

NEW BUSINESS:

May 2026 Report | Meeting Date, June 23, 2026

Actions

Enforcement Actions

ENVIRONMENTAL HEALTH:

1. Draft Resolution # ENF-26-008 - C-Town Express - Violations of New York State Public Health Law, Article 13F, Section 1399-CC (ATUPA) (11 pp., 5 mins.)
2. Draft Resolution # ENF-26-009 - Yazy's Market/Chuck's Mobile, Violations of New York State Public Health Law, Article 13F, Section 1399-MM-1 (ATUPA) (10 pp., 5 mins.)
3. Draft Resolution # ENF-26-011 - Cayuga Smoke Shop - Violations of New York State Public Health Law, Article 13F, Section 1399-CC (ATUPA) (7 pp., 5 mins.)
4. Draft Resolution # ENF-26-014 - Casper's Kitchen - Violation of Board of Health Orders - Violations of Subpart 14-1 of the New York State Sanitary Code (Food Service) (14 pp., 5 mins.)
5. Draft Resolution # ENF-26-015 - Hotel Ithaca-FSE - Violations of Subpart 14-1 of the New York State Sanitary Code (Food Service) (8 pp., 5 mins.)
6. Draft Resolution # ENF-26-016 - Ithaca Estates MHP - Violation of Board of Health Orders - Article VI of the Tompkins County Sanitary Code (Sewage) (3 pp., 5 mins.)
7. Draft Resolution # ENF-2026-20 - Caribbean Patty World - Violations of Part 14-2 of the New York State Sanitary Code (Temporary Food Service) (8 pp., 5 mins.)
8. Draft Resolution # ENF-2026-23 – Asteri Ithaca Apartments - Violation of Board of Health Orders - Violations of New York Public Health Law, Section 1303 & Articles IV & V of the Tompkins County Sanitary Code - (25 pp., 5 mins.)
9. Draft Resolution # ENF-2026-26 – Bailey Park - Violation of Board of Health Orders - Violations of Subpart 5-1 & Part 17 of the New York State Sanitary Code (Mobile Home Park & Public Water) (7 pp, 5 mins.)

Find All Relevant Documents following this page

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 28, 2026

Musa Sharan
C-TOWN EXPRESS, LLC
210 Dryden Rd, Suite 1
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # ENF-26-008
Alleged Violations of Adolescent Tobacco Use Prevention Act (ATUPA) and Board of
Health Orders # EH-ENF-25-0008
C-TOWN EXPRESS, LLC – C-Ithaca**

Dear Musa Sharan:

Enclosed are the Hearing Officer's Findings of Fact and Recommendations from the May 14, 2026, hearing and a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**.

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 Doug Barnes at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution ENF-26-008, Resolution #EH-ENF-25-0008, Hearing Officer's Recommendations, Penalty Table, and Case Summary

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Doug Barnes, SR EH Specialist; Alex Dunn, EH Specialist; Brenda Coyle, Administrative Coordinator
fw: Tompkins County Board of Health (via: SharePoint); CEO, C-Ithaca; City of Ithaca Mayor; Adam Vinson, TC Legislator; Jennie Sutcliffe, TCWH Commissioner; Brenda Crosby, TCWH Deputy Public Health Director; Holly Mosher, TC Attorney
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DRAFT RESOLUTION # ENF-26-008

**C-TOWN EXPRESS
C-TOWN EXPRESS, LLC
210 Dryden Rd, Suite 1
Ithaca, NY 14850**

Whereas, businesses that hold a Certificate of Registration from New York State Department of Taxation and Finance (NYSDTF) for tobacco and/or vapor retail sales must comply with the regulations of Article 13-F of New York State Public Health Law (NYSPHL); **and**

Whereas, on April 15, 2025, Tompkins County Environmental Health (TCEH) cited C-TOWN EXPRESS for two ATUPA violations: one for the sale to a person under the age of 21 and one for the sale of a prohibited nicotine flavored vape; **and**

Whereas, C-TOWN EXPRESS signed a Stipulation Agreement on June 18, 2025, agreeing that C-TOWN EXPRESS was in violation of NYSPHL Article 13-F, Sections 1399-CC and 1399-MM-1; **and**

Whereas, on July 25, 2025, the Tompkins County Board of Health adopted Resolution # EH-ENF-25-0008, ordering C-TOWN EXPRESS, LLC to prohibit the sale of tobacco and vapor products to people under the age of 21 and to prohibit the sale or other provision of prohibited nicotine flavored vapor products to anyone; **and**

Whereas, Resolution # EH-ENF-25-0008 notified C-TOWN EXPRESS, LLC that four or more ATUPA violations cited within a three-year period will result in a referral to NYSDTF for revocation of the tobacco and/or vapor registration for a one-year period, and if a lottery agent, its lottery license to be suspended and/or revoked for a one-year period; **and**

Whereas, Article 13-F, Section 1399-CC of NYSPHL prohibits the storage and display of age-restricted tobacco and/or vapor products in a way that is directly accessible to the public; **and**

Whereas, on February 2, 2026, TCEH observed age-restricted tobacco products on a display shelf that was directly accessible to the public at C-TOWN EXPRESS, during which time education was provided to the operator regarding the requirements under ATUPA law; **and**

Whereas, on February 11, 2026, TCEH observed age-restricted tobacco products on a display shelf that was directly accessible to the public at C-TOWN EXPRESS; **and**

Whereas, a hearing was held on May 14, 2026, and the hearing officer concluded that C-TOWN EXPRESS, LLC was in violation of NYSPHL Article 13-F, Sections 1399-CC and 1399-MM-1 on February 2, 2026, and February 11, 2026, along with the violations included in the Stipulation Agreement from April 15, 2025; **and**

Whereas, the hearing officer recommended a penalty of \$4,000, consistent with the Environmental Health Division's recommended penalty; **and**

Whereas, Under Article 13-F, Section 1399-EE of NYSPHL, a facility cited for four or more ATUPA violations in a three-year period will be referred to the NYSDTF for revocation of the tobacco and/or

vapor registration for a one-year period, and if a lottery agent, its lottery license to be suspended and/or revoked for a one-year period; **and**

