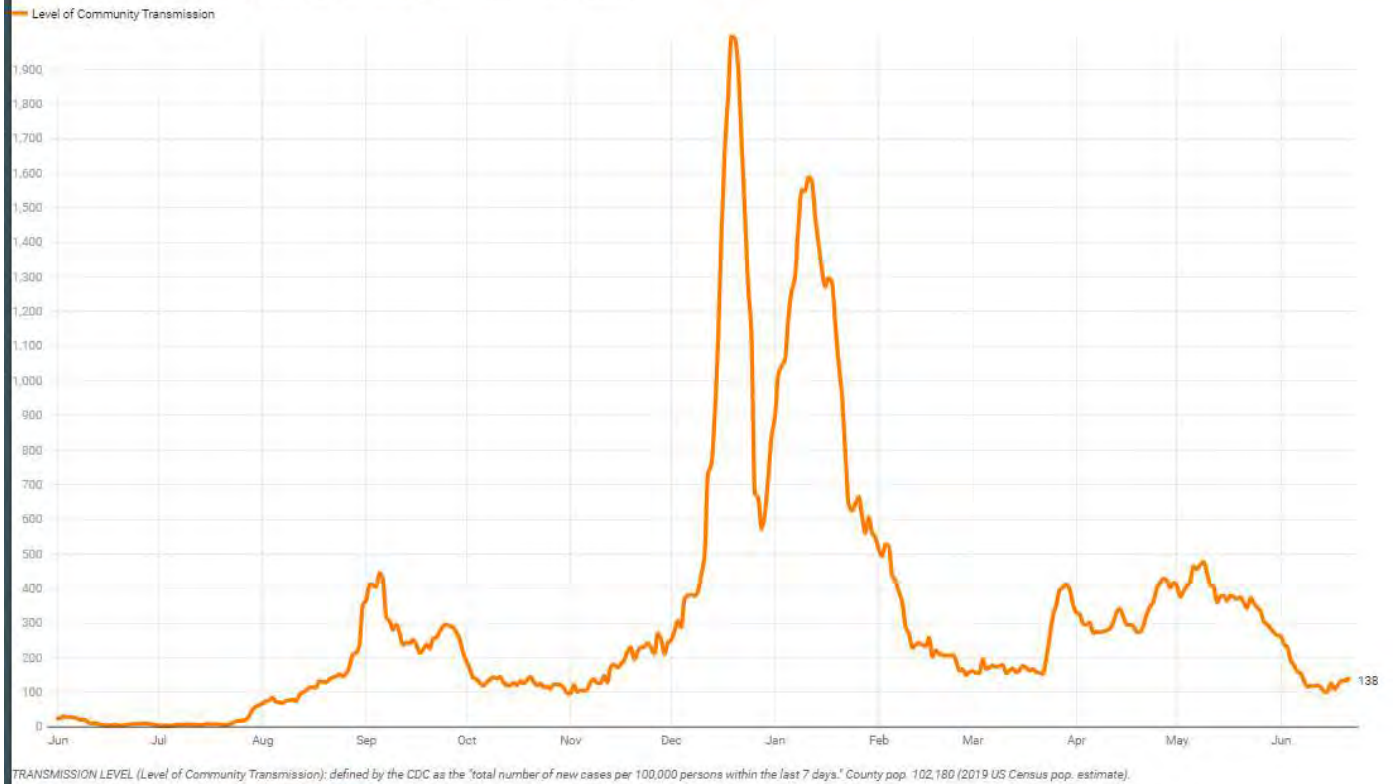
— Percent Positive of Avg cases / Avg tests



Chart: TCHD • Source: TCHD & Electronic Clinical Laboratory Report System (ECLRS) at NYSDOH • [Get the data](#) • Created with [Datawrapper](#)

Transmission Level

COVID-19, Tompkins County, N.Y. 7-day total cases per 100,000 population. (6/1/21 to the present.)



Our hospitalization level has come down to single digits – presently at zero actually.

TOMPKINS COUNTY COVID-19 DATA

As of 06/21/2022 at 8:15 a.m.

Active COVID-19 Hospitalizations (1)	0
Total TC Resident Deaths	63

Total Tests (2)	1,915,368
Daily Tests	225
New Positive Cases	18
Total Positive Cases	22,301

Daily Positive Self-Tests Reported (3)	5
Total Positive Self-Tests Reported	3,113

NYS Vaccine Tracker 1st Dose (4)	86,355
NYS Vaccine Tracker Completed	78,963

Sources: (1) Cayuga Health System and TCHD; (2) TCHD and NYS DOH ECLRS; (3) TCHD; (4) NYS Vaccine Tracker.

Masking in healthcare facilities – nothing new – no indication of it being lifted soon.

A new vaccine on the horizon:

Novavax – a protein subunit vaccine – which is a more traditional technology – has not become available – but by fall is expected to be available to practices. May be more acceptable to persons leery of mRNA vaccines.

Definition of “Up to Date” – term is now defined to be a person who is up to date with all vaccines and all boosters for which they are eligible.

Long Covid

Frequency in all infections and duration – the worrisome long story that is expected to have a very significant long-term impact on the health care system – reports from two sources.

Incidence: 20 in a 100 Covid infections under 65 y o and 25 in a 100 over 65 - The study evaluated electronic medical records for nearly two million people

Recommended “routine assessment for post-Covid conditions among persons who survive Covid-19.” <https://www.nytimes.com/2022/05/24/health/long-covid-infections.html>

Additional information available at <https://www.nature.com/articles/s41591-022-01840-0>

.....

Vaccine efficacy against Omicron

Confirms vaccine plus booster efficacious against severe disease with limited waning.

Summary: mRNA VE during Omicron

	Not immunocompromised	Immunocompromised
2-dose VE against:		
Infection (+/- symptoms)	Limited protection, fast waning	Not estimated
ED/UC	Higher protection, some waning	Not estimated
Hospitalization	Highest protection, some waning	Not estimated
3-dose VE against:		
Infection (+/- symptoms)	Some protection, evidence of waning	Not estimated
ED/UC	Some protection, limited waning	Some protection, clear waning
Hospitalization	Highest protection, limited waning	Highest protection, clear waning

Source: <https://www.cdc.gov/vaccines/acip/meetings/downloads/slides-2022-04-20/02-COVID-Link-Gelles-508.pdf>

Syphilis and STDs

As I have mentioned in past writings, we have had two congenital syphilis cases in the region in the past year and our non-congenital syphilis cases year-to-date appear on track to exceed prior years by significant amounts. Since writing last, measures have been taken by regional NYSDOH and TCHD to collaborate with regional partners and affected healthcare providers. As a result, awareness of the changed prevalency of syphilis in our region has been accomplished and of the need to screen more assiduously. The rise in STDs is being seen in an environment of multiple anonymous social media systems, and an age in which gender norms are shifting further. Public health is challenged by what anonymous media mean regarding case investigation and contact tracing. Reluctance to be frank and open with case investigators further compounds our challenge.

Monkey Pox – Update

As you will gather from what appears below, there is a principal population group of concern which has been most affected and a geographical location in this it predominately has occurred. Spread to our region is quite likely to happen. Far from being as contagious as Covid, monkeypox requires quite intimate contact for spread.

It remains uncertain if it could be sexually transmitted – research is continuing this. No data so far on frequency of coinfection with other stds. When a practitioner is testing for it, it is recommended they cast a large net and test for other STDs as well.

https://www.reuters.com/business/healthcare-pharmaceuticals/monkeypox-dna-found-semen-handful-cases-researchers-say-2022-06-13/?taid=62a79bf87385bc0001a66ad6&utm_campaign=trueAnthem:+Trending+Content&utm_medium=trueAnthem&utm_source=twitter

a report from Italy raising the question of sexual transmission:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2022.27.22.2200421>

NYSDOH data:

- Monkeypox is a previously uncommon zoonotic viral disease rarely detected in the United States. Previous cases were typically associated with travel or exposure to an infected animal.
- As of June 16, 2022, there have been 72 confirmed monkeypox/orthopoxvirus cases in the US, and 2,166 reported worldwide since this outbreak started. There have been no reported deaths associated with the current outbreak.
- Twenty-one of these cases have been in residents of New York, with 19 of those in residents of New York City.

- Early data suggest that people who identify as gay, bisexual, and other men who have sex with men have made up a high proportion of cases. However, anyone who has been in close contact with someone who has monkeypox is at risk of infection.
- In the U.S., evidence of person-to-person disease transmission in multiple states and reports of clinical cases with some uncharacteristic features have raised concern that some cases are not being recognized and tested.
- Although all patients diagnosed with monkeypox in the U.S. to date have experienced a rash or enanthem, some cases have presented with some features uncharacteristic of classic monkeypox disease. These include:
 - Rash beginning in mucosal areas (e.g., genital, perianal, oral mucosa)
 - Lesions scattered or localized to a specific body site, rather than diffuse, and that may not involve the face or extremities
 - Lesions in different stages of progression on a specific anatomic site.
 - Classical prodromal symptoms not always occurring before the rash if they occur at all.
- Presentation similar to some sexually transmitted infections (STI), such as syphilis, herpes, lymphogranuloma venereum (LGV), or other etiologies of proctitis.

Lyme Disease

Regarding uptick in cases YTD:

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
LYME DISEASE** ****	105	246.6	44	103.3	37	86.9	55	129.2	45	105.7

NYS changed the case definition for Lyme cases which are now automatically created based on lab results and not on clinical grounds. This was a change made in January, NYSDOH predicted a rise in cases due to the change as below:

ANTICIPATED EFFECTS

- *In high-incidence states, early studies suggest that the average number of reported cases using a laboratory-based approach may be about 20% higher than what was reported to CDC on average during 2012-2018.*
- *In low-incidence states, changes to the surveillance case definition may contribute to a small reduction in total cases reported, depending on the previous reporting practices within that state; however, these reductions will be offset by greater accuracy.*
- *Overall, this change is likely to increase the total number of reported Lyme disease cases nationwide*

What we are seeing is well above the 20% that was estimated. We shall have to see if this persists.

Babesiosis and Anaplasmosis are not showing similar departures. Their case definitions did not change.

Influenza – is still widespread and above typical levels for this time of year but decreasing – one pediatric death has occurred. It was in a child that could not be vaccinated who had comorbidities.

Typhoid in a farmworker in western NY.

Hep A has been very prevalent during Covid but is now winding down and is now mostly in travelers.

Salmonella one case in upstate linked to the recalled tainted lot of peanut butter nationally 14 cases from 12 states – investigation continuing and including looking for products made from the tainted peanut butter.

Legionella cases 10 in Downstate ages 40-80 risk factor of age and comorbidities – 8 water towers in area with 4 positive for Legionella.

**Division for Community Health
June 28th, 2022 Board of Health meeting
May 2022 monthly report**

By Rachel Buckwalter and Celeste Rakovich, Senior Community Health Nurses and Michelle Hall, WIC director

Communicable Disease:

- **Covid-19:** Tompkins County was at a “high” CDC community level for most of the month of May. Towards the end of May, the CDC Community level was lowered to “medium.” A press release was issued May 31st to continue the mask advisory. Covid hospitalizations remain stable. On a daily basis, the number of Covid positive patients hospitalized at CMC is usually in the single digits, occasionally in the low teens. Overall disease severity is low. There were two Covid deaths reported in May. CHS staff continue to provide guidance to local organizations and community members who call with questions related to Covid-19.
- **Syphilis:** The Peace of Mind Community Partnership met on May 23rd after a two-year hiatus due to Covid response. The NYSDOH regional office presented on local rates of syphilis, which are increasing along with state and regional trends, and the recent congenital syphilis case. There were missed opportunities for testing the mother of the congenital syphilis case during her pregnancy. A press release was issued by TCHD in early June alerting the community and providers to the higher rates of syphilis and the updated syphilis testing recommendations from NYSDOH.
- **Monkeypox:** NYSDOH issued a Health Advisory on monkeypox cases not associated with travel on May 21 (see attached). So far there have been no monkeypox cases in Tompkins County. TCHD is a resource for providers and the community and will continue to provide information regarding this communicable disease.

HIV

- Anonymous HIV testing is still available at the Health Department appointment only. No tests performed in May and the Health Department or other community setting. Conversations ongoing with community organizations to promote this service.

SafeCare Program:

- SafeCare providers Gail Birnbaum and Deb Axtell completed SafeCare refresher training in May. Notice was given to DSS that TCHD is ready to accept new referrals to the SafeCare program.
- Two new Safe Care providers are scheduled for training in July.

Maternal Child Health

Moms PLUS+

- There were 16 new admissions to the Moms PLUS+ program in May. Current client load is low 40s. No discharges in May. Primarily, referrals to the Moms PLUS+ program are coming from Cayuga Birthplace, OBGYN associates, WIC and self-referrals. CHS nursing are in process of completing the Certified Lactation Counselor training. Outreach is ongoing via social media and brochures being distributed to stakeholder organizations, event participation such as the Mental Health Awareness Fair, many more planned in future.

SMC

- SMC is available to TC residents. Information on the psychoeducational support is being distributed at TC Mental Health, Cayuga Birthplace, on social media and OBGYN. No new admissions in May.

PICHC

- The Perinatal and Infant Community Health Collaborative grant contract is signed, and recruitment is in progress for two Community Health Workers and one Community Health Worker Supervisor. A partner workshop was held on May 27th, bringing together forty stakeholders from sixteen different community service providers.

Immunization Clinics:

- No homebound vaccinations were done in the month of May due to lack of demand. CHS has reduced to providing homebound vaccinations on an as-needed basis. The next homebound clinic is scheduled for June 17th.

- CHS will be providing a pop-up Moderna booster clinic at the Juneteenth Health Fair on the Ithaca Commons on June 19th. First and second Moderna boosters will be offered by pre-registration and walk-ins will also be accepted.
- We are planning to resume our on-site immunization clinic on July 8th. Immunization clinics will be weekly on Fridays throughout the summer. Our clinic provides VFC and VFA vaccines and a limited selection of private paid vaccinations. County residents can call 274-6604 to make an appointment at our immunization clinic.

Rabies

- CHS is able to administer rabies post-exposure vaccination series at the Health Department in May. EH is still to authorize all treatment until October 2022. Staff training continues in preparation for CHS to take on all rabies authorizations. ACIP made new recommendations for rabies pre-exposure series and follow up titers. New risk categories were determined and related guidance for monitoring antibody levels. Pre-exposure vaccination series has been reduced to two dose, from three dose and will be given on day 0 and 7 and the minimum acceptable rabies antibody titer was changed to 0.5 IU/mL. CHS rabies policy will be updated and submitted for Board approval in July.

Lead

- There were two new admissions to the lead program in May. No discharges. Lead nurse continues to follow up on any BLL of 5 or greater. TCHD awaiting quarterly report templates from the state. Monthly meetings with EH to improve coordination will commence in June. The Lead Poisoning Prevention Network will collaborate on forming new partnerships in the community, per the new state CLPPP requirements. Lead banners created in 2020 will be installed on buildings this year.

Tuberculosis

- DOT continues for our one active TB case. This patient is stable and doing well on current medications.

- The Video Observed Therapy policy has been completed and reviewed by TB medical director Dr. Doug MacQueen and TCHD medical director Dr. Klepack. It is attached for BOH review and approval.

WIC

Caseload Data:

April final caseload data:

Enrollment: 1165

Participation: 1079

Participation/Enrollment %: 94.04

Participation/Caseload %: 71.93

Total participants seen in April: 500

Appointment show rate: 97%

Preliminary May

Enrollment: 1169

Participation: 1082

Participation/Enrollment %: 92.56%

Participation/Caseload %: 72.13%

Total participants seen in May: 466

Appointment show rate: 93%

The program is serving 48% of the eligible population in Tompkins County.

Program Highlights

1. In response to the current formula shortage:
 - The New York State WIC program has temporarily added additional options of formula brands and sizes for participants to purchase depending on availability.
 - A formula shopping guide with images was created to share with families to help with shopping for formula.
 - WIC staff continue to post updates and information on their social media pages. In June the Program will utilize a texting platform to notify WIC families of these new formula options.
2. Federal Income Eligibility guidelines increase for 2022-2023. New guidelines can be found on the website: <https://tompkinscountyny.gov/health/wic/index>
3. The Farmers Market Nutrition Program season 2022 was delayed this year due to an unknown timeline for the printing and shipping of booklets. NYSDOH is working closely with the Department of Agriculture and Markets to ship as soon as possible. We have received notification on shipment and will begin to issue the week of June 20th.
4. USDA extended WIC program waivers and flexibilities associated with the COVID-19 pandemic through at least Mid -October 2022. WIC agencies can issue benefits remotely, so participants don't have to be in-person to enroll, re-enroll or receive food benefits.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 03JUN22
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=May

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	3	35.2	3	35.2	0	0.0	2	23.5	2	23.5
CAMPYLOBACTERIOSIS**	3	35.2	2	23.5	1	11.7	5	58.7	3	35.2
COVID-19	1822	21398	190	2231.4	104	1221.4	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
ENCEPHALITIS, OTHER	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
GIARDIASIS	0	0.0	1	11.7	0	0.0	3	35.2	1	11.7
HAEMOPHILUS INFLUENZAE, NOT TYPE B	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
HEPATITIS A	0	0.0	2	23.5	0	0.0	0	0.0	1	11.7
HEPATITIS B,CHRONIC**	1	11.7	0	0.0	1	11.7	0	0.0	0	0.0
HEPATITIS C,ACUTE**	0	0.0	1	11.7	1	11.7	1	11.7	1	11.7
HEPATITIS C,CHRONIC**	3	35.2	2	23.5	5	58.7	1	11.7	3	35.2
INFLUENZA A, LAB CONFIRMED	125	1468.0	0	0.0	1	11.7	5	58.7	2	23.5
INFLUENZA B, LAB CONFIRMED	1	11.7	0	0.0	1	11.7	1	11.7	1	11.7
LEGIONELLOSIS	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
LYME DISEASE** ****	28	328.8	1	11.7	0	0.0	5	58.7	2	23.5
SALMONELLOSIS**	1	11.7	3	35.2	1	11.7	0	0.0	1	11.7
STREP,GROUP B INVASIVE	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
STREP PNEUMONIAE,INVASIVE**	1	11.7	1	11.7	1	11.7	1	11.7	1	11.7
YERSINIOSIS**	2	23.5	0	0.0	0	0.0	0	0.0	0	0.0
SYPHILIS TOTAL.....	2	23.5	0	0.0	1	11.7	1	11.7	1	11.7

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
- P&S SYPHILIS	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
- EARLY LATENT	1	11.7	0	0.0	1	11.7	1	11.7	1	11.7
GONORRHEA TOTAL.....	9	105.7	8	94.0	10	117.4	4	47.0	7	82.2
- GONORRHEA	9	105.7	8	94.0	9	105.7	4	47.0	7	82.2
- GONORRHEA,DISSEMINATED	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
CHLAMYDIA	44	516.7	25	293.6	14	164.4	45	528.5	28	328.8

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

**Confirmed and Probable cases counted

***Not official number

**** In 2017, 27 counties investigated a sample of positive laboratory results; in 2018, 30 counties sampled; in 2019, 33 counties sampled; in 2020, 36 counties sampled.