Whereas, C-TOWN EXPRESS, LLC will have been cited for four ATUPA violations within a three-year period; **and**

Whereas, C-TOWN EXPRESS, LLC has been notified that if C-TOWN EXPRESS is observed to be selling tobacco products or violating the requirements of ATUPA law during the one-year period that C-TOWN EXPRESS, LLC's tobacco and/or vapor registration has been revoked, a referral will be made to NYSDTF for permanent revocation and a new registration to sell tobacco and/or vapor products will not be issued. In addition, a fine of \$2,500 will be assessed; **and**

Whereas, C-TOWN EXPRESS, LLC violated Article 13-F, Section 1399-CC of the NYSPHL as well as Tompkins County Board of Health Resolution # EH-ENF-25-0008; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That C-TOWN EXPRESS, LLC, is ordered to:**

1. Pay a penalty of \$4,000 (See enclosed Penalty Table #ENF-26-008) due by **August 15, 2026**. (***Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.*); **and**
2. Cease the sale of all tobacco and vapor products during the one-year period in which the tobacco registration is revoked; **and**
3. Prohibit the sale of tobacco and vapor products to people under the age of 21; **and**
4. Prohibit the sale or other provision of prohibited flavored vapor products containing nicotine that are not FDA approved, to anyone; **and**
5. Display tobacco and vapor products in an area accessible only to the personnel of the business; **and**
6. Comply with all requirements of New York State Public Health Law, Article 13F.

RESOLUTION # ENF-25-0008

C-TOWN EXPRESS
C-TOWN EXPRESS, LLC
210 Dryden Road, Suite 1
Ithaca, NY 14850

Whereas, businesses that hold a Certificate of Registration from New York State Department of Taxation and Finance (NYSDTF) for tobacco and/or vapor retail sales must comply with the regulations of Article 13-F of New York State Public Health Law (NYSPHL); **and**

Whereas, Article 13-F, Section 1399-MM-1 of NYSPHL prohibits the offer for sale and the sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, Article 13-F, Section 1399-cc of NYSPHL prohibits the sale of tobacco or vapor products to individuals under 21 years of age; **and**

Whereas, on April 15, 2025, Tompkins County Environmental Health (TCEH) observed the sale of a flavored vapor product containing nicotine to an individual under the age of 21 years old at C-TOWN EXPRESS; **and**

Whereas, Article 13-F, Section 1399-ee of NYSPHL requires that the sale of a vapor product to an individual under 21 results in the assignment of two points to the NYSDTF registration to sell tobacco and/or vapor products, unless it is demonstrated that at the time of the sale that the seller possessed a valid certificate from a State tobacco sales training program, in which case one point will be assigned; **and**

Whereas, C-TOWN EXPRESS has not demonstrated that at the time of the sale the seller possessed a valid certificate from a State tobacco sales training program; **and**

Whereas, TCEH will conduct at least three inspections with an underage individual each year for the next three years at C-TOWN EXPRESS; **and**

Whereas, if C-TOWN EXPRESS is assigned a total of three or more points due to future sales to a person under the age of 21 years or if four or more violations are cited in a three year period, a referral to the NYSDTF will result in the registration for C-TOWN EXPRESS to sell tobacco and/or vapor products, and, if a lottery agent, its lottery license to be suspended and/or revoked for one year; **and**

Whereas, C-TOWN EXPRESS, LLC, signed a Stipulation Agreement with Whole Health Commissioners Orders on June 18, 2025, agreeing that C-TOWN EXPRESS, LLC violated Article 13-F, Section 1399-MM-1, and Section 1399-cc of the New York State Sanitary Code; **now therefore be it**

Diversity Through Inclusion

**Resolved, on recommendation of the Tompkins County Board of Health,
That C-TOWN EXPRESS, Owner/Operator, is ordered to:**

1. Pay a penalty of \$2100 (\$1500 for the sale to a person under 21, \$100 for the flavored vape offered for sale plus a \$500 NYS Surcharge fee) for these two violations by September 15, 2025; **and**
2. Prohibit the sale of tobacco products to people under the age of 21; **and**
3. Prohibit the sale or other provision of prohibited flavored vapor products containing nicotine that are not FDA approved, to anyone; **and**
4. Comply with all requirements of New York State Public Health Law, Article 13F.

**This action was adopted by the Tompkins County Board of Health at its regular meeting on
July 22, 2025.**

Jennie Sutcliffe
for Jennie Sutcliffe
Whole Health Commissioner

7/23/25
Date

STATE OF NEW YORK
COUNTY OF TOMPKINS
DEPARTMENT OF HEALTH

Findings of Fact and Recommendations

In the matter of the Complaint against:

C-Town Express, LLC
210 Dryden Road, Suite 2
Ithaca, New York 14850

Under and Pursuant to the Public
Health Law of the State of New York
And Tompkins County

Pursuant to a Notice of Hearing issued on April 20, 2026, a hearing was convened on May 14, 2026 at 9:00 a.m. in the Tompkins County Department of Public Health conference room at 55 Brown Road, Ithaca, New York by Richard John, Tompkins County New York, Hearing Officer for the Tompkins County Department of Health.

Appearances for the County were:

Holly Mosher, Deputy County Attorney
Alexandra Dunn, Environmental Health Specialist

Appearances for the Respondent was:

The Respondent did not appear.

Statement of Violations

New York State Public Health Law Article 13-F, Section 1399-cc.
Tompkins County Board of Health Order: EH-ENF-25-0008.

Relevant Law

§ 1399 – cc

7. No person operating a place of business wherein tobacco products, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes are sold or offered for sale shall sell, permit to be sold, offer for sale or display for sale any tobacco product, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes in any manner, unless such products and cigarettes are stored for sale (a) behind a counter in an area accessible only to the personnel of such business, or (b) in a locked container; provided, however, such restriction shall not apply to tobacco businesses, as defined in subdivision eight of section thirteen hundred ninety-nine-aa of this article, and to places to which admission is restricted to persons twenty-one years of age or older.

The penalties for a violation of the law are set forth in Section 1399-ee of the Public Health Law. That Section reads in relevant part as follows:

2. If the enforcement officer determines after a hearing that a violation of this article has occurred, he or she shall impose a civil penalty of a minimum of three hundred dollars, but not to exceed one thousand five hundred dollars for a first violation, and a minimum of one thousand dollars, but not to exceed two thousand five hundred dollars for each subsequent violation, unless a different penalty is otherwise provided in this article. The enforcement officer shall advise the retail dealer that upon the accumulation of three or more points pursuant to this section the department of taxation and finance shall suspend the dealer's registration. If the enforcement officer determines after a hearing that a retail dealer was selling tobacco products while their registration was suspended or permanently revoked pursuant to subdivision three or four of this section, he or she shall impose a civil penalty of twenty-five hundred dollars.

3.(b) Revocation. If the enforcement officer determines, after a hearing, that a retail dealer has violated this article four times within a three year time frame he or she shall, in addition to imposing any other penalty required or permitted by this section, direct the commissioner of taxation and finance to revoke the dealer's registration for one year.

(f) Surcharge. A two hundred fifty dollar surcharge to be assessed for every violation will be made available to enforcement officers and shall be used solely for compliance checks to be conducted to determine compliance with this section.

Sections 1399-aa and 1399-t of the Public Health Law establishes that the Tompkins County Board of Health is the enforcement officer for violations of these laws within Tompkins County.

Findings of Fact

C – Town Express, LLC (respondent) is a vender of smoke and vapor products located at 210 Dryden Road in the City of Ithaca, New York. The Tompkins County Health Department alleges that on February 2, 2026 and February 11, 2026 respondent violated New York State Public Health Law, Article 13-F Section 1399-cc by offering for sale age restricted tobacco products on a display shelf directly accessible to the public.

C – Town Express, LLC had previously signed a Stipulation Agreement (ENF–25–0008) on June 18, 2025 agreeing that it had committed two prior violations of the Public Health Law on April 7, 2025, and April 15, 2025.

During both of the inspections that occurred on February 2nd and 11th of 2026, the Respondent was advised orally and in writing of the requirements to store the tobacco products in a location not accessible to the public, and that the consequences of a failure to do so would entail potential suspension. At the time of both inspections, the Respondent indicated that the store did not have adequate space to store the tobacco products in a location not accessible to the public.

Conclusions

As hearing officer, I am responsible for conducting the hearing and making a recommendation to the Tompkins County Board of Health. As a result of the testimony and evidence presented at the hearing, I provide the following findings of facts and conclusions of law to the Tompkins County Board of Health:

Based upon the Stipulation Agreement signed by the Respondent, on April 15, 2025 Respondent violated Article 13-F Section 1399-cc and Article 13-F Section 1399-mm-1 of the New York State Public Health Law.

On February 2nd, 2026, the Respondent violated Article 13-F Section 1399-cc of the New York State Public Health Law by offering for sale tobacco and/or vapor products in a location directly accessible to the public.

On February 11th, 2026, the Respondent violated Article 13-F Section 1399-cc of the New York State Public Health Law by offering for sale tobacco and/or vapor products in a location directly accessible to the public.

The Respondent was appropriately advised of the legal requirements related to the sale of tobacco and vapor products orally and in writing. The stated reason given by the Respondent at the time of the inspections, that there was not space to display the products in a location not accessible to the public, indicates knowledge of the requirements. Further, in the face of repeated notifications of the need to take relatively straightforward step of moving this inventory, the failure to do anything at all indicates a deliberate unwillingness to comply.

The Respondent has violated the New York State Public Health Law four times within the past three years.

As a result of these violations, and pursuant to the Stipulation Agreement dated July 23, 2025, the Tompkins County Health Department seeks the following relief:

- A fine in the amount of \$4,000 (\$1,000 for the third violation, and \$2,500 for the fourth violation);
- A New York State surcharge in the amount of \$500 (\$250 for each violation);
- Cease the sale of tobacco and vapor products for the duration of the one-year revocation of registration;
- At the completion of suspension, prohibit the sale of tobacco products to people under 21 years of age;
- At the completion of suspension, prohibit the sale of prohibited flavored vapor products that are not FDA approved;
- At the completion of suspension, display tobacco and vapor products in an area not accessible to the public, and;
- Comply with all requirements of the New York State Public Health Law, Article 13-F.

Recommendations

The Tompkins County Health Department seeks a penalty of \$4,500 (\$4,000 fine plus \$500 surcharge) for the violation of Section 1399-cc. The penalty is within the range allowed under Section 1399-ee cited above. The violations will also result in a suspension of the respondent's registration for a one-year period by the State Commissioner of Taxation and Finance. I support this recommendation of the Health Department. The fine is commensurate with the public resources required for enforcement of these violations. The Respondent did not appear at the Hearing, so the only evidence presented is that the Respondent was fully advised of the requirements and the consequences of failing to comply. Without enforcement as requested by the Department of Health, including revocation, it is unlikely that this vendor of tobacco and vapor products will operate in the future in compliance with New York State Public Health Law, Article 13-F.



Richard John
Hearing Officer

May 20, 2026

Summary of Recommended Enforcement Civil Penalties - ATUPA

ENF-26-008
C-TOWN EXPRESS LLC
210 Dryden Rd, Ithaca, NY 14850

Article 13F Violation	Penalty Amount	Surcharge
Third ATUPA Violation: Section 1399-CC: Improper access	\$ 1,000.00	\$ 250.00
Fourth ATUPA Violation: Section 1399-CC: Improper access	\$ 2,500.00	\$ 250.00
Total recommended penalties:	\$	4,000.00

New York State Public Health Law Article 13F, Section 1399-EE, Subparts 2 and 3(f)