N.Y.S. Department of Health
Division of Epidemiology
Communicable Disease Monthly Report*, DATE: 03JUN22
Through May
Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
AMEBIASIS	1	2.3	0	0.0	0	0.0	0	0.0	0	0.0
ANAPLASMOSIS**	9	21.1	86	202.0	31	72.8	11	25.8	43	101.0
BABESIOSIS**	1	2.3	19	44.6	8	18.8	3	7.0	10	23.5
CAMPYLOBACTERIOSIS**	7	16.4	19	44.6	17	39.9	27	63.4	21	49.3
CHIKUNGUNYA**	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
COVID-19	11597	27239	9515	22349	2451	5756.9	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	5	11.7	14	32.9	14	32.9	11	25.8	13	30.5
ECOLI SHIGA TOXIN**	0	0.0	6	14.1	5	11.7	4	9.4	5	11.7
EHRlichiosis (CHAFEENSIS)**	1	2.3	0	0.0	0	0.0	1	2.3	0	0.0
EHRlichiosis (UNDETERMINED)**	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
ENCEPHALITIS, OTHER	0	0.0	1	2.3	2	4.7	1	2.3	1	2.3
ENCEPHALITIS, POST	0	0.0	0	0.0	1	2.3	0	0.0	0	0.0
GIARDIASIS	0	0.0	15	35.2	7	16.4	26	61.1	16	37.6
HAEMOPHILUS INFLUENZAE, NOT TYPE B	1	2.3	0	0.0	2	4.7	4	9.4	2	4.7
HEPATITIS A	0	0.0	7	16.4	12	28.2	0	0.0	6	14.1
HEPATITIS B,CHRONIC**	7	16.4	18	42.3	9	21.1	7	16.4	11	25.8
HEPATITIS C,ACUTE**	1	2.3	1	2.3	5	11.7	6	14.1	4	9.4
HEPATITIS C,CHRONIC**	7	16.4	33	77.5	36	84.6	37	86.9	35	82.2
INFLUENZA A, LAB CONFIRMED	288	676.5	265	622.4	526	1235.5	772	1813.3	521	1223.7

	2022		2021		2020		2019		Ave (2019-2021)	
Disease	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
INFLUENZA B, LAB CONFIRMED	2	4.7	6	14.1	738	1733.4	62	145.6	269	631.8
INFLUENZA UNSPECIFIED, LAB CONFIRMED	3	7.0	1	2.3	0	0.0	1	2.3	1	2.3
LEGIONELLOSIS	1	2.3	3	7.0	0	0.0	3	7.0	2	4.7
LISTERIOSIS	1	2.3	0	0.0	0	0.0	0	0.0	0	0.0
LYME DISEASE** ****	105	246.6	44	103.3	37	86.9	55	129.2	45	105.7
MALARIA	0	0.0	0	0.0	2	4.7	0	0.0	1	2.3
MENINGITIS, ASEPTIC	0	0.0	0	0.0	1	2.3	1	2.3	1	2.3
MUMPS**	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
PERTUSSIS**	0	0.0	0	0.0	1	2.3	6	14.1	2	4.7
SALMONELLOSIS**	5	11.7	13	30.5	8	18.8	7	16.4	9	21.1
SHIGELLOSIS**	0	0.0	1	2.3	0	0.0	0	0.0	0	0.0
STREP,GROUP A INVASIVE	2	4.7	3	7.0	2	4.7	5	11.7	3	7.0
STREP,GROUP B INVASIVE	3	7.0	10	23.5	6	14.1	9	21.1	8	18.8
STREP,GROUP B INV,EARLY/LATE ONSET	0	0.0	0	0.0	1	2.3	0	0.0	0	0.0
STREP PNEUMONIAE,INVASIVE**	1	2.3	4	9.4	6	14.1	4	9.4	5	11.7
TUBERCULOSIS***	1	2.3	1	2.3	2	4.7	3	7.0	2	4.7
VIBRIO - NON 01 CHOLERA**	1	2.3	1	2.3	0	0.0	0	0.0	0	0.0
YERSINIOSIS**	3	7.0	1	2.3	0	0.0	2	4.7	1	2.3
SYPHILIS TOTAL.....	17	39.9	24	56.4	20	47.0	22	51.7	22	51.7
- P&S SYPHILIS	8	18.8	7	16.4	8	18.8	8	18.8	8	18.8
- EARLY LATENT	7	16.4	11	25.8	8	18.8	9	21.1	9	21.1
- LATE LATENT	1	2.3	6	14.1	4	9.4	5	11.7	5	11.7
- CONGENITAL SYPHILIS	1	2.3	0	0.0	0	0.0	0	0.0	0	0.0
GONORRHEA TOTAL.....	44	103.3	142	333.5	97	227.8	118	277.2	119	279.5

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
- GONORRHEA	44	103.3	142	333.5	96	225.5	117	274.8	118	277.2
- P.I.D.	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
- GONORRHEA,DISSEMINATED	0	0.0	0	0.0	1	2.3	0	0.0	0	0.0
CHLAMYDIA	181	425.1	337	791.5	396	930.1	513	1204.9	415	974.8
CHLAMYDIA PID	0	0.0	0	0.0	0	0.0	2	4.7	1	2.3
OTHER VD	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0

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

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

***Not official number

**** In 2017, 27 counties investigated a sample of positive laboratory results; in 2018, 30 counties sampled; in 2019, 33 counties sampled; in 2020, 36 counties sampled.

Temporary Formula Shopping Guide

6/17/22

Issued

May Also Choose

Similac Soy Isomil
12.4 oz Powder



1 CNT

Gerber Good Start Soy
12.9 oz Powder



1 CNT

Enfamil ProSobee
12.9 oz Powder



1 CNT

Up&UP Soy 36 oz Powder



2 CNT

Always My Baby Soy 22 oz



1.5 CNT

Tippy Toes Soy 22 oz Powder



1.5 CNT

Enfamil Infant
12.5 oz Powder



1 CNT

Enfamil Infant
29.4 oz Powder



2 CNT

Enfamil NeuroPro Infant
28.3 oz Powder and 31.4 oz Refill Box



2 CNT



2 CNT

Parent's Choice Infant
12.5 oz and 36 oz Powder



1 CNT



2 CNT

UP&UP Infant
35 oz Powder



2 CNT

Well Beginnings Infant
34 or 35 oz Powder



2 CNT

Tippy Toes 22.2 or 34 oz Powder



1.5 or 2 CNT

CVS Health Infant 34 oz Powder



2 CNT

Always My Baby Infant 22.2 oz Powder



1.5 CNT

Signature Care Infant
22.2, 34 or 35 oz Powder



1.5 or 2 CNT

Enfamil A.R. 12.9 oz Powder



1 CNT

Enfamil A.R. 30.4 oz Refill Box



2 CNT

Parent's Choice A.R. 32.2 oz



2 CNT

Up&UP A.R. 32.2 oz



2 CNT

Enfamil Gentlease
12.4 oz Powder



1 CNT

Enfamil Gentlease
27.7 oz Powder



2 CNT

Enfamil NeuroPro Gentlease
27.4 oz and 30.4 oz Powder Refill Box



2 CNT



2 CNT

Parent's Choice Gentle
12 oz and 34 oz Powder



1 CNT



2 CNT

CVS Health Gentle
33.2 oz Powder



2 CNT

UP&UP Gentle
33.2 oz Powder



2 CNT

Tippy Toes Gentle 21.5 or 33.2 oz Powder



1.5 or 2 CNT

Always My Baby Gentle 21.5 oz Powder



1.5 CNT

Signature Care Gentle 21.5 oz Powder



1.5 CNT

Temporary Formula Shopping Guide

Issued	May Also Choose	
<p>Neocate Infant DHA/ARA 14.1 oz Powder</p>  <p>1 CNT</p>	<p>Neocate Syneo Infant 14.1 oz Powder</p>  <p>1 CNT</p>	
<p>Nutramigen Probiotic 12.6 oz Powder</p>  <p>1 CNT</p>	<p>Nutramigen Probiotic 27.8 oz Powder</p>  <p>2 CNT</p>	
<p>Enfamil Reguline 12.4 oz Powder</p>  <p>1 CNT</p>	<p>Enfamil Reguline 19.5 oz Powder</p>  <p>1.5 CNT</p>	
<p>Enfamil Infant 32 oz RTU</p>  <p>1 CNT</p>	<p>Enfamil NeuroPro Infant 32 oz RTU</p>  <p>1 CNT</p>	<p>Enfamil NeuroPro Infant 6pk 8 oz RTU</p>  <p>1.5 CNT</p>



May 20, 2022

TO: Healthcare Providers, Hospitals, Local Health Departments, Laboratories, Sexual Health Providers, Family Planning Providers, Emergency Rooms, Community Health Centers, College Health Centers, Community-Based Organizations, and Internal Medicine, Family Medicine, Pediatric, Adolescent Medicine, Dermatology, Infectious Disease, and Primary Care Providers

FROM: New York State Department of Health (NYSDOH) Bureaus of Communicable Disease Control (BCDC) and Healthcare Associated Infections (BHA), New York City Department of Health and Mental Hygiene (NYCDOHMH) Division of Disease Control

HEALTH ADVISORY: MONKEYPOX CASES NOT ASSOCIATED WITH TRAVEL TO AREAS WHERE MONKEYPOX IS ENZOOTIC

SUMMARY

- See attached HAN from the Centers for Disease Control and Prevention (CDC): Monkeypox Virus Infection in the United States and Other Non-endemic Countries—2022
- Monkeypox is an uncommon zoonotic viral disease found in Central or West Africa.
- People diagnosed with monkeypox outside of Africa rarely have been reported and typically are associated with travel or exposure to an infected animal.
- Since May 14, 2022, multiple people diagnosed with monkeypox have been reported in several countries that don't normally have monkeypox, including the United Kingdom, Spain, Portugal and Canada.
- On May 18, 2022, a case of monkeypox was confirmed in a resident of Massachusetts following travel to Canada.
- On May 19, 2022, the New York City (NYC) Health Department began investigating two NYC residents for possible monkeypox infection. Preliminary testing at NYC Public Health Lab ruled out one of the cases. The other was positive for orthopox virus and had an illness consistent with monkeypox. The patient is isolating and contact investigation is underway.
- At this time, the source of infection for the recent cases outside of Africa has not been established.
- Regardless of gender or sex of sex partner(s), providers should be alert for patients who have rash illnesses consistent with monkeypox, regardless of whether they have travel or specific risk factors for monkeypox.
- Clinicians suspecting monkeypox infection should strictly adhere to infection control practices and immediately contact their local health department (LHD) to coordinate testing.

- Testing for monkeypox can be performed at NYSDOH Wadsworth Center and the NYC Public Health Laboratory.

REPORTING

Healthcare providers must immediately report suspect cases of monkeypox to their local health department (LHD). Reporting should be to the county where the patient resides.

New York City residents suspected of monkeypox infection should be reported to the NYC Health Department Provider Access Line (PAL) at 866-692-3641. Outside of New York City, contact information is available at: https://www.health.ny.gov/contact/contact_information.

If you are unable to reach the LHD where the patient resides, please contact the NYSDOH Bureau of Communicable Disease Control at 518-473-4439 during business hours or 866-881-2809 evenings, weekends, and holidays.

TESTING

Testing for monkeypox is available at NYSDOH Wadsworth Center Biodefense Laboratory and the New York City Public Health Laboratory. Specimen collection and submission must be coordinated with the local health department and/or NYSDOH. Within NYC, coordination must be done in consultation with the NYC Health Department.

Specimen Collection

	<i>FOR SPECIMENS COLLECTED FROM NYS RESIDENTS AND TESTED AT THE NYSDOH WADSWORTH CENTER</i>	<i>FOR SPECIMENS COLLECTED FROM NYC RESIDENTS AND TESTED AT THE NYC PUBLIC HEALTH LABORATORY</i>
Specimen Types	1. Dry Swab (two for each lesion) 2. Lesion Cap	1. Dry Swab ONLY (two for each lesion)
Collection	Collect multiple specimens for preliminary and confirmatory testing as follows: 1) Vigorously swab or brush lesion with two separate sterile dry polyester or Dacron swabs; 2) Break off end of applicator of each swab into a 1.5- or 2-mL screw-capped tube with O-ring or place each entire swab in a separate sterile container. Do not add or store in viral or universal transport media. Sterile 1.5 to 2mL plastic screw cap tube for each lesion caps.	Two separate dry swabs (either polyester, nylon, or Dacron) should be used to collect infected cells from the base of the open lesion (do NOT use viral transport media) and placed and transported in a sterile container (conical tube or urine cup).
Submission information	A Wadsworth Center Infectious Disease Request Form must accompany all samples; Remote Order Entry on the Health Commerce System is preferred. Label all tubes and swab holders with the patient's name, unique identifier, date of collection, source of specimen	A New York City Public Health Test Requisition (available upon request) must accompany each sample/collection site. Label all tubes and swab holders with the patient's name, unique identifier, date of collection, source of specimen

	(vesicle/pustule) and name of person collecting the specimen.	(vesicle/pustule), collection site, and name of person collecting the specimen.
Shipping Address	Dr. Christina Egan DAI 3021, Biodefense Laboratory, Wadsworth Center, NYS Dept. of Health 120 New Scotland Avenue Albany, NY 12208	Dr. Scott Hughes New York City Public Health Lab Biothreat Response Unit 455 1 st Avenue New York, NY 10016
Questions	Call the Wadsworth Center Biodefense Laboratory at 518-474-4177 (business hours) or the duty officer 866-881-2809 (after hours).	Call the NYC Biothreat Response Laboratory at 212-671-5834 (business hours) or Poison Control at 212-764-7667; ask for PHL duty officer (after hours).

Specimen Collection

To collect vesicular and pustular material:

1. Sanitize the patient's skin with an alcohol wipe and allow skin to dry.
2. For the lesions caps (NYS ONLY), use a sterile disposable scalpel, remove the lesion cap and transfer it to a dry, 1.5- to 2-mL sterile screw-capped tube. Label the tube with the patient's name and date of birth.
3. For the dry swabs (NYC and NYS) label a swab holder and remove swab from the outer sheath. Collect cells from the lesion base by 1) vigorously swabbing or brushing lesion with two separate sterile dry polyester or Dacron swabs; 2) Break off end of applicator of each swab into a 1.5- or 2-mL screw-capped tube with O-ring or place each entire swab in a separate sterile container. Do not add or store in viral or universal transport media.
4. Repeat this process on different lesions.
 - a. For NYS there should be two specimens collected for each sample type from each lesion: two plastic tubes, one containing the lesion cap, and one containing the two swabs from that lesion.
 - b. For NYC there should be two swabs for each lesion
5. After specimen collection is completed all protective materials worn by the specimen collector (gloves, mask, gown, etc.) and all used sample collection materials (alcohol wipes, holders, etc.) must be placed in red biohazard bags and autoclaved or incinerated prior to disposal. Needles, blades, etc. used to open vesicles should be disposed of in an appropriate sharps container. **Thorough hand-washing using soap** should be done immediately after specimen collection and following removal of personal protective equipment.
6. Other sample types such as serum and whole blood may also be requested.

Please note: Monkeypox virus can be cultivated in several cell culture types routinely used by the viral testing laboratory. Although laboratories should not attempt to isolate this virus, if you become aware that your laboratory has isolated monkeypox using cell culture, you should **immediately** contact the Wadsworth Center or the NYC PHL.

INFECTION CONTROL GUIDELINES

A combination of **Standard, Contact, and Droplet Precautions** should be applied in all healthcare settings when a patient presents with fever and vesicular/pustular rash. In addition,

because of the theoretical risk of airborne transmission of monkeypox virus, **Airborne Precautions** (i.e., **caring for a patient in a negative-pressure airborne infection isolation room (AIIIR)**) **should be applied whenever possible**. If a patient presenting for care at a hospital or other health care facility is suspected of having monkeypox, infection control personnel should be notified immediately.

For more information on infection prevention and control of monkeypox, please visit the CDC website for this situation at <https://www.cdc.gov/poxvirus/monkeypox/outbreak/current.html> or the monkeypox main information page at <https://www.cdc.gov/poxvirus/monkeypox/index.html>.

This is an official
CDC HEALTH ADVISORY

Distributed via the CDC Health Alert Network
May 20, 2022, 11:30 AM ET
CDCHAN-0466

Monkeypox Virus Infection in the United States and Other Non-endemic Countries—2022

Summary

The Massachusetts Department of Public Health and the Centers for Disease Control and Prevention (CDC) are investigating a confirmed case of monkeypox in the United States. On May 17, 2022, skin lesions that had several features suspicious for monkeypox—firm, well circumscribed, deep-seated, and umbilicated lesions—on a Massachusetts resident prompted specialized Laboratory Response Network (LRN) testing of swab specimens collected from the resident; preliminary testing confirmed the presence of DNA consistent with an orthopoxvirus using Orthopoxvirus generic and non-variola Orthopoxvirus real-time polymerase chain reaction (PCR) assays. This group of viruses includes monkeypox virus (the causative agent of monkeypox). Testing at CDC on May 18 confirmed the patient was infected with a West African strain of monkeypox virus. The patient is currently isolated and does not pose a risk to the public.

Cases of monkeypox have previously been identified in travelers from, or residents of, West African or Central African countries where monkeypox is considered to be endemic. CDC is issuing this Health Alert Network (HAN) Health Advisory to ask clinicians in the United States to be vigilant to the characteristic rash associated with monkeypox. Suspicion for monkeypox should be heightened if the rash occurs in people who 1) traveled to countries with recently confirmed cases of monkeypox, 2) report having had contact with a person or people who have a similar appearing rash or received a diagnosis of confirmed or suspected monkeypox, or 3) is a man who regularly has close or intimate in-person contact with other men, including those met through an online website, digital application (“app”), or at a bar or party. Lesions may be disseminated or located on the genital or perianal area alone. Some patients may present with proctitis, and their illness could be clinically confused with a sexually transmitted infection (STI) like syphilis or herpes, or with varicella zoster virus infection.

Background

Since May 14, 2022, clusters of monkeypox cases, have been reported in several countries that don't normally have monkeypox. Although previous cases outside of Africa have been associated with travel from Nigeria, most of the recent cases do not have direct travel-associated exposure risks. The United Kingdom Health Security Agency (UKHSA) was the first to announce on May 7, 2022, identification of a recent U.K. case that occurred in a traveler returning from Nigeria. On May 14, 2022, UKHSA announced an unrelated cluster of monkeypox cases in two people living in the same household who have no history of recent travel. On May 16, 2022, UKHSA announced a third temporally clustered group of cases involving four people who self-identify as gay, bisexual, or men who have sex with men (MSM), none of whom have links to the three previously diagnosed patients. Some evidence suggests that cases among MSM may be epidemiologically linked; the patients in this cluster were identified at sexual health clinics. This is an evolving investigation and public health authorities hope to learn more about routes of exposure in the coming days.

[Monkeypox](#) is a zoonotic infection endemic to several Central and West African countries. The wild animal reservoir is unknown. Before May 2022, cases outside of Africa were reported either among people with recent travel to Nigeria or contact with a person with a confirmed monkeypox virus infection. However, in May 2022, nine patients were confirmed with monkeypox in England; six were among persons without a history of travel to Africa and the source of these infections is unknown.

Monkeypox disease symptoms always involve the characteristic rash, regardless of whether there is disseminated rash. Historically, the rash has been preceded by a prodrome including fever, lymphadenopathy, and often other non-specific symptoms such as malaise, headache, and muscle aches. In the most recent reported cases, prodromal symptoms may not have always occurred; some recent cases have begun with characteristic, monkeypox-like lesions in the genital and perianal region, in the absence of subjective fever and other prodromal symptoms. For this reason, cases may be confused with more commonly seen infections (e.g., syphilis, chancroid, herpes, and varicella zoster). The average incubation period for symptom onset is 5–13 days.