CASE SUMMARY – FOR RESOLUTION # ENF-26-008

**C-TOWN EXPRESS
C-TOWN EXPRESS, LLC
210 Dryden Road, Suite 1
Ithaca, NY 14850**

**Compiled on April 1, 2026
Update May 28, 2026**

Date	Action
April 7, 2025	TCEH Field Visit: Observation of facility in operation that was not listed in our system. Obtained owner information and entered into active facilities.
April 15, 2025	TCEH Inspection: 2 Violations: Prohibited nicotine flavored vapor product (Geek Bar Pulse Blue Razz Ice 5% nicotine) was purchased during an Underage Sales Compliance Check.
April 17, 2025	Notice of Violation #NOV-25-0008 issued for sale of flavored vapor product to a minor.
June 3, 2025	Draft Stipulation Agreement #ENF-25-0008 was issued.
June 24, 2025	Signed Stipulation Agreement #ENF-25-0008 was received.
July 9, 2025	Draft Resolution #ENF-25-0008 sent to C-TOWN EXPRESS LLC.
July 25, 2025	Final Resolution sent to C-TOWN EXPRESS LLC. TC BOH adopted resolution #ENF-25-0008 on July 22, 2025 requiring a penalty of \$2,100 due by September 15, 2025. Two points were assigned.
September 16, 2025	\$2,100 penalty payment received by TCEH.
February 2, 2026	TCEH Inspection: Violation: Observation of the storage of age-restricted tobacco products in a manner that is directly accessible to the public.
February 11, 2026	TCEH Re-inspection: Violation: Observation of the storage of age-restricted tobacco products in a manner that is directly accessible to the public.
March 9, 2026	Draft Stipulation Agreement #ENF-26-008 was issued.
March 13, 2026	Delivery confirmed by certified mail through USPS.
April 20, 2026	Notice of Hearing sent by TCEH.
May 14, 2026	Hearing held at 55 Brown Road. Representative for C-TOWN did not appear.

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 28, 2026

YAZZY'S MARKET INC
540 W State St
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # ENF-26-009
Alleged Violations of Adolescent Tobacco Use Prevention Act (ATUPA)
YAZZY'S MARKET INC/CHUCK'S MOBIL – C-Ithaca**

Dear Yazyz's Market Inc:

Enclosed is the Hearing Officer's Findings of Fact and Recommendations from the hearing on May 14, 2026, along with a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**.

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 Doug Barnes at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Hearing Officer's Recommendations, Penalty Table, and Case Summary

ec: David Freedman, Attorney for Yazyz's Market; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Doug Barnes, SR EH Specialist; Alex Dunn, EH Specialist; Brenda Coyle, Administrative Coordinator
fw: Tompkins County Board of Health (via: SharePoint); CEO, C-Ithaca; City of Ithaca Mayor; Veronica Pillar, TC Legislator; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director; Holly Mosher, TC Attorney
file: Signed copy to F:Drive;
DocumentF:\EH\TOBACCO\ATUPA\Facilities\Yazyz's Market\Enforcement\ENF-26-009\Draft Res 26-009.docx

DRAFT RESOLUTION # ENF-26-009

YAZZY'S MARKET/CHUCK'S MOBIL
Yazzy's Market Inc
540 W State St
Ithaca, NY 14850

Whereas, businesses that hold a Certificate of Registration from New York State Department of Taxation and Finance (NYS DTF) for tobacco and/or vapor retail sales must comply with the regulations of Article 13-F of New York State Public Health Law (NYSPHL); **and**

Whereas, Article 13-F, Section 1399-CC of NYSPHL prohibits the storage and display of age-restricted tobacco and/or vapor products in a way that is directly accessible to the public; **and**

Whereas, Article 13-F, Section 1399-MM-1 of NYSPHL prohibits the sale of prohibited nicotine flavored vapor products; **and**

Whereas, on December 4, 2023, Tompkins County Environmental Health (TCEH) observed approximately 250 prohibited nicotine flavored vapor products available for sale at YAZZY'S MARKET/CHUCK'S MOBIL during a routine compliance check; **and**

Whereas, on January 4, 2024, YAZZY'S MARKET/CHUCK'S MOBIL received a Notice of Violation #NOV-24-0002 for the prohibited nicotine flavored vapor products observed by TCEH during the compliance check; **and**

Whereas, on January 22, 2024, TCEH observed approximately 100 prohibited nicotine flavored vapor products available for sale at YAZZY'S MARKET/CHUCK'S MOBIL during a re-inspection; **and**

Whereas, On January 26, 2024, YAZZY'S MARKET/CHUCK'S MOBIL received a Notice of Violation #NOV-24-0005 for the prohibited nicotine flavored vapor products observed by TCEH at the re-inspection; **and**

Whereas, on March 27, 2025, TCEH observed age-restricted vapor products on a display shelf that was directly accessible to the public at YAZZY'S MARKET/CHUCK'S MOBIL, during which time education was provided to the operator regarding the requirements under ATUPA law; **and**

Whereas, on January 22, 2026, TCEH observed 4 units of prohibited nicotine flavored vapor products available for sale and age-restricted vapor products on a display shelf that was directly accessible to the public at YAZZY'S MARKET/CHUCK'S MOBIL; **and**

Whereas, a hearing was held on May 14, 2026, and the hearing officer concluded that YAZZY'S MARKET INC was in violation of NYSPHL Article 13-F, Sections 1399-CC and 1399-MM-1 on March 27, 2025 and January 22, 2026, along with those violations included in NOV-24-0002 and NOV-24-0005; **and**

Whereas, the hearing officer recommended a penalty of \$12,750, consistent with the Environmental Health Division's recommended penalty; **and**

Whereas, Under Article 13-F, Section 1399-EE of NYSPHL, a facility cited for four or more ATUPA violations in a three-year period will be referred to the NYSDTF for revocation of the tobacco and/or vapor registration for a one-year period, and if a lottery agent, its lottery license to be suspended and/or revoked for a one-year period; **and**

Whereas, YAZZY'S MARKET INC will have been cited for five ATUPA violations within a three-year period; **and**

Whereas, YAZZY'S MARKET INC has been notified that if YAZZY'S MARKET/CHUCK'S MOBIL is observed to be selling tobacco products or violating the requirements of ATUPA law during the one-year period that YAZZY'S MARKET INC's tobacco and/or vapor registration has been revoked, a referral will be made to NYSDTF for permanent revocation and a new registration to sell tobacco and/or vapor products will not be issued. In addition, a fine of \$2,500 will be assessed; **and**

Whereas, YAZZY'S MARKET INC violated Article 13-F, Section 1399-CC of the NYSPHL and 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 YAZZY'S MARKET INC, Owner/Operator, is ordered to:**

1. Pay a penalty of \$12,750 due by **August 15, 2026**. (*Do Not submit penalty payment until notified by the Tompkins County Environmental Health Division.*); **and**
2. Cease the sale of all tobacco and vapor products during the one-year period in which the tobacco registration is revoked; **and**
3. Prohibit the sale of tobacco and vapor products to people under the age of 21; **and**
4. Prohibit the sale or other provision of prohibited flavored vapor products containing nicotine that are not FDA approved, to anyone; **and**
5. Display tobacco and vapor products in an area accessible only to the personnel of the business; **and**
6. Comply with all requirements of New York State Public Health Law, Article 13F.