The typical monkeypox lesions involve the following: deep-seated and well-circumscribed lesions, often with central umbilication; and lesion progression through specific sequential stages—macules, papules, vesicles, pustules, and scabs. Synchronized progression occurs on specific anatomic sites with lesions in each stage of development for at least 1–2 days. The scabs eventually fall off¹. Lesions can occur on the palms and soles, and when generalized, the rash is very similar to that of smallpox including a centrifugal distribution. Monkeypox can occur concurrently with other rash illnesses, including varicella-zoster virus and herpes simplex virus infections. Case fatality for monkeypox is reported to range between 1 and 11%. Confirmatory laboratory diagnostic testing for monkeypox is performed using real-time polymerase chain reaction assay on lesion-derived specimens.

A person is considered infectious from the onset of symptoms and is presumed to remain infectious until lesions have crusted, those crusts have separated, and a fresh layer of healthy skin has formed underneath. Human-to-human transmission occurs through large respiratory droplets and by direct contact with body fluids or lesion material. Respiratory droplets generally cannot travel more than a few feet, so prolonged face-to-face contact is required. Indirect contact with lesion material through fomites has also been documented. Animal-to-human transmission may occur through a bite or scratch, preparation of wild game, and direct or indirect contact with body fluids or lesion material.

There is no specific treatment for monkeypox virus infection, although antivirals developed for use in patients with smallpox may prove beneficial². Persons with direct contact (e.g., exposure to the skin, crusts, bodily fluids, or other materials) or indirect contact (e.g., presence within a six-foot radius in the absence of an N95 or filtering respirator for ≥3 hours) with a patient with monkeypox should be monitored by health departments; depending on their level of risk, some persons may be candidates for post-exposure prophylaxis with smallpox vaccine under an Investigational New Drug protocol after consultation with public health authorities.

Recommendations for Clinicians

- If clinicians identify patients with a rash that could be consistent with monkeypox, especially those with a recent travel history to a country where monkeypox has been reported, monkeypox should be considered as a possible diagnosis. The rash associated with monkeypox involves vesicles or pustules that are deep-seated, firm or hard, and well-circumscribed; the lesions may umbilicate or become confluent and progress over time to scabs. Presenting symptoms typically include fever, chills, the distinctive rash, or new lymphadenopathy; however, onset of perianal or genital lesions in the absence of subjective fever has been reported. The rash associated with monkeypox can be confused with other diseases that are more commonly encountered in clinical practice (e.g., secondary syphilis, herpes, chancroid, and varicella zoster). However, a high index of suspicion for monkeypox is warranted when evaluating people with the characteristic rash, particularly for the following groups: men who report sexual contact with other men and who present with lesions in the genital/perianal area, people reporting a significant travel history in the month before illness onset or people reporting contact with people who have a similar rash or have received a diagnosis of suspected or confirmed monkeypox.
- Information on infection prevention and control in healthcare settings is provided on the CDC website: [Infection Control: Hospital | Monkeypox | Poxvirus | CDC](#). CDC is currently reviewing this information to consider the need for updates.

- Clinicians should consult their state health department ([State Contacts](#)) if they suspect monkeypox; if the health department cannot be reached, CDC can be contacted through the CDC Emergency Operations Center (770-488-7100) as soon as monkeypox is suspected.
 - All specimens should be sent through the state and territorial public health department, unless authorized to send them directly to CDC.

Recommendations for Health Departments

- If monkeypox is suspected, CDC should be consulted through the CDC Emergency Operations Center (770-488-7100).
 - Appropriately collected samples can be sent to CDC or an appropriate [Laboratory Response Network](#) laboratory for testing by PCR.
- Laboratory Response Network laboratories can provide orthopoxvirus testing on lesion specimens that clinicians obtain from suspected patients; confirmatory monkeypox virus-specific testing at CDC requires a dry lesion swab specimen. [Collect](#) multiple specimens for preliminary and confirmatory testing as follows: 1) Vigorously swab or brush lesion with two separate sterile dry polyester or Dacron swabs; 2) Break off end of applicator of each swab into a 1.5- or 2-mL screw-capped tube with O-ring or place each entire swab in a separate sterile container. Do not add or store in viral or universal transport media.
- After diagnosis of monkeypox, begin contact tracing of individuals who may have been exposed to the patient while the patient was symptomatic. Contacts should be monitored for 21 days after their last date of contact with the patient.
- Share this HAN Health Advisory with relevant healthcare provider networks, including STI clinics that may not always receive CDC HAN messages.

Recommendations for the Public

- Based on limited information available at this time, risk to the public appears low. Some people who may have symptoms of monkeypox, such as characteristic rashes or lesions, should contact their healthcare provider for a risk assessment. This includes anyone who 1) traveled to countries where monkeypox cases have been reported 2) reports contact with a person who has a similar rash or received a diagnosis of confirmed or suspected monkeypox, or 3) is a man who has had close or intimate in-person contact with other men in the past month, including through an online website, digital application (“app”), or at a bar or party.

For More Information

- Contact your state or local health department if you have any questions or suspect a patient may have monkeypox.
- CDC Poxvirus and Rabies Branch: poxvirus@cdc.gov or for issues that cannot be resolved through emails, CDC’s 24/7 Emergency Operations Center (EOC): 770-488-7100 or [CDC-INFO](#) (1-800-232-4636)

References

¹ [Clinical Recognition of Monkeypox](#)

² [Antivirals](#)

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages:

Health Alert	Requires immediate action or attention; highest level of importance
Health Advisory	May not require immediate action; provides important information for a specific incident or situation
Health Update	Unlikely to require immediate action; provides updated information regarding an incident or situation
HAN Info Service	Does not require immediate action; provides general public health information

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

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

Children with Special Care Needs Highlights
May 2022

Staff Activities

General overview of COVID/Program Work

- All CSCN nursing staff attend a weekly meeting for COVID updates. CSCN staff no longer doing Covid work

Staff Group Training-

- De-Escalation Training all staff 5/17 and 5/18/22

Committees/Meetings

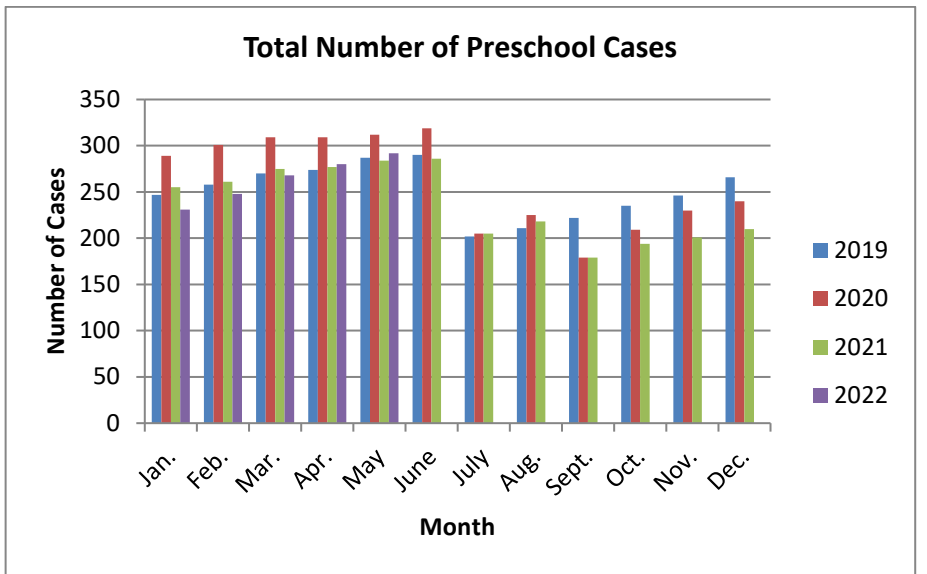
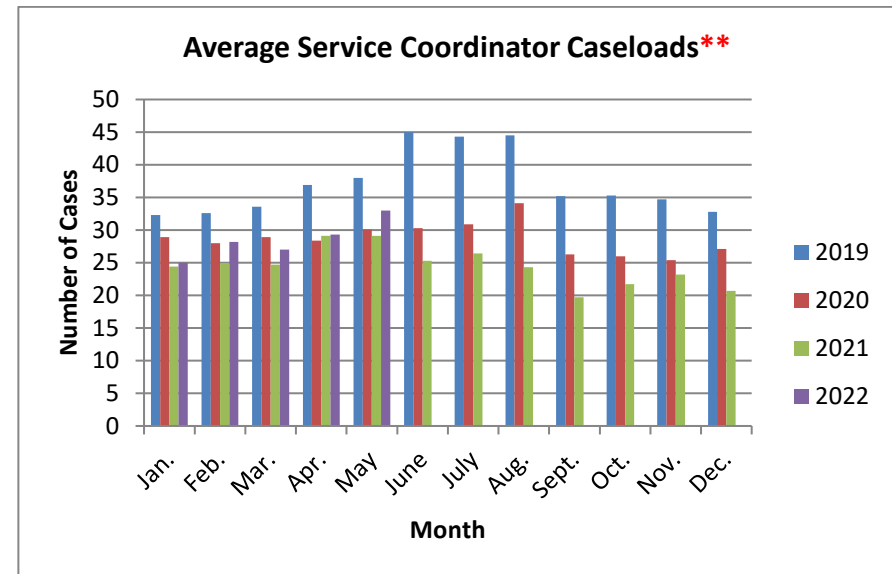
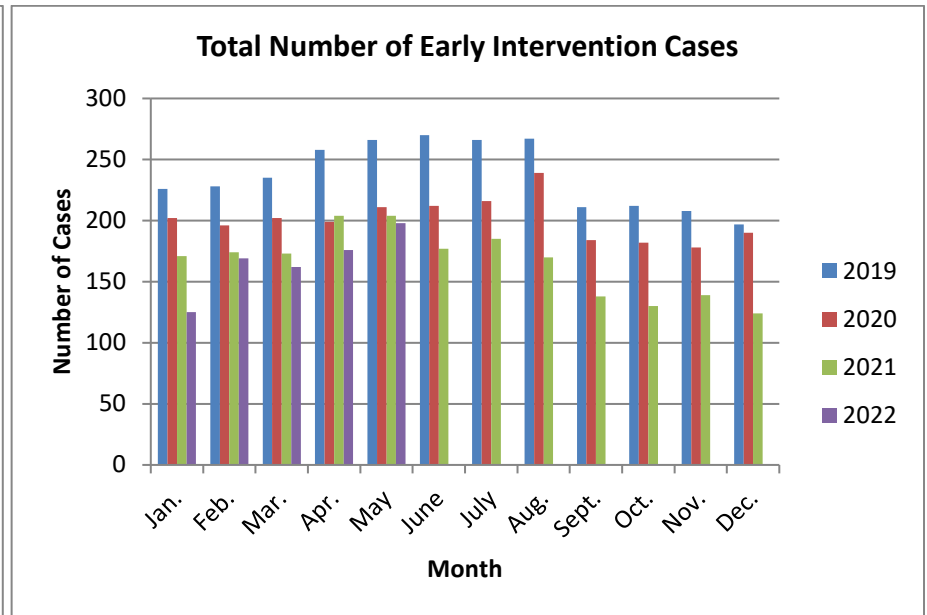
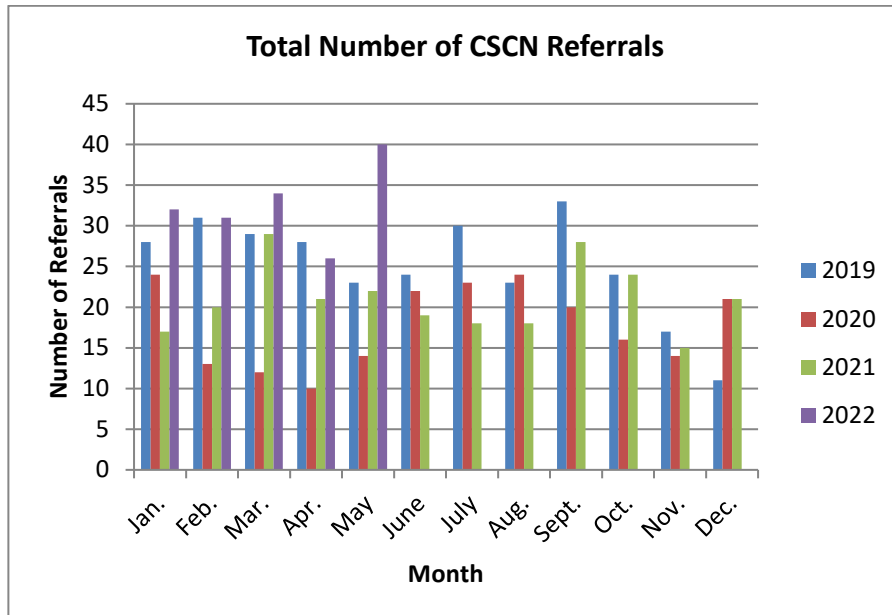
- CSCN Staff meeting canceled

Division Manager—Deb Thomas:

- Senior Leadership Meetings-Debrief meetings every Thursday to review current COVID 19 work and Program work.
- BOH meeting 5/24/22
- Early Childhood Collaborative meeting 5/2/22
- Cross Functional Team meeting for Strategic Plan 5/11/22, 5/27/22
- Integrating Children's services mtg 5/31/22
- CSCN Budget meeting 5/26, 5/27/22
- Preschool software meetings and webinars with McGuinness 5/24/22, 5/23/22, 5/9/22
- Preschool software meetings with ICSD and McGuinness 5/12, 5/23
- Strategic Planning Cross Functional Team check in 5/13, 5/27/22
- CPSE Chairs meeting canceled
- Meetings with Sr Community Health Nurse for planning 5/13/22, 5/20/22
- Collaborative Solutions Network meeting 5/19/22
- CSCN meeting with PH Director 5/4/22, 5/18/22
- Separate meetings with each Service coordinator for caseload check in.
- Onboarding meetings 5/25, 5/31/22
- CSCN program presentation to new Community Health workers 5/25/22
- Provider orientation meeting with Sprout Therapy group 5/26/22

** Early Intervention experiencing wait lists for speech services and Special Instruction teachers and Physical Therapy and Occupational Therapy. NYSDOH BEI notified monthly.

Statistics Based on Calendar Year



**** Average Service Coordinator Caseloads showing decrease due to increase in fully oriented Ongoing Service Coordinators, until June 2019 when we experienced staff retirement and leave.**

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

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

ENVIRONMENTAL HEALTH HIGHLIGHTS May 2022

Outreach and Division News:

Hydrilla: Hydrilla has been found in several locations in the south end of Cayuga Lake, as well as in Cayuga Inlet and Fall Creek, in recent years. Current infestations in the southwest corner of the lake, off the shore of Stewart Park, and in the Finger Lakes Marine Service marina will be treated weekly with the herbicide Fluridone. The hydrilla in Cayuga Inlet and Fall Creek will also be treated with Fluridone.

Parts of Fall Creek began treatment on June 16th, with the rest of Fall Creek scheduled to begin treatment on Monday, June 20th. Treatments are planned to begin June 29th in Cayuga Lake and Inlet, and at the end June/beginning of July at the Finger Lakes Marine Service. Each treatment will last for 10 weeks. As in previous years, water quality monitoring will take place and the results will be posted to the TCHD website. The Army Corps of Engineers (ACOE) will continue manage the applications in Cayuga Lake and Inlet and Fall Creek, while the Hydrilla Local Task Force will manage the marina location.

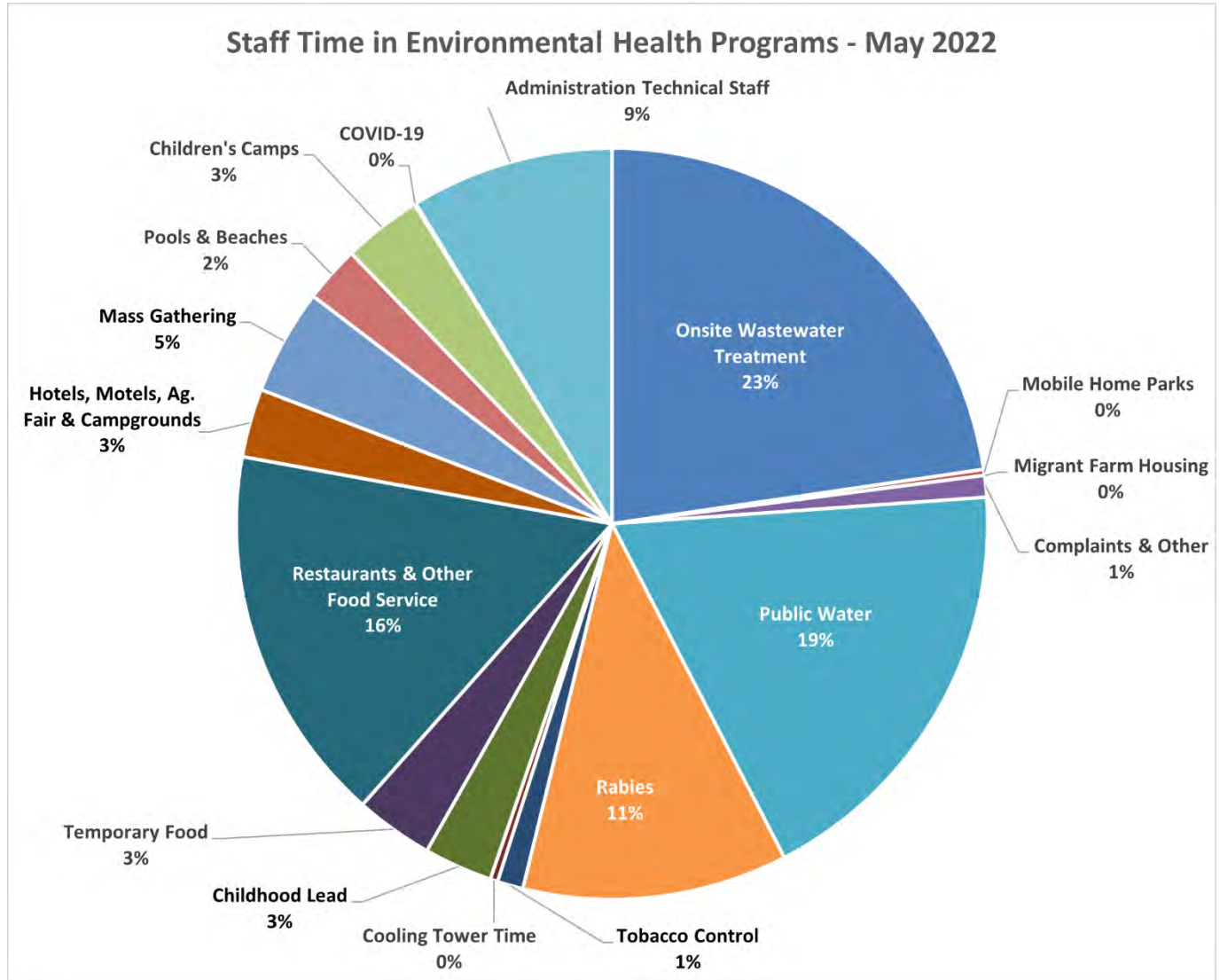
Water Resources Institute Intern Project: A team in Environmental Health is reviewing the requirements of Article VI (Sewage) of the Tompkins County Sanitary Code for potential revision. Public health concerns and potential regulations related to Individual Water Wells are also being researched and evaluated. Earlier this year, the NYS Water Resources Institute (WRI) at Cornell indicated that they might be able to provide some intern assistance with this work over the summer. Doug Barnes presented the project to the pool of available interns on May 31st, and two of the interns, Andrew Epps and Nathan Baker, expressed interest in the project and will be working with us through early August. Both interns are graduate students in City and Regional Planning. Andrew is focusing on climate adaptability, water governance and equity planning. Nate is focusing on community longevity and water resource management. They each will be dedicating 10 hours a week to help gather and analyze information and data from a variety of stakeholders and resources. The results of their work will be used to determine options and next steps as we consider revisions to the Tompkins County Sanitary Code.

Rabies Clinic: Spring Rabies Clinics were held on May 5th in Lansing and on June 9th in Enfield. These clinics mark a return to walk-through style clinics that were suspended when the COVID pandemic emerged and have not been held since January 2020. During these two clinics 169 dogs and 88 cats were vaccinated.

2022 Public Health Partnership Conference: Skip Parr attended the 2022 Public Health Partnership Conference in Niagara Falls from April 27 to 29. The conference was a joint event with the joint New York State Association of County Health Officials (NYSACHO), New York State Public Health Association (NYSPHA) and NYS Conference of Environmental Health Directors. The theme of the conference was Public Health Equity: Building a Stronger New York.

Human Resources: Clayton Maybee will be retiring from Environmental Health on June 24. Clayton began working full time for the Environmental Health Division in June of 2010. During his time at EH, he worked in many different programs including Food Protection, Temporary Food, Rabies, Public Water Supply, Temporary Residences, Agricultural Fairgrounds and Pools. In recent years, Clayton concentrated mostly in the Food Protection Program where he was a valuable resource to other inspectors. Clayton's knowledge of the code and experience in conducting inspections was instrumental in training many new hires on how to complete food inspections. Clayton continued to be a valued resource for advice during inspections even after inspectors were fully trained. Clayton worked hard to provide education to operators and build cooperative relationships with operators to help promote food safety in our community. He is a valued member of our team and will be greatly missed. We wish him the best as he takes on retirement!

EH Programs Overview:



Division of Environmental Health
Summary of Activity (2022)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD	2021 Totals
ON-SITE WASTEWATER TREATMENT SYSTEMS (OWTS)														
Permits Issued	6	3	9	18	27	0	0	0	0	0	0	0	63	220
New Construction/Conversions	4	2	6	11	19								42	105
Replacements	2	1	3	7	8								21	115
Completion Certificates Issued	7	1	3	4	15	0	0	0	0	0	0	0	30	185
New Construction/Conversions	6	1	2	3	8								20	90
Replacements	1	0	1	1	7								10	95
ENGINEERING PLAN REVIEWS														
Realty Subdivisions	0	0	1	0	0								1	0
OWTS	2	2	3	2	2								11	29
Collector Sewer	0	0	1	2	1								4	0
Public Water Systems	0	0	0	0	1								1	7
Water Main Extension	0	0	1	3	2								6	5
Cross-Connection Control Devices	3	1	1	0	0								5	7
Other Water System Modification	0	0	1	2	0								3	3
Other Engineering Reviews	0	0	0	3	2								5	0
RABIES CONTROL PROGRAM														
Potential Human Exposure Investigations	22	19	29	30	37								137	472
Human Post-X Treatments	3	2	3	3	3								14	115
Animal Specimens Tested	8	9	11	9	9								46	172
Animals Testing Positive	1	1	0	1	0								3	4
Rabies Clinics Offered	0	0	1	0	1								2	4
Dogs Vaccinated	0	0	42	0	109								151	398
Cats Vaccinated	0	0	23	0	47								70	258
Ferrets Vaccinated	0	0	0	0	0								0	2
Pet Quarantine	0	0	0	0	0								0	0
CHILDHOOD LEAD PROGRAM														
Children with Elevated Blood Lead Levels	1	1	0	2	3								7	10
Sites Inspected	0	3	0	0	0								3	6
Abatement Completed	0	0	1	0	0								1	1
Lead Assessments Sent	0	0	0	0	0								0	2
FOIL REQUESTS														
Total Received	2	6	2	2	2								14	45
ADOLESCENT TOBACCO USE PREVENTION ACT (ATUPA) (65 Operations *) & CLEAN INDOOR AIR ACT (CIAA)														
ATUPA (Adult & Minor) Compliance Checks	13	47	30	0	0								90	28
Violations	0	0	0	0	0								0	2
CIAA Complaints	0	0	0	0	0								0	5
COMPLAINTS - General/Nuisance														
Complaint Investigations Opened	2	1	3	3	5								14	44
ENFORCEMENT ACTIONS														
Total Cases	5	0	5	0	0								10	17
Cases Related to FSE	4	0	1	0	0								5	6
BOH Penalties Assessed	\$4,900	\$0	\$2,500	\$0	\$0								\$7,400	\$8,450
BOH Penalties Collected	\$200	\$200	\$1,900	\$5,300	\$0								\$7,600	\$8,000
CUSTOMER SERVICE/SUPPORT														
Calls Received	579	462	642	676	828								3187	11156
Walk-In Customers	15	35	26	30	60								166	440
TCEH Emails Received	424	374	373	398	436								2005	6415
Applications Processed	41	167	140	170	176								694	1500
Payment Receipts Processed	18	150	137	112	128								545	1269
Renewals/Billings Sent	107	152	60	143	13								475	872

* As of 1/1/2022

** Includes Pre-op, Inspection, Re-inspection, HAACP, Sanitary Surveys (Doesn't include Co-Inspector/Field Visits)

Food Program Detailed Report:

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<https://www2.tompkinscountyny.gov/health/eh/food#fsetable>). Inspections can be sorted to meet the needs of the viewer (by facility, date, etc.) by clicking on the column heading of interest.

The following plans were approved this period:

- No plan reviews in May.

New permits were issued for the following facilities:

- Yum Yum – Mobile
- Cafe Dewitt - (C) Ithaca
- Marrakech Casablanca Mediterranean, (C) Ithaca
- Lakebreeze Ice Cream, (T) Lansing
- Madeline's, (C) Ithaca
- No Mas Lagrimas, (C) Ithaca

Boil Water Orders (BWOs):

Ongoing:

- On April 14, 2022, a BWO was issued to TOSA Apartments located in the Town of Dryden. The water system did not have adequate chlorine residual when inspected by the Tompkins County Health Department. Enforcement action is pending as a result of the finding.

New:

- On May 4, 2022, a BWO was issued to Bailey Park located in the Town of Danby. The water system did not have adequate chlorine residual when inspected by the Tompkins County Health Department. The chlorine residual was re-established, satisfactory samples were collected, and the BWO was released on May 9th.

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
3/22/22	Best Western University Inn	Satish Duggal	Temporary Residence – Repeat Critical Violations	\$400	Payment due 5/15/22	Monitoring Compliance



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

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

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

CERTIFIED AND REGULAR MAIL

April 13, 2022

Cayuga Smoke Shop Inc.
Attention: Ali Hassan
207 North Aurora Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0007
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Cayuga Smoke Shop, C-Ithaca**

Dear Ali Hassan:

Thank you for signing the Stipulation Agreement on March 25, 2022, for the Cayuga Smoke Shop. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 2022**.

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 by Friday, April 22, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by April 22, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Cayuga Smoke Shop\Draft Res 22-0007.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Brenda Coyle
scan: Signed copy to Accela



Your Partner for a Healthy Community

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

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

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

DRAFT RESOLUTION # EH-ENF-22-0007 FOR

**Cayuga Smoke Shop
Cayuga Smoke Shop Inc/Ali Hassan, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on February 25, 2022, Tompkins County Health Department (TCHD) staff observed more than 400 individual flavored vapor products containing nicotine offered for sale at Cayuga Smoke Shop; **and**

Whereas, Cayuga Smoke Shop Inc has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for Cayuga Smoke Shop Inc, Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 7, 2022, agreeing that Cayuga Smoke Shop violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Cayuga Smoke Shop Inc, Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To comply with all the requirements of New York State Public Health Law, Article 13F.



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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0007

**Cayuga Smoke Shop
Cayuga Smoke Shop Inc/Ali Hassan, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

I, Ali Hassan, as a representative for Cayuga Smoke Shop Inc., agree that on February 25, 2022, Cayuga Smoke Shop was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Cayuga Smoke Shop sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: *Ali Hassan*

Date: 3-25-22

Cayuga Smoke Shop Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed: *Brenda Annell Bushy*
for Frank Kruppa
Public Health Director

Date: 3/29/2022

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: Cayuga Smoke Shop (ID: 1077709)
Facility Name: Cayuga Smoke Shop
Facility Code: ATUPA
Facility Address: 207 North Aurora Street, Ithaca, NY 14850
Facility Type: Tobacco Business

To the Attention of:

Cayuga Smoke Shop Inc
207 N Aurora
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: February 25, 2022 11:27 AM
Inspector: Dillon Shults (dshults@tompkins-co.org)
Person in Charge of Establishment: Ali Hassan

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 85-3089559 Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Not Available ID Number: 85-3089559 Year of Registration Expiration: 2022

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? No
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
Out of package sale and minimum package size requirements met? Yes

Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: During the inspection, I observed multiple flavored nicotine vapor products for sale on the shelf directly behind the counter. I took a photograph of the flavored products on my personal cell phone.

I spoke with Ali, working at the counter, and conveyed to him that the sale of flavored nicotine vapor products, at retail stores, is prohibited in New York State. I also provided Ali with relevant educational materials. Ali indicated he was willing to comply with the subject regulation.

While I was conducting the inspection, Ali removed several packages of flavored nicotine vapor products. Ali stated he would remove the remaining flavored nicotine vapor products from the shelf and that they would not be offered for sale at the store in the future.



Inspector: Dillon Shults (dshults@tompkins-co.org)

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

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

CERTIFIED AND REGULAR MAIL

May 13, 2022

Dream Vape & Smoke
222 Elmira Road
Ithaca, NY 14867

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0008
Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Dream Vape & Smoke, C-Ithaca**

Dear Dream Vape & Smoke, LLC:

Thank you for signing the Stipulation Agreement on April 21, 2022, for Dream Vape & Smoke. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 24, 2022**.

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 by Friday, May 20, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you may submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by May 20, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,



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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Dream Smoke Shop\Draft Res 22-0008.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Iman Abraham, Rep for Dream Vape & Smoke; Tim Wiant, NYSDOH; Mayor Laura Lewis; Travis Brooks, TC Legislature;
Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public
Health Director; Becky Sims; Skip Parr; Adriel Shea; Brenda Coyle
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-22-0008 FOR

**Dream Vape and Smoke
Dream Vape & Smoke, LLC, Operator/Owner
222 Elmira Road
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-cc of the New York State Public Health Law (NYSPHL) and Tompkins County Local Law No.b of 2019 that prohibit the sale of tobacco or vapor products to individuals under 21 years of age; **and**

Whereas, on March 4, 2022, Tompkins County Health Department (TCHD) staff person over the age of 21 purchased a sour apple flavored nicotine vapor product and observed more than 600 individual flavored vapor products containing nicotine offered for sale at Dream Vape and Smoke; **and**

Whereas, on March 16, 2022, the Tompkins County Health Department observed the sale of a prohibited tobacco product to an individual under the age of 21 years old at Dream Vape & Smoke; **and**

Whereas, Dream Vape & Smoke will be assigned two points for this violation of the ATUPA law because it was not demonstrated that the seller possessed a certificate from a state certified tobacco sales training program at the time of the sale; **and**

Whereas the Health Department will conduct at least three inspections with an underage individual each year for the next three years at Dream Vape & Smoke and, if Dream Vape & Smoke is assigned a total of three or more points due to future sales to a person under the age of 21 years, its registration to sell tobacco and, if a lottery agent, its lottery license will be suspended for 6 months; **and**

Whereas, Dream Vape & Smoke. has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for Dream Vape & Smoke, signed a Stipulation Agreement with Public Health Director's Orders on April 21, 2022, agreeing that Dream Vape & Smoke violated Article 13-F, Section 1399-MM-1 and Section 1399-cc of the NYSPHL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Dream Vape & Smoke LLC, Owner, is ordered to:**

1. Pay a penalty of \$2,500 for these violations, due by July 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale of tobacco products to people under the age of 21; **and**
3. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
4. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price; **and**
5. To post and maintain a sign that customers can easily see that reads: "**SALE OF CIGARETTES, CIGARS, CHEWING TOBACCO, POWDERED TOBACCO, SHISHA OR OTHER TOBACCO PRODUCTS, HERBAL CIGARETTES, LIQUID NICOTINE, ELECTRONIC CIGARETTES, ROLLING PAPERS OR SMOKING PARAPHERNALIA TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW.**"; **and**
6. To comply with all the requirements of New York State Public Health Law, Article 13F.



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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0008

**Dream Vape and Smoke
Dream Vape & Smoke, LLC, Operator/Owner
222 Elmira Road
Ithaca, NY 14850**

As a representative for Dream Vape & Smoke, LLC, I agree that on March 4, 2022, and March 16, 2022, Dream Vape and Smoke was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine. Additionally, I agree that on March 16, 2022, Dream Vape and Smoke was in violation of New York State Public Health Law, Article 13F, Section 1399-cc for selling tobacco products to an individual under 21.

I understand that Dream Vape and Smoke will be assigned two points for this violation of the ATUPA law unless it can be demonstrated that the seller possessed a certificate from a state certified tobacco sales training program at the time of the sale. In that case, Dream Vape and Smoke will be assigned one point. These points will be removed in three years.

I understand that at least three inspections will be conducted each year for the next three years. If Dream Vape and Smoke is assigned a total of three or more points due to future sales to a minor, its registration to sell tobacco products and, if a lottery agent, its lottery license will be suspended for 6 months.

I agree to pay a penalty, not to exceed \$2,000 plus a \$500 surcharge for the two 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:

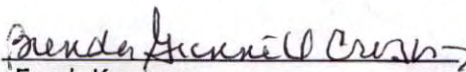

1. To prohibit the sale of tobacco products to people under the age of 21.
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
3. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price.
4. To post and maintain a sign that customers can easily see that reads: **"SALE OF CIGARETTES, CIGARS, CHEWING TOBACCO, POWDERED TOBACCO, SHISHA OR OTHER TOBACCO PRODUCTS, HERBAL CIGARETTES, LIQUID NICOTINE, ELECTRONIC CIGARETTES, ROLLING PAPERS OR SMOKING PARAPHERNALIA TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW."**
5. To comply with all the requirements of New York State Public Health Law, Article 13F.

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

I also understand that future violations where Dream Vape and Smoke sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed:  Date: 4/21/22

Dream Vape & Smoke, LLC is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 4/25/22
 Frank Kruppa
Public Health Director

Underaged Sales Compliance

Gender of person attempting purchase: Female

Date of Birth of person attempting purchase: December 12, 2001

Did sales person ask for identification from minor? No

Was age asked? No

Sale details:

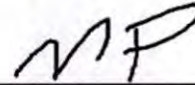
Brand Name: Hyde - Watermelon Ice Cream

Receipt? No

Cost: \$20.00

Held for evidence? Yes

I entered the premises with no proof of age, tobacco or vapor products, herbal cigarettes or other restricted products in my possession. The money I carried was provided by the Department and used to purchase the product as described herein. I returned \$30.00 and all evidence to the Department after leaving the premises.



Initials or Code of Underage Inspector: mp

Description of Person Who Sold the Product

Name (Last, First): Not Provided, Not Provided

Gender: Male

Race: Other

Age: Age: 21 - 35 Yrs.

Height: 5'6" - 6'0"

Build: Slim Build

Hair Color: Black

Hair Length: Medium

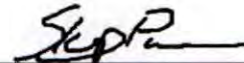
Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Not Verified


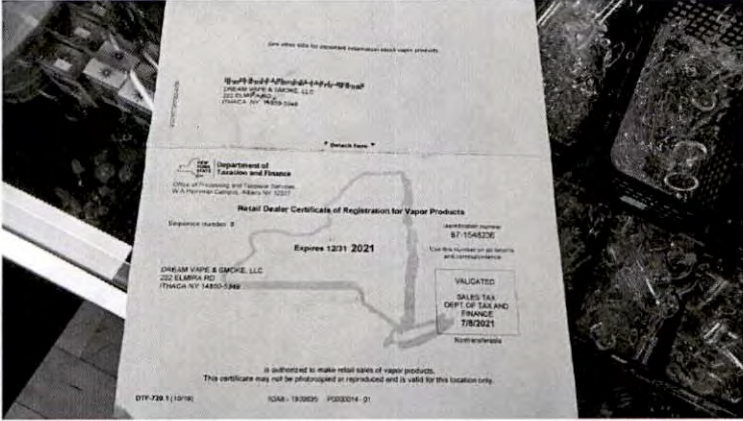
When bidis or gutka are sold in a tobacco business, is the required sign displayed? Not Verified (Not evaluated)

Additional Information Collected During Inspection

Comments: Underage inspector asked for flavored nicotine vape. Seller went behind a wall in the showroom and returned with the product that was sold without verification of age. Cash sale was made without using cash register. I observed the transaction and purchased rolling papers prior to notifying the cashier that he made a sale to a person under the age of 21. Cashier refused to provide his name, only stating that he was working for his cousin. When asked to provide the owner information, the cashier provided a Retail Dealer Certificate issued by NYS Dept. of Taxation and Finance that expired on 12/31/21. Certificate was issued to Dream Vape & Smoke, LLC with an address of 222 Elmira Road, Ithaca.



Inspector: Cyril Parr (sparr@tompkins-co.org)

Photo	Caption
	<p>Hyde Watermelon Ice Cream</p>
	<p>DTF Certificate</p>

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: DREAM VAPE & SMOKE (ID: 1071503)
Facility Name: DREAM VAPE & SMOKE
Facility Code: ATUPA
Facility Address: 222 Elmira Road, Ithaca , NY 14850
Facility Type: Other

To the Attention of:

Dream Vape & Smoke, LLC
222 Elmira Rd
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: March 4, 2022 02:10 PM
Inspector: Rebecca Sims (rsims@tom-pkins-co.org)
Person in Charge of Establishment: Clinton Pitcher

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Not Displayed - Provided Upon Request
	ID Number: 87-158236
	Year of Registration Expiration: 2021
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Not Displayed - Provided Upon Request
	ID Number: 87-1458236
	Year of Registration Expiration: 2021

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? Not Verified (Not evaluated)
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
Out of package sale and minimum package size requirements met? Not Verified (Not evaluated)

Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? No
When bidis or gutka are sold in a tobacco business, is the required sign displayed? Not Verified (Not evaluated)

Additional Information Collected During Inspection

Comments: Multiple violations observed:

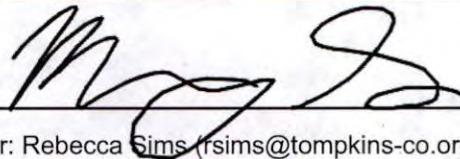
1. TCHD staff purchased Hyde Mag sour apple ice flavored vapor product containing 5% nicotine from this facility.
2. Immediately following the sale, TCHD staff observed more than 600 individual flavored vapor products containing nicotine in flavors other than tobacco on the shelves behind the counter, offered for sale with price tags. Products were removed from the shelves by facility staff at the time of inspection.
3. Handwritten price tags for flavored vapor products containing nicotine offering a discount when multiple products are purchased, stated "\$25 or 2X \$40 Cash Only =)" and "\$20 or 2x \$35 Cash Only =)" and "\$15 or 2X \$20 Cash Only =)"
4. No signage was observed prohibiting the sale of tobacco or vapor products to individuals under 21 years of age. A sign stating "Must be 21 to enter" was observed to be posted on the door and next to the cash register. TCHD staff provided the facility with the required signage at the time of inspection. Signage was not posted during the inspection.