STATE OF NEW YORK
COUNTY OF TOMPKINS
DEPARTMENT OF HEALTH

Findings of Fact and Recommendations

In the matter of the Complaint against:

Yazzy's Market, Inc.
870 Hoosick Road
Troy, New York 12180

Under and Pursuant to the Public
Health Law of the State of New York
And Tompkins County

Pursuant to a Notice of Hearing issued on April 20, 2026, a hearing was convened on May 14, 2026 at 10:15 a.m. in the Tompkins County Department of Public Health conference room at 55 Brown Road, Ithaca, New York by Richard John, Tompkins County New York, Hearing Officer for the Tompkins County Department of Health.

Appearances for the County were:

Holly Mosher, Deputy County Attorney
Alexandra Dunn, Environmental Health Specialist

Appearances for the Respondent was:

Ali Yousef, on behalf of the Respondent

Statement of Violations

New York State Public Health Law Article 13-F, Section 1399-cc.
New York State Public Health Law Article 13-F, Section 1399-mm-1.
Tompkins County Board of Health Order: NOV-24-0002.
Tompkins County Board of Health Order: NOV-24-0005.

Relevant Law

§ 1399 – cc

7. No person operating a place of business wherein tobacco products, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes are sold or offered for sale shall sell, permit to be sold, offer for sale or display for sale any tobacco product, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes in any manner, unless such products and cigarettes are stored for sale (a) behind a counter in an area accessible only to the personnel of such business, or (b) in a locked container; provided, however, such restriction shall not apply to tobacco businesses, as defined in subdivision eight of section thirteen hundred ninety-nine-aa of this article, and to places to which admission is restricted to persons twenty-one years of age or older.

§ 1399-mm-1. Sale of flavored products prohibited. 1. For the purposes of this section "flavored" shall mean any vapor product intended or reasonably expected to be used with or for the consumption of nicotine, with a distinguishable taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of such product or a component part thereof, including but not limited to tastes or aromas relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, mint, wintergreen, menthol, herb or spice, or any concept flavor that imparts a taste or aroma that is distinguishable from tobacco flavor but may not relate to any particular known flavor. A vapor product intended or reasonably expected to be used with or for the consumption of nicotine, shall be presumed to be flavored if a product's retailer, manufacturer, or a manufacturer's agent or employee has made a statement or claim directed to consumers or the public, whether expressed or implied, that such product or device has a distinguishable taste or aroma other than the taste or aroma of tobacco.

3. Any vapor products dealer, or any agent or employee of a vapor products dealer, who violates the provisions of this section shall be subject to a civil penalty of not more than one hundred dollars for each individual package of flavored vapor product intended or reasonably expected to be used with or for the consumption of nicotine sold or offered for sale, provided, however, that with respect to a manufacturer, it shall be an affirmative defense to a finding of violation pursuant to this section that such sale or offer of sale, as applicable, occurred without the knowledge, consent, authorization, or involvement, direct or indirect, of such manufacturer. Violations of this section shall be enforced pursuant to section thirteen hundred ninety-nine-ff of this article, except that any person may submit a complaint to an enforcement officer that a violation of this section has occurred.

The penalties for a violation of the law are set forth in Section 1399-ee of the Public Health Law. That Section reads in relevant part as follows:

2. If the enforcement officer determines after a hearing that a violation of this article has occurred, he or she shall impose a civil penalty of a minimum of three hundred dollars, but not to exceed one thousand five hundred dollars for a first violation, and a minimum of one thousand dollars, but not to exceed two thousand five hundred dollars for each subsequent violation, unless a different penalty is otherwise provided in this article. The enforcement officer shall advise the retail dealer that upon the accumulation of three or more points pursuant to this section the department of taxation and finance shall suspend the dealer's registration. If the enforcement officer determines after a hearing that a retail dealer was selling tobacco products while their registration was suspended or permanently revoked pursuant to subdivision three or four of this section, he or she shall impose a civil penalty of twenty-five hundred dollars.

3.(b) Revocation. If the enforcement officer determines, after a hearing, that a retail dealer has violated this article four times within a three year time frame he or she shall, in addition to imposing any other penalty required or permitted by this section, direct the commissioner of taxation and finance to revoke the dealer's registration for one year.

(f) Surcharge. A two hundred fifty dollar surcharge to be assessed for every violation will be made available to enforcement officers and shall be used solely for compliance checks to be conducted to determine compliance with this section.

Sections 1399-aa and 1399-t of the Public Health Law establishes that the Tompkins County Board of Health is the enforcement officer for violations of these laws within Tompkins County.

Findings of Fact

Yazzy's Market, Inc. (Respondent) is a vender of smoke and vapor products with a place of business located at 540 West State Street in the City of Ithaca, New York. The Tompkins County Health Department alleges that on January 22, 2026 Respondent violated: New York State Public Health Law, Article 13-F Section 1399-cc by offering for sale age restricted tobacco products on a display shelf directly accessible to the public, and New York State Public Health Law, Article 13-F Section 1399-mm-1 by offering for sale prohibited nicotine flavored vapor products.

Yazzy's Market, Inc., had previously received a Notice of Violation (NOV-24-0002 based upon the offering for sale of prohibited nicotine flavored vapor products) dated January 4, 2024, and a Notice of Violation (NOV-24-0005 based upon the offering for sale of prohibited nicotine flavored vapor products) dated January 26, 2024 .

The Respondent presented testimony that he had attempted to communicate with his attorney who has represented him in the past about these violations. The Respondent stated that his

lawyer had traveled outside of the country and was unavailable to appear. Deputy County Attorney, Holly Mosher, indicated that no request for an adjournment or other communication had been received from counsel.