Owners Name:

Ali (last name unsure)

607-279-5653

Staff stated that mail is received at the store's location, 222 Elmira Road, Ithaca



Inspector: Rebecca Sims (rsims@tompkins-co.org)

Photo

Caption



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale, discounts offered

Photo



Caption

Flavored vapor products containing nicotine for sale, discounts offered



Your Partner for a Healthy Community

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

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

CERTIFIED AND REGULAR MAIL

April 13, 2022

Commons Market
Attention: James Wells
122 North Aurora Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0009
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Commons Market, C-Ithaca**

Dear James Wells:

Thank you for signing the Stipulation Agreement on March 23, 2022, for the Commons Market. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 2022**.

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 by Friday, April 22, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by April 22, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Cameron".

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Common's Market\2022 Enforcement\Draft Res 22-0009.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Ithaca Building Department; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-22-0009 FOR

**Common's Market
J & C Wells, Inc. /James Wells, Owner/Operator
122 North Aurora Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March 4, 2022, Tompkins County Health Department (TCHD) staff purchased a watermelon flavored nicotine vapor product and observed more than 400 individual flavored vapor products containing nicotine offered for sale at Common's Market; **and**

Whereas, on March 4, 2022, TCHD staff observed 17 boxes of hookah tobacco stored on an open ground-level shelf accessible to customers; **and**

Whereas, Common's Market has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for J & C Wells, Inc., Owner, signed a Stipulation Agreement with Public Health Director's Orders on March 23, 2022, agreeing that Common's Market violated Article 13-F, Section 1399-MM-1 of the NYSPL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That J & C Wells, Inc., Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container; **and**
4. To comply with all the requirements of New York State Public Health Law, Article 13F.



NEW
MAR 25 2022

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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0009

**Common's Market
J & C Wells, Inc. /James Wells, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

I, James Wells, as a representative for J & C Wells, Inc., agree that on March 4, 2022, Common's Market was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container.
3. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Common's Market sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: James Wells Date: 3-23-22

J & C Wells, Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Frank Kruppa Date: 3/25/2022
for Frank Kruppa
Public Health Director

Additional Information Collected During Inspection

- Comments:** Multiple violations are observed:
1. TCHD staff purchased a Puff Plus watermelon flavored vapor product containing 5% nicotine for \$10 cash from the facility.
 2. Following the purchase, more than 400 individual vapor products containing nicotine and flavored other than tobacco, were observed for sale behind the counter on display at the facility. Staff removed products from display at the time of inspection. Staff stated that they had stopped selling flavored vapor products with nicotine after a field visit from TCHD staff in May 2021 but after seeing other stores around town selling flavored vapor products with nicotine decided to start selling them again.
 3. Observed seventeen (17) boxes of mint and blueberry flavored hookah tobacco being stored on an open shelf accessible to customers no more than 8" off of the floor. Products were moved to a shelf more than 60" off of the ground and behind the counter during inspection.
- Enforcement action to follow.



Inspector: Rebecca Sims (rsims@tompkins-co.org)

Photo

Caption



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale

Photo

Caption



Flavored vapor products containing nicotine for sale



Flavored hookah tobacco products stored on shelf at floor level



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

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

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

CERTIFIED AND REGULAR MAIL

May 13, 2022

Jason's Grocery & Deli
Attention: Jason Burnham
301 College Avenue
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0012
Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Jason's Grocery & Deli, C-Ithaca**


Dear Jason Burnham:

Thank you for signing the Stipulation Agreement on April 9, 2022, for Jason's Grocery & Deli. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 24, 2022**.

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 by Friday, May 20, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you may submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by May 20, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

- pc: F:\EH\TOBACCO\ATUPA\Facilities\Jason's Deli and Grocery\Enforcement\Draft Res 22-0012.docx
- ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Adriel Shea; Brenda Coyle
- scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-22-0012 FOR

Jason's Grocery & Deli
Jason Burnham Owner/Operator
301 College Avenue
Ithaca, NY 14850

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March 17, 2022, Tompkins County Health Department (TCHD) staff member over the age of 21 purchased a blue raspberry flavored nicotine vapor product and observed more than 340 individual flavored vapor products containing nicotine at Jason's Grocery & Deli; **and**

Whereas, Jason's Grocery & Deli. has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, Jason Burnham, Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 9, 2022, agreeing that Jason's Grocery & Deli violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health,
That Jason Burnham, Owner, is ordered to:

1. Pay a penalty of \$600 for these violations, due by July 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To comply with all the requirements of New York State Public Health Law, Article 13F.



Your Partner for a Healthy Community

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0012

**Jason's Grocery & Deli
Jason Burnham Owner/Operator
301 College Avenue
Ithaca, NY 14850**

I, Jason Burnham, as a representative for Jason's Grocery & Deli, agree that on March 17, 2022, Jason's Grocery & Deli, was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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:

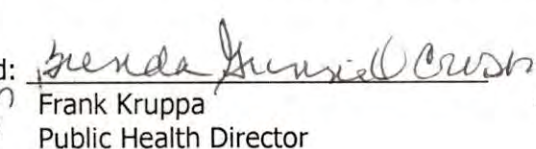
1. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Jason's Grocery & Deli sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that the Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed:  Date: 4/9/2022

Jason Burnham is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 4/18/2022
Frank Kruppa
Public Health Director

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: JASON'S GROCERY & DELI (ID: 313559)
Facility Name: JASON'S GROCERY & DELI
Facility Code: ATUPA
Facility Address: 301 College Avenue, Ithaca, NY 14850
Facility Type: Convenience Store

To the Attention of:

Jason Burnham
301 College Ave
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: March 17, 2022 11:06 AM
Inspector: Rebecca Sims (rsims@tom-pkins-co.org)
Person in Charge of Establishment: Amy Teeter

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Displayed
	ID Number: 16-1423897
	Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Displayed
	ID Number: 16-1423897
	Year of Registration Expiration: 2022

Sales Compliance

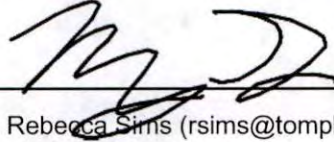
Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? No
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
Out of package sale and minimum package size requirements met? Yes

Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: TCHD staff purchased a blue raspberry flavored Hyde nicotine vapor product containing 5% nicotine from this facility. ID was checked by the cashier. Immediately following, TCHD staff performed an adult inspection and observed 342 flavored vapor products for sale contained in six locked cash register drawers under the counter that were opened upon request. Products were secured at the time of inspection and cashier stated they would no longer be available for sale to anyone. Enforcement to follow.



Inspector: Rebecca Sims (rsims@tomkins-co.org)






Photo	Caption
	<p>Flavored nicotine vapor products for sale</p>
	<p>Flavored nicotine vapor products for sale</p>
	<p>Flavored nicotine vapor products for sale</p>

Photo	Caption
	<p data-bbox="857 434 1321 463">Flavored nicotine vapor products for sale</p>
	<p data-bbox="857 1017 1511 1072">Drawers under counter containing flavored nicotine vapor products</p>



Your Partner for a Healthy Community

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

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

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

CERTIFIED AND REGULAR MAIL

April 13, 2022

Ayra Convenience Inc
Attention: Vijay Krumar Patel
428 Eddy Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0013
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Ayra Convenience Inc, C-Ithaca**

Dear Vijay Krumar Patel:

Thank you for signing the Stipulation Agreement on April 5, 2022, for Arya Convenience Inc. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 2022.**

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 by Friday, April 22, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by April 22, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UckpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Ayra Convenience\Enforcement\Draft Res 22-0013.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Adriel Shea; Brenda Coyle
scan: Signed copy to Accela



Your Partner for a Healthy Community

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

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

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

DRAFT RESOLUTION # EH-ENF-22-0013 FOR

**Ayra Convenience Inc
Ayra Convenience Inc./Vijay Krumar Patel, Owner/Operator
428 Eddy Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March 17, 2022, Tompkins County Health Department (TCHD) staff purchased a menthol flavored nicotine vapor product and observed more than 85 individual flavored vapor products containing nicotine at the Ayra Convenience; **and**

Whereas, Ayra Convenience Inc. has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for Ayra Convenience Inc., Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 5, 2022, agreeing that Ayra violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ayra Convenience Inc., Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To comply with all the requirements of New York State Public Health Law, Article 13F.



Your Partner for a Healthy Community

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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0013

**Ayra Convenience Inc
Ayra Convenience Inc./Vijay Krumar Patel, Owner/Operator
428 Eddy Street
Ithaca, NY 14850**

I, Vijay Krumar Patel, as a representative for Ayra Convenience, agree that on March 17, 2022, Ayra Convenience Inc, was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

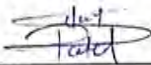
I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge for these violations following adoption of a resolution by the Board of Health. *(Do not submit penalty payment until notified by the Tompkins County Health Department.)*

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

1. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To comply with all the requirements of New York State Public Health Law, Article 13F.

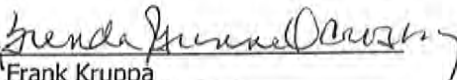

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

I also understand that future violations where Ayra Convenience sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that the Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: 

Date: 04-05-2022

Ayra Convenience Inc is hereby ordered to comply with these Orders of the Public Health Director.

Signed: 
 Frank Kruppa
Public Health Director

Date: 4/6/22

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: AYRA CONVENIENCE INC (ID: 1079772)
Facility Name: AYRA CONVENIENCE INC
Facility Code: ATUPA
Facility Address: 428 Eddy Street, Ithaca, NY 14850
Facility Type: Convenience Store

To the Attention of:

AYRA CONVENIENCE INC
428 Eddy Street
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: March 17, 2022 11:41 AM
Inspector: Rebecca Sims (rsims@tompkins-co.org)
Person in Charge of Establishment: Jay Patel

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Displayed
	ID Number: 87-3856465 Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered
	ID Type: Certificate of Registration
	Certificate Displayed? Certificate Displayed
	ID Number: 87-3856465 Year of Registration Expiration: 2022

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? No
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
Out of package sale and minimum package size requirements met? Yes

Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: TCHD staff purchased a 4-pack of menthol Juul pods containing 5% nicotine for \$20 cash from this location. ID was checked before purchase. Immediately following, an adult inspection was performed and 85 flavored vapor products containing nicotine were observed behind the counter, though only 11 were on display for sale, the remaining products were under the counter.

The cashier stated that the facility had been recently purchased and was under new ownership. He stated that the inventory of the store was purchased and that he was not aware that flavored vapor products should not be offered for sale. All of the products were removed from the sale area at the time of inspection. Formal enforcement to follow.

Vijay Krumar Patel - new owner



Inspector: Rebecca Sims (rsims@tompkins-co.org)

Photo



Caption

Flavored nicotine vapor products offered for sale



Flavored nicotine vapor products for sale



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

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

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

CERTIFIED AND REGULAR MAIL

April 13, 2022

Ithaca Convenience, LLC
Attention: Yasser Hassan
155 Dryden Road
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0014
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Ithaca Convenience, LLC, C-Ithaca**

Dear Yasser Hassan:

Thank you for signing the Stipulation Agreement on April 7, 2022, for the Ithaca Convenience, LLC. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 2022**.

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 by Friday, April 22, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by April 22, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCKpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Ithaca Convenience\Enforcement\Draft Res 22-0014.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Adriel Shea; Brenda Coyle
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-22-0014 FOR

**Ithaca Convenience, LLC
Ithaca Convenience, LLC/Yasser Hassan, Owner/Operator
155 Dryden Road
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March, 17, 2022, Tompkins County Health Department (TCHD) staff purchased a watermelon flavored nicotine vapor product and observed more than 600 individual flavored vapor products containing nicotine at the Ithaca Convenience LLC; **and**

Whereas, on March 17, 2022, TCHD staff observed more than 50 boxes of hookah tobacco on non-secured shelves accessible to customers; **and**

Whereas, on March 17, 2022, TCHD staff observed price tag signs offering discounts when two or more vapor products are purchased; **and**

Whereas, Ithaca Convenience LLC has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, Yasser Hassan, Operator, signed a Stipulation Agreement with Public Health Director's Orders on April 7, 2022, agreeing that Ithaca Convenience LLC violated Article 13-F, Section 1399-MM-1 of the NYSPL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ithaca Convenience LLC, Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container; **and**
4. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price; **and**
5. To comply with all the requirements of New York State Public Health Law, Article 13F.



Your Partner for a Healthy Community

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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0014

**Ithaca Convenience, LLC
Ithaca Convenience, LLC/Yasser Hassan, Owner/Operator
425 Eddy Street
Ithaca, NY 14850**

I, Yasser Hassan, as a representative for Ithaca Convenience, LLC, agree that on March 17, 2022, Ithaca Convenience, LLC, was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container.
3. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price.
4. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Ithaca Convenience, LLC sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that the Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: *Yasser Hassan* Date: 04-07-22

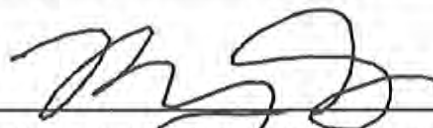
Ithaca Convenience, LLC is hereby ordered to comply with these Orders of the Public Health Director.

Signed: *Brenda Kruppa* Date: 4/7/22
for Frank Kruppa
Public Health Director

Additional Information Collected During Inspection

Comments: TCHD staff purchased an Airbar watermelon ice flavored vapor product containing 5% nicotine from this location for \$10 cash. Immediately following, an adult inspection was performed and over 600 flavored vapor products were observed to be for sale on the shelves behind the counter, in glass display cases, and on the counter itself. Observed multiple handwritten price tag signs offering discounted price for purchasing two items: (\$30 or 2 for \$50; \$18 or 2 for \$30; \$20 or 2 for \$35) At least 50 boxes of flavored hookah tobacco were on non-secured shelves in the customer area without a barrier. The cashier stated he was not aware that flavored nicotine products could not be sold. He stated he would close the store until banned products could be removed from the shelves and placed in another location. Enforcement to follow.

Owner name: Yasser Hassan



Inspector: Rebecca Sims (rsims@tompkins-co.org)

Photo

Caption



Flavored nicotine vapor products on display for sale with price discounts



Flavored nicotine vapor products for sale on counter



Flavored nicotine vapor products in glass display shelves

Photo

Caption



Hookah tobacco on open shelves in nonsecure customer area

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 13, 2022

Jim Gerish
Hotel Syracuse, LLC
2001 Crocker Road
Westlake, OH 44145

**Re: Tompkins County Board of Health Draft Resolution #EH-ENF-22-0015
Hilton Garden Inn at Seneca Place Spa Pool, C-Ithaca**

Dear Jim Gerish:

Thank you for signing the Stipulation Agreement on April 25, 2022, for the Hilton Garden Inn at Seneca Place Spa Pool. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 24, 2022**.

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 by Friday, May 20, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by May 20, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,



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

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

pc: F:\EH\POOLS-BEACHES (SBS)\Facilities (SBS-4)\TR or CG Pools\Hilton Garden Inn\Inspection Reports\Spa Pool\Enforcement\Draft Res 22-0015.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Zachary Jones, Hilton Garden Inn; Andrew Fendrick, Hilton Garden Inn CEO C-Ithaca; Rich John, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Mik Kern; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-22-0015 FOR

**Hilton Garden Inn at Seneca Place Spa Pool
Hotel Syracuse, LLC, Owner; Jim Gerish, Operator
130 E. Seneca St., C-Ithaca
Ithaca, NY 14850**

Whereas, the Owner/Operator of a Swimming Pool must comply with the regulations established by Subpart 6-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 6-1 of the NYSSC to fail to maintain the minimum disinfection residual; **and**

Whereas, on February 7, 2022, and March 10, 2022, the Tompkins County Health Department (TCHD) inspected the Hilton Garden Inn Spa Pool and observed the disinfectant residual below the minimum required levels for bromine; **and**

Whereas, on April 29, 2022, the TCHD approved Hilton Garden Inn's proposal to switch from bromine disinfection to chlorine disinfection. This approval was made following the receipt of the signed stipulation agreement; **and**

Whereas, Andrew Fendrick, representative for Hilton Garden Inn, signed a Stipulation Agreement with Public Health Director's Orders on April 25, 2022, agreeing that Hilton Garden Inn at Seneca Place 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 Hotel Syracuse, LLC, Owner, is ordered to:**

1. Pay a penalty of \$200 for these violations, due **by July 15, 2022**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Provide proof of repair or replacement of the pool brominator to the Health Department by May 12, 2022 (note: TCHD received proposal to replace brominator with chlorinator on 4/25/22); **and**
3. Repair or replace the Spa pool flow meter Pool to ensure accurate flow meter reading can be obtained to assess turnover rates **by May 12, 2022**;
4. Maintain the chlorine level of the Spa Pool between 1.5 mg/l and 5.0 mg/l, and pH must be measured between 7.2-7.8 at all times when in use; **and**
5. Complete Monthly Operating Reports for both the Main Pool and Spa Pool documenting chlorine and pH levels at least three times a day. The reports must be submitted to the Tompkins County Health Department by the 10th day of the following month; **and**
6. Comply with all the requirements of Subpart 6-1 of the New York State Code for Swimming Pools.



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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0015

**Hilton Garden Inn at Seneca Place Spa Pool
Hotel Syracuse, LLC, Owner; Jim Gerish, Operator
130 E. Seneca St., C-Ithaca
Ithaca, NY 14850**

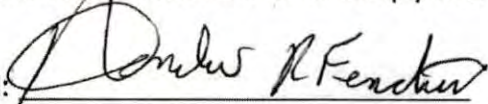
I, Jim Gerish, as a representative for Hilton Garden Inn at Seneca Place, agree that on February 2, 2022, and March 10, 2022, the Hilton Garden Inn at Seneca Place was in violation of Subpart 6-1 of the New York State Sanitary Code for failure to maintain the minimum disinfection levels for the Spa swimming pool.

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

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

1. Provide proof of repair or replacement of the pool brominator to the Health Department by **May 12, 2022.**
2. Repair or replace the Spa pool flow meter Pool to ensure accurate flow meter reading can be obtained to assess turnover rates **by May 12, 2022;**
3. Maintain the bromine level of the Spa Pool between 3.0 mg/l and 6.0 mg/l, and pH must be measured between 7.2-7.8 at all times when in use; **and**
4. Complete Monthly Operating Reports for both the Main Pool and Spa Pool documenting bromine and pH levels at least three times a day. The reports must be submitted to the Tompkins County Health Department by the 10th day of the following month; **and**
5. Comply with all the requirements of Subpart 6-1 of the New York State Code for Swimming Pools.

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

Signed:  Date: 4-25-22

Hotel Syracuse, LLC is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 4/25/2022
for Frank Kruppa
Public Health Director



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

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

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

CASE SUMMARY – FOR RESOLUTION # EH-ENF-22-0015

**Hilton Garden Inn at Seneca Place Spa Pool
 Jim Gerish, Operator; Hotel Syracuse LLC, Owner
 130 E. Seneca St., C-Ithaca
 Ithaca, NY 14850**

May 2022

Spa Pool

Date	Action
04/29/2022	TCHD Public Health Engineer approved proposed changes.
04/25/2022	Signed stipulation agreement received by TCHD. TCHD also received a proposal to modify chemical management of the pool from bromine to chlorine.
04/12/2022	Stipulation Agreement sent to Hilton Garden Inn by TCHD.
03/10/2022	Re-inspection by TCHD. Violation: See attached inspection report
02/07/2022	Inspection by TCHD. Violation: See attached inspection report
03/11/2021	Inspection by TCHD. No critical violations cited.
10/23/2019	Inspection by TCHD. No critical violations cited.
06/21/2019	Permit to operate Hilton Garden Inn Spa Pool issued to Hotel Syracuse LLC.

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 13, 2022

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

Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0016
Violation of Board of Health Orders #EH-ENF-21-0011
Finger Lakes GrassRoots Festival of Music and Dance; T-Ulysses and V-Trumansburg
Onsite Water Plans

Dear Ms. Springer:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 24, 2022**. 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 by Friday, May 20, 2022, so that we can coordinate access to the Zoom meeting.