Conclusions

As hearing officer, I am responsible for conducting the hearing and making a recommendation to the Tompkins County Board of Health. As a result of the testimony and evidence presented at the hearing, I provide the following findings of facts and conclusions of law to the Tompkins County Board of Health:

Based upon the Notice of Violation issued on January 4, 2024 (NOV – 24-0002), Respondent violated Article 13-F Section 1399-mm-1 by offering for sale prohibited nicotine flavored vapor products; and

Based upon the Notice of Violation issued on January 26, 2024 (NOV – 24-0005), Respondent violated Article 13-F Section 1399-mm-1 by offering for sale prohibited nicotine flavored vapor products; and

On March 27th, 2025, the Respondent violated Article 13-F Section 1399-cc of the New York State Public Health Law by offering for sale tobacco and/or vapor products in a location directly accessible to the public.

On January 22nd, 2026, the Respondent violated Article 13-F Section 1399-mm-1 by offering for sale prohibited nicotine flavored vapor products; and

On January 22nd, 2026, the Respondent violated Article 13-F Section 1399-cc of the New York State Public Health Law by offering for sale tobacco and/or vapor products in a location directly accessible to the public.

The Respondent was appropriately advised of the legal requirements related to the sale of tobacco and vapor products orally and in writing at the time of each inspection.

The Respondent has violated the New York State Public Health Law five times within the past three years.

As a result of these violations, and pursuant to the Stipulation Agreement dated July 23, 2025, the Tompkins County Health Department seeks the following relief:

A fine in the amount of \$11,500 (\$1,500 for the first violation, and \$2,500 for the second through fifth violations);

A New York State surcharge in the amount of \$1,250 (\$250 for each violation);


Cease the sale of tobacco and vapor products for the duration of the one-year revocation of registration;
At the completion of suspension, prohibit the sale of tobacco products to people under 21 years of age;
At the completion of suspension, prohibit the sale of prohibited flavored vapor products that are not FDA approved;
At the completion of suspension, display tobacco and vapor products in an area not accessible to the public, and;
Comply with all requirements of the New York State Public Health Law, Article 13-F.

Recommendations

The Tompkins County Health Department seeks a penalty of \$12,750 (\$11,500 fine plus \$1,250 surcharge) for the violations identified above. The penalty is the maximum allowed under Section 1399-ee cited above. The violations will also result in a suspension of the respondent's registration for a one-year period by the State Commissioner of Taxation and Finance. I support this recommendation of the Health Department. The fine is commensurate with the public resources required for enforcement of these violations.

The Respondent appeared at the Hearing, but indicated he had been unable to communicate with his attorney who he had requested provide a defense. As the Hearing appeared to have been properly noticed and no request for an adjournment had been received, I decided that the hearing should proceed. As a result, the only evidence presented is that the Respondent was in violation of the New York State Public Health Law Article 13-F.

The Respondent was advised that the purpose of the Hearing was to provide a recommendation to the Commissioner which would be received at a future hearing. If grounds existed to contest these recommendations, the Respondent, or counsel for the Respondent, could appear and present those arguments at that time, including making a request to reopen and reschedule this Hearing for the receipt of further evidence.



Richard John
Hearing Officer

May 20, 2026

Summary of Recommended Enforcement Civil Penalties - ATUPA

ENF-26-009

YAZZY'S MARKET/CHUCK'S MOBIL

540 W State St, Ithaca, NY 14850

Article 13F Violation	Penalty Amount	Surcharge
First ATUPA Violation: Section 1399-MM-1: Prohibited flavored vapes	\$ 1,500.00	\$ 250.00
Second ATUPA Violation: Section 1399-MM-1: Prohibited flavored vapes	\$ 2,500.00	\$ 250.00
Third ATUPA Violation: Section 1399-CC: Improper access	\$ 2,500.00	\$ 250.00
Fourth ATUPA Violation: Section 1399-MM-1: Prohibited flavored vapes	\$ 2,500.00	\$ 250.00
Fifth ATUPA Violation: Section 1399-CC: Improper access	\$ 2,500.00	\$ 250.00
Total recommended penalties:	\$	12,750.00

New York State Public Health Law Article 13F, Section 1399-EE, Subparts 2 and 3(f)

CASE SUMMARY – FOR RESOLUTION # ENF-26-009

YAZZY’S MARKET/CHUCK’S MOBIL
Yazzy’s Market Inc, Owner/Operator
540 W State St
Ithaca, NY 14850

Compiled on April 2, 2026
Updated on May 27, 2026

Date	Action
December 4, 2023	TCEH Inspection: Violation: Observation of 250 prohibited nicotine flavored vapor products at a routine partial compliance check.
January 4, 2024	Notice of Violation #NOV-24-0002 issued for prohibited nicotine flavored vapor products.
January 22, 2024	TCEH Re-inspection: Violation: Observation of 100 prohibited nicotine flavored vapor products during re-inspection.
January 26, 2024	Notice of Violation #NOV-24-0005 issued for prohibited nicotine flavored vapor products.
March 27, 2025	TCEH Inspection: Violation: Observation of the storage of age-restricted tobacco and/or vapor products on a display shelf that was directly accessible to customers.
January 22, 2026	TCEH Inspection: 2 Violations: Observation of 4 units of prohibited nicotine flavored vapor products and observation of vapor products being stored on a display case that was directly accessible to customers.
February 11, 2026	TCEH Re-inspection: No observation of prohibited nicotine flavored vapor products and no observation of improper storage and display of tobacco and vapor products.
March 9, 2026	Stipulation Agreement #ENF-26-009 issued.
March 13, 2026	Delivery confirmed by certified mail through USPS.
April 20, 2026	Notice of Hearing sent. Hearing scheduled for May 14, 2026
May 14, 2026	Hearing held at TCWH.

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 11, 2026

Hassan Ali
Cayuga Smoke Shop Inc
207 N Aurora St
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # ENF-26-011
Violations of Adolescent Tobacco Use Prevention Act (ATUPA)
CAYUGA SMOKE SHOP INC, C-Ithaca**

Dear Hassan Ali:

Thank you for signing the Stipulation Agreement on April 22, 2026, for CAYUGA SMOKE SHOP INC. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 26, 2026**.

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 Doug Barnes at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Stipulation Agreement and Orders, Case Summary, Penalty Table

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Doug Barnes, SR EH Specialist; Alex Dunn, EH Specialist; Brenda Coyle, Administrative Coordinator
fw: Tompkins County Board of Health (via: SharePoint); CEO C-Ithaca; City of Ithaca Mayor; Veronica Pillar, TC Legislator; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
file: Signed copy to F:Drive;
"F:\EH\TOBACCO\ATUPA\Facilities\Cayuga Smoke Shop & Plus\Enforcement\ENF-26-011"

DRAFT RESOLUTION # ENF-26-011

CAYUGA SMOKE SHOP INC
Hassan Ali, Owner/Operator
207 N Aurora St, C-Ithaca
Ithaca, NY 14850

Whereas, businesses that hold a Certificate of Registration from New York State Department of Taxation and Finance (NYSDTF) for tobacco and/or vapor retail sales must comply with the regulations of Article 13-F of New York State Public Health Law (NYSPHL); **and**

Whereas, Article 13-F, Section 1399-CC of NYSPHL prohibits the sale of tobacco and vapor products to people under the age of 21; **and**

Whereas, Article 13-F, Section 1399-MM-1 of NYSPHL prohibits the sale or other provision of prohibited nicotine flavored vapor products; **and**

Whereas, Article 13-F, Section 1399-CC of NYSPHL prohibits the storage and display of age-restricted tobacco and/or vapor products in a way that is directly accessible to the public; **and**

Whereas, On October 30, 2025, TCEH observed age-restricted tobacco products stored in a manner that was directly accessible to the public at CAYUGA SMOKE SHOP & PLUS; **and**

Whereas, On March 20, 2026, TCEH observed the sale of a prohibited nicotine flavored vapor product to a person under the age of 21 at CAYUGA SMOKE SHOP & PLUS; **and**

Whereas, Article 13-F, Section 1399-ee of NYSPHL requires that the sale of a vapor product to an individual under 21 results in the assignment of two points to the NYSDTF registration to sell tobacco and/or vapor products, unless it is demonstrated that at the time of the sale that the seller possessed a valid certificate from a State Tobacco Sales Training Program, in which case one point will be assigned; **and**

Whereas, CAYUGA SMOKE SHOP INC has not demonstrated that at the time of the sale the seller possessed a valid certificate from a State Tobacco Sales Training Program; **and**

Whereas, TCEH will conduct at least three inspections with an underage individual each year for the next three years at CAYUGA SMOKE SHOP & PLUS; **and**

Whereas, CAYUGA SMOKE SHOP INC will have been cited for three ATUPA violations within a three-year period; **and**

Whereas, CAYUGA SMOKE SHOP INC has been notified that under Article 13-F, Section 1399-EE of NYSPHL, a facility assigned a total of three or more points due to future sales to a person under the age of 21 years and/or a facility cited for four or more ATUPA violations in a three-year period will be referred to the NYSDTF for revocation of the tobacco and/or vapor registration for a one-year period, and if a lottery agent, its lottery license to be suspended and/or revoked for a one-year period; **and**

Whereas, CAYUGA SMOKE SHOP INC violated Article 13-F, Section 1399-CC of the NYSPHL and 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 Hassan Ali, Owner/Operator, is ordered to:**

1. Pay a penalty of \$2,650 (\$1,500 for the sale to an underage person + \$100 for one flavored vapor unit + \$300 for improper access + \$750 NYS surcharge for these three violations) for these violations, due by **July 15, 2026**. (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **and**
2. Prohibit the sale of tobacco and vapor products to people under the age of 21; **and**
3. Prohibit the sale or other provision of prohibited flavored vapor products containing nicotine that are not FDA approved, to anyone; **and**
4. Display tobacco and vapor products in an area accessible only to the personnel of the business; **and**
5. Comply with all requirements of New York State Public Health Law, Article 13F.

STIPULATION AGREEMENT AND ORDERS # ENF-26-011

CAYUGA SMOKE SHOP & PLUS
Cayuga Smoke Shop Inc, Hassan Ali
207 N Aurora St
Ithaca, NY 14850

I, Hassan Ali, as a representative for Cayuga Smoke Shop Inc, agree that on March 20, 2026, Cayuga Smoke Shop & Plus was in violation of New York State Public Health Law, Article 13F, Section 1399-CC for the sale of tobacco products to an individual under the age of 21. I also agree that on March 20, 2026, Cayuga Smoke Shop & Plus was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for offering the sale of flavored vapor products containing nicotine. I also agree that on October 30, 2025, Cayuga Smoke Shop & Plus was in violation of New York State Public Health Law, Article 13F, Section 1399-CC for the storage of age-restricted tobacco products accessible to the public.

I, Hassan Ali, understand that Cayuga Smoke Shop & Plus will be assigned two points for the violation of the ATUPA law related to the sale to the minor unless it can be demonstrated that the seller possessed a certificate from a state-certified tobacco sales program at the time of the sale. In that case, Cayuga Smoke Shop & Plus will be assigned one point. These points will be removed in three years.

I, Hassan Ali, also understand that at least three inspections will be conducted each year for the next three years. If Cayuga Smoke Shop & Plus 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 12 months.

I, Hassan Ali, also understand that Cayuga Smoke Shop & Plus will have been cited for three ATUPA violations within a three-year period. I understand that a fourth ATUPA violation within a three-year period will, following adoption of a resolution, be referred to the appropriate agencies for revocation of Cayuga Smoke Shop & Plus's tobacco and/or vapor registrations for a one-year period. If applicable, a referral will also be made to the NYS Gaming Commission to suspend the Cayuga Smoke Shop & Plus's Lottery Agent license for one year.