In lieu of joining the Zoom meeting, you can submit a written statement of the Board of Health to consider by sending it to: tceh@tompkins-co.org by May 20, 2022. The meeting will be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,



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

Enclosures – Draft Resolution and Resolution #EH-ENF-21-0011

pc: F:\EH\ENGR PLAN REVIEW (EPR)\Engineering Projects\Projects Proposed (EPR-4)\Ulysses (T)\Water\Grassroots
2022\Draft Resolution - GR Onsite Water 4-2022.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
GrassRoots: Elaine Springer; Supervisor T-Ulysses; CEO-T-Ulysses; Anne Koreman, TC Legislature; NYSDOH: Tim
Wiant;
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott
Freyburger; Adriel Shea; Skip Parr; Joan Pike; Brenda Coyle
scan: Signed copy to Accela

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

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

RESOLUTION # EH-ENF-22-0016 FOR

**Finger Lakes GrassRoots Festival – Onsite Water
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
PO Box 941, Trumansburg, NY 14886**

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

Whereas, Subpart 5-1 of the NYCRR requires plans be approved prior to making, installing, constructing or modifying a public water system and that approval be obtained before placing a system into service; **and**

Whereas, the Tompkins County Board of Health adopted Resolution #EH-ENF-21-0011 on September 28, 2021, that included requirements for GrassRoots to submit approvable plans for the drinking water system Onsite by February 21, 2022; **and**

Whereas, the Onsite water plans that GrassRoots submitted by February 25, 2022, were inadequate; **and**

Whereas, on March 22, 2022, Tompkins County Health Department (TCHD) provided comments on the water plans to GrassRoots detailing information that needed to be submitted by March 31, 2022; **and**

Whereas, GrassRoots notified TCHD on April 8, 2022, that prepared submissions for the water plans would be ready on Monday, April 11, 2022, but this information was not submitted; **and**

Whereas, the Onsite water plans submitted by GrassRoots as of April 12, 2022, failed to provide details for the buried pipes, connections to existing Fairground hydrants and showers as well as the proposed cooling spray/sprinkler (based on a partial review – other information may also be incomplete); **and**

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

Whereas, the failure by GrassRoots to submit approvable water plans is a violation of Resolution #EH-ENF-21-0011 and delays and complicates the comprehensive review of the site maps, campgrounds, and mass gathering narrative application; **and**

Whereas, Resolution # EH-ENF-21-0011 requires GrassRoots to submit a final mass gathering application by June 3, 2022; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health,

That the Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator, is ordered to:

1. Pay a penalty of \$500.00 for these violations, **due by June 15, 2022 (Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. **By May 1, 2022**, submit comprehensive, final approvable plans for the drinking water systems at Onsite prepared by a design professional licensed in New York State. The plans must address all the requirements of Resolution # EH-ENF-21-0011 and all TCHD comments provided to GrassRoots regarding the Onsite water system; **and**
3. Comply with all the requirements of Resolution #Eh-ENF-21-0011.

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

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

RESOLUTION # EH-ENF-21-0011 FOR

**Finger Lakes GrassRoots Campground
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
PO Box 941, Trumansburg, NY 14886**

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

Whereas, on January 28, 2019, Tompkins County Board of Health Resolution #EH-ENF-19-0025 ordered GrassRoots to address past violations by complying with Order requirements for the GrassRoots website, site maps, inspections, security, camping, the mass gathering application, and water supply, in addition to requiring compliance with all provisions of Subparts 5-1, 7-3 and 7-4 of the NYCRR, **and**

Whereas, due to COVID-19, GrassRoots did not hold the Finger Lakes GrassRoots Festival of Music and Dance in either 2020 or 2021; **and**

Whereas, during July 2021, GrassRoots operated a campground at Across The Way while holding a series of weekend concerts and operated a campground on the Fairgrounds for staff, vendors and performers during the July 23-26 expanded concert series; **and**

Whereas, Subpart 7-3 of the NYCRR requires an application for a campground permit to be submitted at least 30 days for before operations; **and**

Whereas, GrassRoots submitted their application for camping at the Fairgrounds on July 6, 2021, with an expected opening date of July 9, 2021, and less than 30 days prior to the campground permit being issued on July 23, 2021; **and**

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

Whereas, GrassRoots failed to submit engineering plans for the temporary water system at the Fairgrounds at least 30 days in advance; **and**

Whereas, Subpart 5-1 of the NYCRR requires plans be approved prior to making, installing, constructing or modifying a public water system and that approval be obtained before placing a system into service; **and**

Whereas, the Engineering Certification for construction of the temporary water system on the Festival grounds was dated July 22, 2021, prior to Tompkins County Health Department (TCHD) approval of the water system plans on July 23, 2021; **and**

Whereas, GrassRoots failed to adequately mark out and number campsites; allowed camping in unapproved locations, and failed to maintain the required 10-ft separation between structures on adjacent campsites at Across The Way; and failed to have all campsites within 250' of a water source at the Fairgrounds and at Across the Way; **and**

Whereas, GrassRoots failed to make spigot #19 at Across The Way unavailable to the public as required due to an inconclusive bacteriological test result; **and**

Whereas, as of August 25, 2021, the Across the Way campsite map on the GrassRoots Festival website shows approximately twice as many tent campsites in the Knoll area compared to the number permitted in 2019 and the size of these sites is significantly smaller than the sites in 2019; **and**

Whereas, GrassRoots has a history of campsite layout, tracking and separation distance violations at their campgrounds and mass gatherings and the TCHD does not intend to permit a significant increase in the number of campsites that are less than 1250 square feet; **and**

Whereas, this Resolution revises Resolution #EH-ENF-19-0025 to update most of those requirements to apply to the 2022 campgrounds and mass gathering; **and**

Whereas, the Board of Health has the authority to fine up to \$500 for each violation (including each tent spacing or size violation) and this fine can be assessed for every day that the violation continues; **and**

Whereas, the maximum penalty was not assessed in this Order but failure to comply with the deadlines and requirements included in this Order could result in daily fines as noted above; **and**

Whereas, failure to comply with the mass gathering and camping requirements in 2022 could result in daily fines as noted above; **and**

Whereas, if lack of preparation and readiness by GrassRoots results in an unsatisfactory pre-operational inspection conducted 48 hours in advance of camping in 2022, the Environmental Health Division will not issue a permit for the unsatisfactory campground location(s) (Onsite and/or Across The Way); **and**

Whereas, an unsatisfactory pre-operational inspection means all or part of the following:

- accurate site maps including locations of required facilities (access roads, campsites, sanitary facilities, etc) have not been submitted and approved
- trees or other obstacles located within access road boundaries
- access roads are not laid out as shown on approved maps
- large trees or other obstacles are located within campsite boundaries
- campsites and sections are not laid out and marked as shown on approved plans and described in the application and narrative report
- as-builts and satisfactory water samples have not been submitted for the water system(s) and/or the Environmental Health Division has not issued an Approval of Completed Works or other approval for each site
- portable toilets, handwash stations, and approved grey water tanks are not onsite and connected
- section markers and cooking/no cooking signs are not installed as described in the approved application and narrative report; **and**

Whereas, failure to accurately manage campsites within the approved locations and maintaining required separation distances will result in fewer campsites being approved for future events; **now therefore be it**

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

1. Pay a penalty of \$1500.00 for these violations, **due by November 15, 2021; and**

Website and Program

2. Update the website with language approved by the TCHD thirty days **no later than October 1, 2021**. The language must notify viewers of key requirements and changes for 2022 and highlight attendee consequences to violations; **and**
3. Obtain approval of the maps showing the location of campsites and update the website with language for the campsites approved by the TCHD prior to selling additional campsites; **and**
4. Include language notifying attendees of key requirements and changes for 2022 and highlighting attendee consequences to violations in the festival program. This part of the program must be approved by the TCHD prior to publication; **and**

Site Maps

5. **By January 31, 2022**, prepare and submit draft maps of Onsite and Across the Way with all water spigots, hydrants, large trees, roadways and pedestrian pathways and campsites identified. All campsites for attendees, staff, performers, and vendors must be marked out and numbered. Access lanes must be clear of trees and other obstacles. Onsite tent campsites must also not contain any trees except for small trees located solely within the 2-1/2' structure separation area along the boundaries of each campsite. Field work may be required in advance of map preparation to ensure these requirements are met; **and**
6. **By February 21, 2022**, prepare and submit final maps of Onsite and Across the Way with all water spigots, hydrants, large trees, roadways and pedestrian pathways and campsites identified. All campsites for attendees, performers, and vendors must be marked out and numbered.
7. **By August 24, 2022** (after the festival), submit as-built maps for Onsite and Across the Way; **and**

Inspections

8. Complete the layout of roadways and pedestrian pathways **at least a week in advance of the Culture Camp or other pre-operational inspection**. Access lanes must be clear of trees and other obstacles. The TCHD must be notified when the roadways and pathways are ready for inspection; **and**
9. After the roadways and pathways are laid out and **at least 5 days in advance of the Culture Camp or other pre-operational inspection**, all campsites (including attendee, staff, vendor, and performer campsites) must be laid out and numbered. Onsite tent campsites must also not contain any trees except for small trees located solely within the 2-1/2' structure separation area along the boundaries of each campsite. The TCHD must be notified as soon as the campsites are ready for inspection;
10. Complete construction and installation of services and facilities including installation of 8' high reflective section markers, water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, **at least at least 48 hours prior to the commencement of a GrassRoots event onsite or at Across The Way; and**

Security

11. Provide names and contact information for four paid security staff (two for Onsite and two for Across the Way) to accompany TCHD inspectors during all inspections. Names and contact information must be provided **one week prior to the start of the festival**.
12. Prior to the camping pre-operational inspection, submit a field summary identifying the responsibilities of each security unit. Each security staff must have these on their person when conducting inspections.
13. Identify a specific security person to oversee performer and vendor camping during camping setup. This shall be the security person's sole responsibility until all campsites in this area are set up.
14. Identify two specific security staff to oversee onsite tent camping during camping setup. This shall be the security person's sole responsibility until all campsites in this area are set up.
15. Identify one specific security staff person to oversee tent camping Across the Way in the Knoll and in the woods.
16. Assign volunteer security only to the infield camping area onsite. Volunteer security may assist paid security with tent camping when necessary.
17. Have security t-shirts available at the campground pre-operational inspection.
18. **By May 16, 2022**, provide a security schedule that shows an acceptable level of presence at all sites by paid security; **and**

Camping

19. Delineate and label all campsites on the maps that are submitted to the TCHD. Note that multiple sites cannot be purchased and combined into larger sites; **and**
20. Require all performers, staff and vendors to select their numbered camping sites **by July 14, 2022**.
21. Prohibit campsite set-up in the tent, vendor and performer camping areas onsite unless the designated security person(s) is present; **and**
22. Ensure that all Onsite tent sites are a minimum of 15' x 15'; **and**
23. Require all oversize tents that are set up in the Onsite tent camping area to move within 2 hours of notice to a designated oversize tent area; **and**
24. Submit a waiver request **by March 1, 2022**, to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2022; **and**

Mass Gathering Application

25. **By November 2, 2021**, submit accurate 2021 concert attendee numbers for the concert series starting July 23, 2021; **and**
26. Attend a pre-application meeting at the Health Department no later than **January 18, 2022**.
27. Submit the initial Mass Gathering application **by March 1, 2022**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC.
 - b. Updated and approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2022.
28. Submit the complete final application **by June 3, 2022**. (Once the final application is submitted and approved, no changes will be approved); **and**
29. **By November 2, 2022**, submit accurate 2022 festival attendee and campsite numbers including the number of 4-day regular tickets sold, number of 4-day youth tickets sold, number of regular and youth tickets sold each day, number of volunteers, performers, vendors, and staff, number of camping tickets sold by campsite type and location both pre-day and at the gate sales.

Water Supply

30. **By November 2, 2021**, submit a map and photos showing where all above ground water pipes and fixtures are stored when not in use; and
31. **By February 21, 2022**, submit approvable plans for the drinking water systems at Onsite prepared by a design professional licensed in New York State. The plans for the water system must include a spigot(s)/water bottle filling stations for EMS, a cooling spray mister/sprinkler (including drainage), additional spigots or GrassRoots-installed flow splitters associated with the Trumansburg Fairground permanent water supply for tent camper use, show that the minimum pressure of 20 psi will be present at all locations in the water supply; and address the water system comments provided to GrassRoots by email on August 23, 2021. The Onsite plans must number each spigot and flow splitter location and include locations that can be used for sprinkler connections if needed. The Onsite plans must be for a permanent water system unless a statement is submitted by the Fairground owner/operator that they will not allow it.
32. Not purchase materials, construct, connect, or operate the water systems at Onsite or Across the Way without approval from the TCHD
33. Submit an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite **by February 21, 2022**.
34. Submit documentation demonstrating the GrassRoots has coordinated with the Trumansburg Festival Association regarding use/access to the Fairgrounds by other groups during the time period that GrassRoots also has access to/use of the Fairgrounds. Take actions approved by the design professional for the water system and by TCHD to protect the water system if needed.
35. Conduct pressure testing in the presence of a TCHD representative prior to operation of the Across the Way water system.
36. Submit certification of start-up procedures for Onsite and Across the Way **by July 1, 2022**.
37. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 1, 2022; and**

General

38. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.
39. Comply with all permit conditions in the 2022 mass gathering and campground permits issued to Finger Lakes GrassRoots Festival.
40. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

This action was adopted by the Tompkins County Board of Health at its regular meeting on September 28, 2021.


Frank Kruppa
Public Health Director

10/4/21
Date

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

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

CERTIFIED, REGULAR & ELECTRONIC MAIL

June 6, 2022

Tony Busse
TOSA Apartments
331 Willow Walk Lane
Knoxville, TN 37922

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0019
TOSA Apartments, T-Dryden**

Dear Tony Busse:

Enclosed is a copy of the Draft Resolution the Tompkins County Board of Health (BOH) will consider at its meeting on **Tuesday, June 28, 2022**. On December 8, 2020, the Tompkins County Board of Health adopted Revised Resolution #EH-ENF-20-0016. The following requirements of that resolution that have not been met:

- Maintain acceptable free chlorine residuals at all times in the TOSA Apartment's Water Treatment System. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/L) and not more than 4.0 mg/L (**4/14/22 - Boil Water Order issued and remains in effect due to failure of operator to address requirements to lift the Order**).
- Submit total coliform sample results for TOSA Apartments each quarter or operation by the 10th day of the following month (**2022 – First Quarter sample was not received**).

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 Adriel Shea or me at (607) 274-6688 by Friday, June 24, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: tceh@tompkins-co.org by June 24, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UckpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,



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

Enclosures – Draft Resolution, Final Resolution #EH-ENF-20-0016

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Apartments (SC-9)\Tosa\Enforcement\2022\TosaApts Draft Resolution #EH-ENF-22-0019.docxx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
CEO T-Dryden; Supervisor T-Dryden; Gregory N. Mezey, TC Legislature; Garrett Cappon, P.E., NYSDOH; TCHD: Frank Kruppa, Public Health Director; Elizabeth Cameron, P.E., Director of EH; Scott Freyburger, P.E.; Adriel Shea; Chris Laverack; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-22-0019 FOR

**TOSA Apartments
Tony Busse, Owner
1289 Ellis Hollow Road, (T) Dryden**

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

Whereas, TOSA Apartments is a public water system with six service connections; **and**

Whereas, on December 8, 2020, the Tompkins County Board of Health Resolution #EH-ENF-20-0016 ordered Tony Busse to:

- Provide to the Health Department the contact information for a designated water operator that must respond to Health Department inquiries within 24 hours.
- Maintain acceptable free chlorine residuals at all times in the TOSA Apartments' Water Treatment System. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/l) and not more than 4.0 mg/l.
- Submit total coliform sample results for TOSA Apartments each quarter of operation by the 10th day of the following month.

Whereas, on April 14, 2022, Tompkins County Health Department staff issued a Boil Water Order after they found there to be no free chlorine residual present in the TOSA Apartments' water system; **and**

Whereas, TOSA Apartments failed to acknowledge receipt of the Boil Water Order or to communicate any corrective actions taken and failed to implement all actions necessary to release the Boil Water Order; **and**

Whereas, a quarterly total coliform sample result has not been submitted for the first quarter of 2022; **and**

Whereas, as of June 3, 2022, the provisions of Board of Health Resolution #EH-ENF-20-0016 have not been met; **now therefore be it**

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

1. Pay a penalty of \$1,500 for these violations, **due by August 15, 2022.** (Do Not submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain acceptable free chlorine residuals **at all times** in the TOSA Apartment's Water Treatment System. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/L) and not more than 4.0 mg/L; **and**

3. Notify the Health Department within 24 hours if the disinfection system is without adequate chlorination for a period exceeding 4 hours; **and**
4. Provide and maintain an emergency contact that can respond to all Health Department inquiries within 24 hours; **and**
5. Complete all corrective and/or compliance actions required by the Health Department following a Boil Water Order or other cited violation within a timeframe prescribed by the Department or in accordance with New York State guidance; **and**
6. Submit total coliform sample results for TOSA Apartments each quarter or operation by the **10th day of the following month; and**
7. Submit completed monthly operation reports signed by a certified water treatment operator or qualified water treatment specialist for TOSA Apartments of daily free chlorine residual readings **by the 10th day of the following month** for every month; **and**
8. Collect the annual nitrate sample within the calendar year and submit the sample result to TCHD no later than the 15th of the following January; **and**
9. Comply with all the requirements of Subpart 5-1 of the NYSSC.



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

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

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Fx: (607) 274-6695

CERTIFIED, REGULAR & ELECTRONIC MAIL

December 10, 2020

Tony Busse
TOSA Apartments
331 Willow Walk Lane
Knoxville, TN 37922

**Re: Tompkins County Board of Health Resolution # EH-ENF-20-0016 – Revised
TOSA Apartments, T-Dryden**

Dear Tony Busse:

The Tompkins County Board of Health adopted the enclosed resolution at its regular meeting on December 8, 2020. The penalty has been reduced from \$3000 to \$1000 contingent on compliance with Orders #2 through 5 on the enclosed resolution by December 15, 2020. This includes providing us the contact information for a designated water operator that must respond to Health Department inquiries within 24 hours. **The penalty of \$1000 is due by December 15, 2020.** The penalty of an **additional \$2000 is due by January 15, 2021**, if Orders #2-5 are not complied with by December 15, 2020.

Please note the additional requirements included in the Resolution. Failure to comply with any of the Orders in the Resolution may result in additional enforcement and financial penalties.

If you have any questions, please contact Skip Parr or Adriel Shea at the Environmental Health Division by phone at (607) 274-6688 or at tceh@tompkins-co.org.

Sincerely,

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

Enclosure – Revised Final Resolution EH-ENF-20-0016

pc: F:\EH\WATER (SW)\Public Water (SW)\Facilities (SW-4)\Apartments (SC-9)\Tosa\Enforcement\2020\Violation of BOH Orders\November Revised Final Resolution 20-0016.docx
ec: NYS DOH: John Strepelis, P.E.; Garrett Cappon; Erin Ingles, P.E.; CEO T-Dryden; Supervisor T-Dryden; Martha Robertson, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Adriel Shea; Chris Laverack; Skip Parr; Brenda Coyle
scan: Signed copy to Accela



Your Partner for a Healthy Community

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

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

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

REVISED RESOLUTION # EH-ENF-20-0016 FOR

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

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

Whereas, TOSA Apartments is a public water system with six service connections; **and**

Whereas, on June 26, 2020, Tompkins County Board of Health Resolution #EH-ENF-20-0016 ordered Tony Busse to, in part, pay a penalty of \$3,000 due August 15, 2020, comply with all requirements and corrective actions of Health Department Boil Water Orders, submit an engineering report from a licensed professional engineer due August 15, 2020, maintain acceptable free chlorine residuals at all times, submit completed monthly operation reports of daily free chlorine residual readings by the 10th day of the following month, and meet all requirements of Subpart 5-1 of NYSSC; **and**

Whereas, as of November 25, 2020, the penalty payment in the amount of \$3,000 has not been received by the Tompkins County Health Department (TCHD); **and**

Whereas, on September 29, 2020, an engineering report from a licensed professional engineer was submitted; evaluating water use, the well yield following well rehabilitation by a water well professional, and the appropriateness of the water treatment design following well rehabilitation; **and**

Whereas, as of November 25, 2020, monthly operating reports for June, August, September and October 2020 have not been received; **and**

Whereas, as of November 25, 2020, a copy of the 3rd quarter bacteriological result has not been received, **and**

Whereas, TOSA Apartments failed to comply with all requirements and corrective actions of Health Department Boil Water Orders (BWO), as bacteriological sampling required for release of the BWO issued April 23, 2020, has not been received; **and**

Whereas, as of November 25, 2020, the designated water system operator has failed to respond to the TCHD despite multiple attempts to contact the operator to discuss the ongoing BWO, **and**

Whereas, TOSA Apartments has addressed its water system's operational deficiencies but monitoring, reporting and communication with the Health Department concerns continue to persist; **now therefore be it**

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

1. Pay a penalty of \$1,000 for previous violations, reduced from \$3,000 for the well rehabilitation and engineering work and only if all the following orders are met, **due by December 15, 2020; and**
2. Pay an additional penalty of \$2,000 if orders 3-5 are not met, **due by January 15, 2021, if applicable; and**
3. Comply with all requirements and corrective actions of Health Department Boil Water Orders, including providing copies of BWO release sampling (two acceptable bacteriological samples taken 24 hours apart) **by December 15, 2020; and**
4. **By December 15, 2020**, submit completed monthly operating reports for June, August, September and October 2020; **and**
5. **By December 15, 2020**, provide to the Health Department the contact information for a designated water operator that must respond to Health Department inquiries within 24 hours; **and**
6. Maintain acceptable free chlorine residuals **at all times** in the TOSA Apartments' Water Treatment System. The free chlorine residual in the water disinfection system must be at least 0.2 milligrams per liter (mg/l) and not more than 4.0 mg/l; **and**
7. Submit total coliform sample results for TOSA Apartments each quarter of operation **by the 10th day of the following month; and**
8. Submit completed monthly operation reports signed by a certified water treatment operator or qualified water treatment specialist for TOSA Apartments of daily free chlorine residual readings **by the 10th day of the following month; and**
9. Collect the annual nitrate sample within the calendar year and submit the sample result to TCHD no later than the 15th of the following January; **and**
10. Comply with all the requirements of Subpart 5-1 of the NYSSC.

This action was adopted by the Tompkins County Board of Health at its regular meeting on December 8, 2020.



Frank Kruppa
Public Health Director

12/8/2020

Date



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

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

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

Date: May 12, 2022
Memo to: Members of the Tompkins County Board of Health
From: Skip Parr, Senior Environmental Health Specialist *S.P.*

Subject: Recommended Environmental Health Division Fees for 2023

The information in this packet addresses our proposed facility operating and plan review fees and other revenue projections for 2023. Considering that Division operations continued to be impacted by COVID response in 2021, we are recommending that the 2023 fees remain the same as our 2022 fees with three exceptions.

First, we are proposing a fee for the addition of Vending of Food & Beverages units. In 2021, we had an existing food service establishment put into service two food vending machines that required to be permitted and inspected under Subpart 14-5 of New York State Sanitary Code. We are proposing a fee of \$85 per vending unit, which is the same fee as the addition of a mobile unit to cover inspection and permit issuance costs.

Secondly, we are proposing an increase of the mass gathering operating permit fee (existing event) from \$2,000 to \$3,100. To increase the efficiency and effectiveness of performing inspections at the Finger Lakes GrassRoots Festival in 2022, golf carts will be rented by the Health Department for use by inspectors. It is our intention to recover the cost of the golf cart rentals through the operating permit fee.

Lastly, we are proposing a permit renewal fee for OWTS Enhanced Treatment Units (ETUs). A policy for the use of ETUs was approved by the Board on October 23, 2018. ETUs require regular maintenance and a service contract to ensure proper functioning. To better track this, we are proposing a permit renewal fee of \$50, which is the same as a holding tank permit renewal.

The financial information used to prepare the attached tables is based on 2021 information. Based on the proposed fees, the sources of estimated revenue for 2023 are:

Estimated Revenue:	
Operating/permit fees	\$343,086
Plan review/other fees	\$21,410
<u>Fines/penalties/late fees/other</u>	<u>\$22,350</u>
Subtotal*:	\$386,846
<u>Less credit card processing cost</u>	<u>\$3,232</u>

Total Estimated EH Revenue*: **\$383,614**

* Does not include revenue from grants and State Aid.

The following information is attached for your review:

- Table 1. Proposed Environmental Health Fee Schedule 2023 – Operating and Other Fees
- Table 2. Proposed Operating or Permit Fees Detail Sheet 2023
- Table 3. Proposed Plan Review Fees Detail Sheet 2023
- Table 4. Estimated Revenue from Other Fee



ENVIRONMENTAL HEALTH DIVISION

55 Brown Road, Ithaca, NY 14850
 Ph: (607) 274-6688; Fx: (607) 274-6695
 On-line Services - <https://permits.tompkins-co.org/CitizenAccess/>

Draft for BOH Review May 2022
 Effective January 1, 2023

Table 1 - 2023 Proposed Environmental Health Fee Schedule

2023 OPERATING PERMIT, PLAN REVIEW, AND OTHER FEES	
Agricultural Fairground Operating Permit	\$400 <input type="checkbox"/>
Campground Operating Permit \$150 plus \$2.75 per unit/site	<input type="checkbox"/>
Campground Plan Review	\$200 <input type="checkbox"/>
Children's Camp Operating Permit	\$200 <input type="checkbox"/>
Mass Gathering Operating Permit New Event Per Day*	\$4,100 <input type="checkbox"/>
Existing Event*	\$3,100 <input type="checkbox"/>
Mass Gathering Plan Review New Event	\$12,000 <input type="checkbox"/>
Existing Event	\$5,000 <input type="checkbox"/>
Migrant Farmworker Housing Operating Permit	No Fee <input type="checkbox"/>
Mobile Home Park Operating Permit \$150 plus \$3.50 per unit/lot	<input type="checkbox"/>
Mobile Home Park Plan Review \$460 plus \$30 per unit/lot	<input type="checkbox"/>
Recreational Aquatic Facility Operating Permit Swimming Pool/Bathing Beach	\$335 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility	\$360 <input type="checkbox"/>
Recreational Aquatic Facility Plan Review Swimming Pool/Bathing Beach/Other Aquatic Facility Up to 5,000 square feet	\$360 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility Over 5,000 square feet	\$770 <input type="checkbox"/>
Temporary Residence Operating Permit \$175 plus \$3.50 per unit/site	<input type="checkbox"/>
Food Service Establishment Operating Permit High Risk	\$450 <input type="checkbox"/>
Medium Risk	\$375 <input type="checkbox"/>
Low Risk	\$210 <input type="checkbox"/>
Additional Mobile Unit or Vending Machine	\$85 <input type="checkbox"/>
Food Service Establishment Plan Review High & Medium Risk	\$210 <input type="checkbox"/>
Low Risk	\$150 <input type="checkbox"/>
Push Cart	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Simple Menu 1 Day Event	\$65 <input type="checkbox"/>
Multiple Events; Consecutive or Non-Consecutive Days <i>(up to 8 days in 120 days)</i>	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Complex Menu 1 Day or Multiple Days; Single Event	\$150 <input type="checkbox"/>
Late Application - Received less than 2 weeks before eve Additional Expedited Permit Processing Fee - 3 days or less	\$25 <input type="checkbox"/>
	\$25 <input type="checkbox"/>
OTHER FEES	
Late Application/Water Fee <i>(May be waived at TCHD discretion)</i>	\$75 <input type="checkbox"/>
Additional Expedited Permit Processing Fee - 7 days or less <i>(May be waived at TCHD discretion)</i>	\$50 <input type="checkbox"/>
Waiver/Variance Request <i>(Requiring Board of Health Action)</i>	\$75 <input type="checkbox"/>
Waiver from NYS Appendix 75-A <i>(Unless due to TCHD Referral)</i>	\$75 <input type="checkbox"/>
Copies <i>(Cost per page)</i>	\$0.25 <input type="checkbox"/>
Refund Request <i>(within 6 months of receipt)</i>	\$25 <input type="checkbox"/>
Environmental Impact Statement Review <i>(Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)</i>	<input type="checkbox"/>
TOTAL FEES - PAGE 1	<input type="checkbox"/>
TOTAL FEES - PAGE 2	<input type="checkbox"/>
TOTAL FEES DUE - PAGE 1 & 2	<input type="checkbox"/>

Preparer/Date: _____
 pc: Support Staff

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



ENVIRONMENTAL HEALTH DIVISION

55 Brown Road, Ithaca, NY 14850

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

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

Draft for BOH Review May 2022

Effective January 1, 2023

Table 1 - 2023 Proposed Environmental Health Fee Schedule

2023 WATER SYSTEM OPERATING, ON-SITE WASTEWATER TREATMENT, AND DEVELOPMENT FEES	
On-Site Wastewater Treatment System (OWTS) Construction Permit	
New Construction/Conversion	\$425 <input type="checkbox"/>
w/ Engineer Plans; no Site Evaluation	\$250 <input type="checkbox"/>
Replacement System	\$335 <input type="checkbox"/>
w/ Engineer Plans; no Site Evaluation or TCHD Referral	\$175 <input type="checkbox"/>
Septic Tank/Pump Chamber Replacement	\$105 <input type="checkbox"/>
**Holding Tank or ETU Permit Renewal	\$50 <input type="checkbox"/>
OWTS Permit/Application Renewal or Transfer	
**Permit Renewal (may be renewed 1x prior to expiration)	\$80 <input type="checkbox"/>
Permit Transfer (prior to expiration)	\$80 <input type="checkbox"/>
Application Renewal (may be renewed 1x prior to expiration)	\$80 <input type="checkbox"/>
Application Transfer (prior to expiration)	\$80 <input type="checkbox"/>
OWTS Plan Review by Design Professional	
0 – 499 gpd design rate	\$190 <input type="checkbox"/>
500 – 999 gpd design rate	\$230 <input type="checkbox"/>
1,000 – 1,999 gpd design rate	\$340 <input type="checkbox"/>
2,000+ gpd design rate	\$540 <input type="checkbox"/>
Other OWTS Modifications/Multiple Submissions	\$160 <input type="checkbox"/>
Holding Tank Initial Permit & Plan Review	\$160 <input type="checkbox"/>
Collector Sewer - 6" and larger (DEC & Health Dept Projects)	
< 5,000'	\$150 <input type="checkbox"/>
≥ 5,000'	\$250 <input type="checkbox"/>
Preliminary Development Review (where soil testing is required)	\$400 <input type="checkbox"/>
<i>(Preliminary Development fees are applied to the Realty Subdivision fee upon full plan submittal when submitted within 12 months)</i>	
Realty Subdivision Development Review	\$800 <input type="checkbox"/>
Plus \$12.50 per lot NYS filing fee	<input type="checkbox"/>
Add \$35 per lot with individual water	<input type="checkbox"/>
Add \$55 per lot with individual sewage	<input type="checkbox"/>
<i>(Subtract Preliminary Development fees paid)</i>	<input type="checkbox"/>
Realty Subdivision Approval Renewal	\$200 <input type="checkbox"/>
Other Engineering Review (May be waived at TCHD discretion)	\$160 <input type="checkbox"/>
TOTAL FEES - PAGE 2	
Water System Operating Fee	
Community Water System (with sources)	
Groundwater System	\$200 <input type="checkbox"/>
Surface Water System	\$1,800 <input type="checkbox"/>
Non-Community Water System (with sources)	\$105 <input type="checkbox"/>
Bottled/Bulk Haulers, Ice Plants	\$360 <input type="checkbox"/>
Water System Construction Permit and Plan Review	
Community Water System (Part 5, NYSSC) < 100,000 gpd	\$450 <input type="checkbox"/>
Community Water System (Part 5, NYSSC) ≥ 100,000 gpd	\$1,000 <input type="checkbox"/>
Non-Community Public Water System	\$210 <input type="checkbox"/>
Distribution Water Main - 6" or larger	
< 5,000'	\$300 <input type="checkbox"/>
≥ 5,000'	\$400 <input type="checkbox"/>
Cross-Connection Control	
\$200 plus \$50/device	<input type="checkbox"/>
Water Storage Tank > 500,000 gal	
	\$500 <input type="checkbox"/>
Other Water System Modification	
<i>(May be waived at TCHD discretion)</i>	\$160 <input type="checkbox"/>
<u>OTHER FEES</u>	
Late Application/Water Fee (May be waived at TCHD discretion)	\$75 <input type="checkbox"/>
Additional Expedited Permit Processing Fee - 7 days or less	\$50 <input type="checkbox"/>
<i>(May be waived at TCHD discretion)</i>	
Waiver/Variance Request (Requiring Board of Health Action)	\$75 <input type="checkbox"/>
Waiver from NYS Appendix 75-A (Unless due to TCHD Referral)	\$75 <input type="checkbox"/>
Copies (Cost per page)	\$0.25 <input type="checkbox"/>
Refund Request (within 6 months of receipt)	\$25 <input type="checkbox"/>
Environmental Impact Statement Review	<input type="checkbox"/>
<i>(Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)</i>	

Notes:

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

Preparer/Date: _____
 pc: Support Staff

Draft for BOH Review - May 2022

Table 2 - Environmental Health Division
Proposed Operating or Permit Fees Detail Sheet 2023

PROGRAM	FEES			# FACILITIES				STAFF TIME (days)		COST PER FACILITY			PROGRAM COST		REVENUE		REVENUE / PROGRAM COST	
	2023 PROPOSED	2022 FINAL	2021 FINAL	2023-EST TOTAL	2023-EST INVOICED	2021 TOTAL	2021 INVOICED	2023 ESTIMATE	2021 FINAL	2023-EST TOTAL	2023-EST INVOICED	2021 FINAL	2023 ESTIMATE	2021 FINAL	2023 ESTIMATE	2021 FINAL	2023 ESTIMATE	2021 FINAL
FOOD SERVICE ESTABLISHMENTS (FSE)				560	485	560	480	549	548	\$611	\$706	\$712	\$342,212	\$341,808	\$173,225	\$171,050	0.51	0.50
High Risk	\$450	\$450	\$450	175	160	176	156	277	278	\$985	\$1,078	\$1,112	\$172,411	\$173,396	\$72,000	\$70,200	0.42	0.40
Medium Risk	\$375	\$375	\$375	260	215	258	214	226	224	\$541	\$654	\$652	\$140,668	\$139,586	\$80,625	\$80,250	0.57	0.57
Low Risk	\$210	\$210	\$210	95	90	94	90	47	46	\$307	\$324	\$320	\$29,133	\$28,826	\$18,900	\$18,900	0.65	0.66
Additional Mobile Unit/Push Cart/Vending Machine	\$85	\$85	\$85	30	20	32	20								\$1,700	\$1,700		
TEMPORARY FOOD SERVICE				110	40	105	41	62	59	350.50653	\$964	\$898	\$38,556	\$36,803	\$4,850	\$4,975	0.13	0.14
Simple Menu 1 Day Event	\$65	\$65	\$65	60	15	58	15	34	33	\$351	\$1,402	\$1,355	\$21,030	\$20,329	\$975	\$975	0.05	0.05
Simple Menu Multiple Events	\$100	\$100	\$100	50	25	47	26	28	26	\$351	\$701	\$634	\$17,525	\$16,474	\$2,500	\$2,600	0.14	0.16
Complex Menu Single Event	\$150	\$150	\$150	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0	\$0		
Late Application < 2 weeks, > 3 days	\$25	\$25	\$25	40	40	28	42								\$1,000	\$1,050		
Late Application 3 days or <	\$25	\$25	\$25	15	15	13	14								\$375	\$350		
TEMPORARY RESIDENCE	\$175	\$175	\$175	34	34	34	37	59	59	\$1,080	\$1,080	\$992	\$36,710	\$36,710	\$13,738	\$14,515	0.37	0.40
Per unit/site	\$3.50	\$3.50	\$3.50	2,225	2,225	2,223	2,297								\$7,788	\$8,040		
CAMPGROUNDS	\$150	\$150	\$150	12	12	10	11	54	45	\$2,792	\$2,792	\$2,538	\$33,502	\$27,918	\$4,536	\$4,026	0.14	0.14
Per unit/site	\$2.75	\$2.75	\$2.75	995	995	800	864								\$2,736	\$2,376		
MOBILE HOME PARKS	\$150	\$150	\$150	39	39	39	40	38	38	\$599	\$599	\$584	\$23,375	\$23,375	\$12,892	\$13,413	0.55	0.57
Per unit/lot	\$3.50	\$3.50	\$3.50	2,012	2,012	2,012	2,118								\$7,042	\$7,413		
AGRICULTURAL FAIRGROUND	\$400	\$400	\$400	1	1	1	1	8	8	\$4,875	\$4,875	4875.3316	\$4,875	\$4,875	\$400	\$400	0.08	0.08
MASS GATHERING (NEW)	\$4,100	\$4,100	\$4,100	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
MASS GATHERING (EXISTING)	\$3,100	\$2,000	\$2,000	1	1	1	1	31	31	\$19,225	\$19,225	\$19,225	\$19,225	\$19,225	\$3,100	\$0	0.16	0.00
CHILDREN'S CAMPS	\$200	\$200	\$200	30	5	23	5	146	112	\$3,032	\$18,195	\$13,949	\$90,973	\$69,746	\$1,000	\$1,000	0.01	0.01
SWIMMING POOLS/BATHING BEACHES	\$335	\$335	\$335	56	55	38	55	115	78	\$1,277	\$1,300	\$882	\$71,522	\$48,532	\$18,425	\$18,425	0.26	0.38
PUBLIC WATER SYSTEMS				148	148	148	149	490	477	\$1,146	\$1,146	\$1,085	\$169,612	\$161,616	\$28,795	\$28,805	0.17	0.18
Community Groundwater System	\$200	\$200	\$200	86	86	86	85	400	394	\$1,596	\$1,596	\$1,569	\$137,288	\$133,325	\$17,200	\$17,000	0.13	0.13
Community Surface Water System	\$1,800	\$1,800	\$1,800	3	3	3	3	15	11	\$2,046	\$2,046	\$1,274	\$6,138	\$3,822	\$5,400	\$5,400	0.88	1.41
Non-Community Water System	\$105	\$105	\$105	59	59	59	61	75	72	\$444	\$444	\$401	\$26,187	\$24,469	\$6,195	\$6,405	0.24	0.26
ON-SITE WASTEWATER SYSTEMS (OWTS)				235	235	232	239	959	967	\$2,544	\$2,544	\$2,523	\$597,858	\$603,057	\$82,125	\$84,190	0.14	0.14
New Construction/Conversion	\$425	\$425	\$425	90	90	87	90	375	363	\$2,599	\$2,599	\$2,513	\$233,944	\$226,146	\$38,250	\$38,250	0.16	0.17
New/Conv App w/ Plans; no Site Evaluation	\$250	\$250	\$250	20	20	20	21	83	83	\$2,599	\$2,599	\$2,476	\$51,988	\$51,988	\$5,000	\$5,250	0.10	0.10
Replacement System	\$335	\$335	\$335	100	100	109	111	417	455	\$2,599	\$2,599	\$2,553	\$259,938	\$283,333	\$33,500	\$37,185	0.13	0.13
Replacement App w/ Plans; no Site Evaluation	\$175	\$175	\$175	10	10	6	6	42	25	\$2,599	\$2,599	\$2,599	\$25,994	\$15,596	\$1,750	\$1,050	0.07	0.07
or TCHD referral	\$175	\$175	\$175	5	5	na	na	na	na	na	na	na	na	na	\$875	na		
Septic Tank/Pump Chamber Replacement	\$105	\$105	\$105	10	10	10	11	42	42	\$2,599	\$2,599	\$2,363	\$25,994	\$25,994	\$1,050	\$1,155	0.04	0.04
Holding Tank or ETU Permit Renewal	\$50	\$50	\$50	10	10	3	2								\$500	\$100		
Applications/Permit Transfer/Renewal	\$80	\$80	\$80	15	15	15	15								\$1,200	\$1,200		
OPERATING PERMITS													\$1,428,419	\$1,373,666	\$343,086	\$340,799	0.24	0.25
PLAN REVIEWS															\$21,410	\$16,490		
OTHER REVENUE															\$22,350	\$14,822		
TOTAL OPERATING, PERMIT, PLAN REVIEW AND OTHER FEES														\$1,930,595	\$386,846	\$372,110	0.20	0.19
ESTIMATED OFFICIAL PAYMENTS CREDIT CARD PROCESSING COST														\$3,232	\$2,968			
TOTAL ALL ENVIRONMENTAL HEALTH PROGRAM FEES														\$383,614	\$369,142	0.20	0.19	

NOTES:

2021 EH Annual Cost & Staff Time	\$2,033,178.00	3261.8	Staff Cost =	\$623.33	per day	\$89.05	per hr
2020 EH Annual Cost & Staff Time	\$1,930,595.00	3279.2	Staff Cost =	\$588.74	per day	\$84.11	per hr
2019 EH Annual Cost & Staff Time	\$1,930,595.00	3279.2	Staff Cost =	\$588.74	per day	\$84.11	per hr
2018 EH Annual Cost & Staff Time	\$1,791,519.00	3238.4	Staff Cost =	\$553.22	per day	\$79.03	per hr
2017 EH Annual Cost & Staff Time	\$1,739,419.00	3312.2	Staff Cost =	\$525.16	per day	\$75.02	per hr
2016 EH Annual Cost & Staff Time	\$1,596,354.00	3225.5	Staff Cost =	\$494.92	per day	\$70.70	per hr

PWS - Surface Water Staff Time is calculated by facility only. This is an underestimate of the total program costs.

2021 Revenue Submitted through Official Payments \$114,643.00 34% of total revenue

\$14,472

Draft for BOH Review - May 2022
Table 3 - Environmental Health Division
Proposed Plan Review Fees Detail Sheet 2023

PROGRAM	FEES			# PLANS			LAST YEAR PLANS REVIEWED	TOTAL PROGRAM HOURS 2021	ESTIMATED HOURS PER PLAN	COST PER PLAN REVIEW	PROGRAM COST		REVENUE		REVENUE / PROGRAM COST
	2023 PROPOSED	2022 FINAL	2021 FINAL	2023-EST INVOICED	2021 APPROVED	2021 INVOICED					2023 ESTIMATE	2023 Final	2023 ESTIMATE	2021 FINAL	
PUBLIC WATER SYSTEMS								86.0			\$7,302	\$6,812	\$6,070	\$5,690	0.83
Community Water System Facility < 100,000 gpd	\$450	\$450	\$450	1	1	1	2021		8.0	\$712	\$712	\$712	\$450	\$450	
Community Water System Facility ≥ 100,000 gpd	\$1,000	\$1,000	\$1,000	0	0	0	na		20.0	\$1,781	\$0	\$0	\$0	\$0	
Water Main Ext < 5,000'	\$300	\$300	\$300	5	5	4	2021		4.0	\$356	\$1,781	\$1,781	\$1,500	\$1,200	0.84
≥ 5,000'	\$400	\$400	\$400	0	0	0	2018		6.0	\$534	\$0	\$0	\$0	\$0	
Cross-Connection Control	\$200	\$200	\$200	10	7	8	2021		3.5	\$312	\$3,117	\$2,182	\$2,000	\$1,600	0.64
Add per device	\$50	\$50	\$50	15		14	2021						\$750	\$700	
Non-Community Water System	\$210	\$210	\$210	5	6	6	2021		3.0	\$267	\$1,336	\$1,603	\$1,050	\$1,260	0.79
Water Storage Tank	\$500	\$500	\$500	0	0	0	2018		8.0	\$712	\$0	\$0	\$0	\$0	
Other Water System Modification	\$160	\$160	\$160	2	3	3	2021		2.0	\$178	\$356	\$534	\$320	\$480	0.90
FOOD SERVICE ESTABLISHMENTS											\$3,562	\$3,918	\$2,850	\$3,060	0.80
High and Medium Risk	\$210	\$210	\$210	10	12	11	2021	25.0	3.0	\$267	\$2,671	\$3,206	\$2,100	\$2,310	0.79
Low Risk	\$150	\$150	\$150	5	4	5	2021	7.0	2.0	\$178	\$890	\$712	\$750	\$750	0.84
Push Cart Medium/Low Risk	\$100	\$100	\$100	0	0	0	2015	0.0	1.0	\$89	\$0	\$0	\$0	\$0	
MOBILE HOME PARKS	\$460	\$460	\$460	0	0	0	2007	0.0			\$0	\$0	\$0	\$0	
Add per unit/lot	\$30	\$30	\$30	0	0	0	2007	0.0			\$0	\$0	\$0	\$0	
CAMPGROUNDS	\$200	\$200	\$200	2	1	1	2021	2.0	3.0	\$267	\$534	\$267	\$400	\$200	0.75
SWIMMING POOLS/BATHING BEACHES	\$360	\$360	\$360	0	0	0	2019	0.0	6.0	\$534	\$0	\$0	\$0	\$0	
Swimming Pools > 5,000 sf	\$770	\$770	\$770	0	0	0	2008	0.0	12.0	\$1,069	\$0	\$0	\$0	\$0	
MASS GATHERING (NEW)	\$12,000	\$12,000	\$12,000	0	0	0	na	0.0	800.0	\$71,238	\$0	\$0	\$0	\$0	
MASS GATHERING (EXISTING)	\$5,000	\$5,000	\$5,000	1	0	0	2019	0.0	738.0	\$65,713	\$65,713	\$0	\$5,000	\$0	0.08
ON-SITE WASTEWATER TREATMENT SYSTEMS								87.5			\$12,021	\$13,446	\$6,770	\$7,540	0.56
0 - 499 gpd Design Rate	\$190	\$190	\$190	20	18	18	2021		4.0	\$356	\$7,123.77	\$6,411	\$3,800	\$3,420	0.53
500 - 999gpd Design Rate	\$230	\$230	\$230	5	6	6	2021		5.0	\$445	\$2,226	\$2,671	\$1,150	\$1,380	0.52
1,000 - 1,999 gpd Design Rate	\$340	\$340	\$340	1	0	0	2021		6.0	\$534	\$534	\$0	\$340	\$0	0.64
2,000+ gpd Design Rate	\$540	\$540	\$540	1	3	3	2021		10.0	\$890	\$890	\$2,671	\$540	\$1,620	0.61
Other OWTS Modificatons/Multiple Submissions	\$160	\$160	\$160	2	2	2	na		2.0	\$178	\$356	\$356	\$320	\$320	
Holding Tank Plan Review & Initial Permit	\$160	\$160	\$160	2	5	5	2021		3.0	\$267	\$534	\$1,336	\$320	\$800	0.60
Collector Sewer < 5,000'	\$150	\$150	\$150	2	0	0	2020		2.0	\$178	\$356	\$0	\$300	\$0	
≥ 5,000'	\$250	\$250	\$250	0	0	0	na						\$0	\$0	
REALTY SUBDIVISION TOTAL								6.0			\$0	\$0	\$0	\$0	
REALTY SUBDIVISIONS *	\$800	\$800	\$800	0	0	0	2020		5.0	\$445	\$0	\$0	\$0	\$0	
Add per lot NYS filing fee	\$12.50	\$12.50	\$12.50	0	0	0	2020						\$0	\$0	
with Individual Water	\$35	\$35	\$35	0	0	0	2018		1.0	\$89	\$0	\$0	\$0	\$0	
with Individual OWTS	\$55	\$55	\$55	0	0	0	2018		1.0	\$89	\$0	\$0	\$0	\$0	
Subdivision Renewal	\$200	\$200	\$200	0	0	0	2020		2.0	\$178	\$0	\$0	\$0	\$0	
Preliminary Development Review	\$400	\$400	\$400	0	0	0	2014		5.0	\$445	\$0	\$0	\$0	\$0	
Add per lot	n/a	n/a	n/a	0	0	0	2014		1.0	\$89	\$0	\$0	\$0	\$0	
OTHER PLAN REVIEW	\$160	\$160	\$160	2	0	0	2020		2.0	\$178	\$356	\$0	\$320	\$0	0.90
TOTAL PLAN REVIEW FEES											\$89,489	\$24,443	\$21,410	\$16,490	0.24

NOTES:

2021 EH Annual Cost & Staff Time	\$2,033,178.00	3261.8	Staff Cost =	\$623.33	per day	\$89.05	per hr
2020 EH Annual Cost & Staff Time	\$1,930,595.00	3279.2	Staff Cost =	\$588.74	per day	\$84.11	per hr
2019 EH Annual Cost & Staff Time	\$1,930,595.00	3279.2	Staff Cost =	\$588.74	per day	\$84.11	per hr
2018 EH Annual Cost & Staff Time	\$1,791,519.00	3238.4	Staff Cost =	\$553.22	per day	\$79.03	per hr
2017 EH Annual Cost & Staff Time	\$1,739,419.00	3312.2	Staff Cost =	\$525.16	per day	\$75.02	per hr
2016 EH Annual Cost & Staff Time	\$1,596,354.00	3225.5	Staff Cost =	\$494.92	per day	\$70.70	per hr

Hours per plan are estimated - actual time for each submittal varies significantly.

\$4,920

Draft for BOH Review - May 2022

Table 4 - Environmental Health Division Other Fees

Other Fees	2023 Proposed	5 Year Average	2021	2020	2019	2018	2017
Copies	\$0.00	\$0.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.50
Late Fees	\$4,500.00	\$4,699.00	\$3,950.00	\$3,550.00	\$5,250.00	\$5,800.00	\$4,945.00
*Expedited Permit 7 days or less	\$1,000.00	\$460.00	\$800.00	\$700.00	\$800.00	NA	NA
Penalties/Fines	\$15,000.00	\$20,580.00	\$8,000.00	\$10,500.00	\$36,333.00	\$31,517.00	\$16,550.00
Rabies Donations	\$1,600.00	\$1,548.99	\$1,821.75	\$1,847.00	\$1,281.16	\$1,287.00	\$1,508.03
Refunds Request	\$100.00	\$100.00	\$100.00	\$100.00	\$150.00	\$125.00	\$25.00
Waivers	\$150.00	\$210.00	\$150.00	\$225.00	\$150.00	\$75.00	\$450.00
**Waiver from NYS Appendix 75-A (OWTS)	\$0.00	\$0.00	\$0.00	\$0.00	NA	NA	NA
Total Other Fees	\$22,350.00	\$27,598.09	\$14,821.75	\$16,922.00	\$43,964.16	\$38,804.00	\$23,478.53

Notes:

- Late Application \$75 *Est. 10-15 per quarter*
- *Expedited Permit 7 days or less - May be waived at TCHD discretion \$50 *Est. 3-5 per quarter*
- **Waiver from NYS Appendix 75-A OWTS (Est. 5 or less per year) \$75

Division for Community Health
Utilization of Video Observed Therapy (VOT) for DOT (Directly Observed Therapy)

Policy

Patients who have Tuberculosis Disease are required to be observed taking their medications on a daily basis per CDC guidelines. Certain patients have difficulties meeting with a TB worker/nurse on a daily basis but could utilize video observed therapy (VOT) for the TB program to observe the patient taking their medication. This can include the patient recording themselves taking their medication and submitting the video to the TB control staff. A patient who is receiving VOT visits shall have once a week in-person visits for quality control. There may be circumstances which prevent a weekly in-person visit for a patient receiving VOT. In these cases a supervisor should be consulted.

Procedure

1. The Tompkins County Health Department (TCHD) TB control staff (TB medical director, senior community health nurse, community health nurse, community health worker) will assess the patient and their home conditions for suitability for VOT usage.

Conditions for **inclusion** in VOT include:

- Stabilized on treatment for at least 2 weeks and noninfectious
- Motivated patient (as determined by case manager)
- Demonstrated adherence to treatment
- English speaking or ability to effectively communicate with the health care worker
- Drug-susceptible disease
- Converted sputum smear and culture to negative
- No current alcohol or drug use
- TB medical director accepts the VOT approach
- Proficiency in using a smartphone or other technology
- Able to accurately identify each medication

Conditions for **exclusion** in VOT include:

- Infectious patients
- Adherence issues
- Language barriers
- Drug resistance
- Minors without accompanying adult

- Immunocompromised
 - Patient experiences adverse reactions
 - Patients at risk for hepatic complications while receiving anti-TB medications
 - Patients with disabilities that prevent full participation in eDOT such as hearing or vision disabilities, or physically challenged
2. All TCHD TB control staff will receive VOT training program that includes reviewing patient's privacy and confidentiality, instructions on how to set up VOT on the internet, TCHD policies related to VOT and a consent form.
 3. If the patient appears to be appropriate for VOT, TCHD staff will discuss VOT usage with the patient, informing the patient of the following:
 1. The patient will not be viewed through VOT without their prior knowledge.
 2. The video used for VOT will be viewed only by trained TCHD CHS staff. TCHD employees will have received training in the use of VOT as well as confidentiality law training. The method of transfer and storage of these videos conform to the rules set up by HIPAA regulations.
 3. Patient must agree to comply with all prompts and instructions from the TB nurse regarding video and audio documentation of compliance with medication therapy and delivery. They must also agree to weekly in-person visits.
 4. If the patient agrees:
 1. Determine that the patient has the appropriate equipment (computer with internet access, microphone/speaker and web cam or personal smart phone).
 2. Obtain consent: a copy of the signed consent and TCHD policies for VOT will be provided to the patient. All active cases receiving VOT will be asked to sign a VOT agreement at the beginning of therapy, in case of need to utilize VOT.
 3. The patient will be provided with training on how to use VOT, microphone/speaker and web cam or will utilize their own smart phone.
 4. Inform patient that once a week, a TCHD TB control staff worker will come to their home to review their medications, observe him/her setting up their medications and monitor patient for side effects. If patient is out of town for longer than a week exceptions to this can be made.
 5. If VOT will be performed in the patient's work environment, the assurance of confidentiality and privacy must be guaranteed.
 6. During online VOT, three-way connections will not be acceptable to assure patient confidentiality.
 5. Following the training, the patient must demonstrate ability to use and maintain the equipment (computer, microphone/speaker, and web cam).
 6. A simulated VOT visit will be conducted with a TB control staff present in the home/workplace.

7. Inform the patient that VOT will be discontinued, and DOT reinstated if any of the following situations arise:
 1. The patient reports adverse side effects (may resume once side effects are addressed).
 2. The patient's clinical situation worsens.
 3. There is a technical failure.
 4. A suitable interpreter, as needed, is not available.
 5. The patient fails to comply with VOT to the satisfaction of TCHD.
8. Each VOT visit or unsuccessful visit will be documented in the patient's record. The TCHD staff will question the patient daily about the presence of side effects; the patient response will also be documented in the patient's electronic clinical record.
9. If necessary, a pre-recorded video can be utilized as long as the date of the VOT can be verified. This verification will occur using a calendar provided by Tompkins County or the lock screen date and time on another phone.
10. The Information Security Compliance Officer for Tompkins County is the main contact for training and ongoing use of VOT. This person will train staff and patients in how to use VOT and ensure security/compliance in its use. This person may be contacted via the Information Technology Help Desk (607-274-5417).

William Klepack, MD
TCHD Medical Director
NYS license# 126544-1

Date

Douglas MacQueen, MD
TCHD Consulting TB Physician
NYS license#

Date

References

- Implementing an Electronic Directly Observed Therapy (eDOT) Program: A Toolkit for Tuberculosis (CDC): <https://www.cdc.gov/tb/publications/guidestoolkits/tbedottoolkit.htm>

- VOT policy and consent from Erie County DOH—used as sample/guide for TCHD policy

Attachments

- Attachment A: consent for Video Observed Therapy

Original: 4/14/22 RB

**Attachment A: Utilization of Video Observed Therapy (VOT) for Directly Observed Therapy (DOT)
Consent Form and Agreement for Video Observed Therapy (VOT)
Tompkins County Health Department
TB Control Program**

Patient Name: _____ DOB: _____

Address: _____

Patient Initials

_____ I am aware that I am taking a course of medication for tuberculosis disease. The Tompkins County Health Department (TCHD) TB Control Staff provides me with directly observed therapy (DOT), done in my home or other location.

_____ I have been offered the opportunity to do DOT using VOT utilizing free internet programs allowing users to make video calls. If I agree to this, I will be observed taking my TB medications using my home or work computer. I agree to allow the TCHD worker to watch me over a webcam (camera) taking my medicines at a prearranged time. Once a week, an TCHD worker will come to my home to review my medications and observe me set up my pillbox.

_____ During VOT, I will describe each pill and display each medication as needed. After that, I will swallow the pills in front of the webcam so that worker can see me on the screen. If I do not have privacy in the location where I am, I understand that I have been instructed not to show the medication bottles or say the name of the medications during this time. I understand that while on VOT with a TCHD staff, I will not allow another person to enter or interrupt.

_____ I agree that VOT will be discontinued and DOT will be reinstated if I develop any of the following:

- Unusual signs or symptoms or if my clinical situation worsens;
- I miss two consecutive VOT sessions or health provider appointments;
- I encounter a technical failure;
- An appropriate interpreter, as needed, is not available.

_____ I also understand that any problems I have with the medications may be followed up by a home visit by TCHD, an office visit, or a referral to my doctor as appropriate.

_____ I understand that someone from TCHD has assisted me with the set-up of VOT and provided training in how to use it.

_____ Following the training, a simulated VOT visit will be conducted with a TB Control staff present in my home/workplace to observe me conduct a VOT visit with another TB Control staff at TCHD. The intent of this simulated VOT visit is to watch me perform correctly and to verify acceptable resolution of the image received by TCHD.

_____ I have been informed that if at any time I decide the VOT visits are not acceptable to me, I may request to discontinue this procedure and resume home or work visits.

_____ During the time I am taking my medications, I will let the TCHD TB case manager know by telephone of any additional medications given to me by a health-care provider.

_____ I understand that when synchronous/real time VOT is not possible, I may request the option to record myself taking my medication and submitting the video to TCHD for a nurse to view at another time (asynchronous). I have been trained in how to do this and I feel comfortable doing this.

_____ **I acknowledge that I have been provided with a copy of this consent form and hereby authorize TCHD to provide this recommended observation of treatment.**

Patient Signature **Date**

TCHD Staff Signature **Date**

Witness **Date**