I agree to pay a penalty not to exceed \$2,650 (\$1,500 for the sale to an underage person + \$100 for one flavored vapor unit + \$300 for improper access + \$750 NYS surcharge for these three violations) for these violations following adoption of a resolution by the Board of Health. *(Do not submit penalty payment until notified by the Tompkins County Environmental Health Division.)*

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

1. To prohibit the sale of tobacco and vapor products to people under the age of 21; and
2. To prohibit the sale or other provision of prohibited flavored vapor products containing nicotine that are not FDA approved, to anyone; and
3. To display tobacco and vapor products in an area accessible only to the personnel of the business; and
4. To comply with all requirements of New York State Public Health Law, Article 13F.

Diversity Through Inclusion

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: Hassan Date: 4-22-26

Hassan Ali, for Cayuga Smoke Shop Inc, is hereby ordered to comply with these Orders of the Whole Health Commissioner.

Signed: Brenda Suttell Cross Date: 5/8/2026
for Jennie Sutcliffe
Whole Health Commissioner

Received
MAY 05 2026
Tompkins County
Environmental Health

CASE SUMMARY – FOR RESOLUTION # ENF-26-011

CAYUGA SMOKE SHOP INC
Hassan Ali, Owner/Operator
207 N Aurora St – C-Ithaca
Ithaca, NY 14850

Compiled on May 7, 2026

Date	Action
October 30, 2025	TCEH Inspection: Violation: TCEH observed the display of tobacco products in a manner that was directly accessible to the public.
March 20, 2026	TCEH Inspection: 2 Violations: TCEH observed the sale of a prohibited nicotine flavored vapor product to a person under the age of 21.
March 25, 2026	Notice of Violation #NOV-26-008 issued.
March 27, 2026	Draft Stipulation Agreement #ENF-26-011 issued.
May 5, 2026	Signed Stipulation Agreement #ENF-26-011 received by TCEH, signed by Hassan Ali and dated April 22, 2026.

Summary of Recommended Enforcement Civil Penalties - ATUPA

ENF-26-011
CAYUGA SMOKE SHOP, INC
207 N Aurora St, Ithaca NY 14850

Article 13F Violation	Penalty Amount	Surcharge
Section 1399-CC: Sale to underage person	\$ 1,500.00	\$ 250.00
Section 1399-MM-1: Prohibited flavored vapes	\$ 100.00	\$ 250.00
Section 1399-CC: Improper access	\$ 300.00	\$ 250.00
Total recommended penalties:	\$	2,650.00

New York State Public Health Law Article 13F, Section 1399-EE, Subparts 2 and 3(f)

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 18, 2026

Kevin Griffin
Casper's Kitchen
118 Main Street
Groton, NY 13073

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-26-014
Potentially hazardous foods not cooled by an approved method
Casper's Kitchen, V-Groton**

Dear Kevin Griffin:

On January 27, 2026, the Tompkins County Board of Health adopted resolution #EH-ENF-25-0027 requiring Casper's Kitchen to properly cool potentially hazardous foods using an approved method; properly store potentially hazardous foods in refrigeration so that temperatures remain below 45°F in cold holding, and properly store trash in covered cans when inside the facility and move immediately to outdoor garbage collection area when those cans are full.

On April 9, 2026, Tompkins County Environmental Health (TCEH) Division staff observed critical violations of Subpart 14-1 of the New York State Sanitary Code (NYSSC). These are also violations of Board of Health Orders.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, May 26, 2026**.

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 Kristee Morgan or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Resolution EH-ENF-25-0027, Case Summary, and Recommended Penalty Calculation

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Kristee Morgan; Joan Pike; Brenda Coyle
fw: Tompkins County Board of Health (via: SharePoint); CEO V-Groton; TC Legislature: Lee Shurtleff; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
file: Signed copy to F:Drive;
F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Caspers\Enforcement\2026\Draft Resolution 26-014

DRAFT RESOLUTION # ENF-26-014

**Casper's Kitchen
Kevin Griffin, Owner/Operator
118 Main Street, V-Groton
Groton, NY 13073**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to:

- Fail to cool potentially hazardous foods using an approved method;
- Maintain spoiled, unadulterated, or unapproved food sources on premises;
- Fail to maintain an accurate thermometer to evaluate potentially hazardous food temperatures;
- Improperly store toxic chemicals so that contamination of food sources can occur;
- Store cooked or prepared foods where they are subject to cross-contamination from raw foods; **and**

Whereas, on January 27, 2026, Tompkins County Board of Health Resolution #ENF-25-0027 ordered Kevin Griffin to:

- Pay a penalty of \$200 due by March 15, 2026;
- Properly cool potentially hazardous foods using an approved method;
- Properly store trash in covered cans when in the facility and move immediately to the outdoor garbage collection area when cans are filled; **and**

Whereas, on April 9, 2026, the Tompkins County Environmental Health Division (TCEH) observed critical violations where:

- Potentially hazardous foods were not cooled using an approved method and garbage was observed to be stored in an unsanitary manner;
- Food items were stored in a cooler covered in what appeared to be mold;
- Cooked food items were stored in a cooler underneath and beside raw meat and eggs;
- An accurate thermometer could not be easily located to evaluate food in hot holding;
- Bottles of medication were intermixed with spice jars and dry storage items in the kitchen; **and**

Whereas, on April 9, 2026, TCEH observed eight other sanitary violations including improper storage of garbage within the kitchen and other storage areas inside the facility; **and**

Whereas, the penalty amount of \$200 required by Resolution #ENF-25-0027 has not been paid as of May 15, 2026; **and**

Whereas, on April 9, 2026, Casper's Kitchen violated these provisions of the NYSSC and the provisions of Board of Health Resolution #ENF-25-0027 were not met; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Kevin Griffin, Owner/Operator, is ordered to:**

1. Pay a penalty of \$2,000 for these violations, due by **July 15, 2026**. (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **and**
2. Pay the outstanding penalty of \$200 as required by Resolution #ENF-25-0027 by **July 15, 2026**; **and**
3. Submit all payments made to the TCEH in the form of cash, money order, or credit card payment. **Checks will not be accepted by TCEH** as a form of future payments; **and**
4. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by TCEH. The current certificates documenting successful completion of the course must be submitted to TCEH by **June 30, 2026**; **and**
5. Ensure that at least one employee who has successfully completed the food safety training is on-site during all hours of operation. If a trained employee separates from employment, then another employee must successfully complete an approved food safety course within 90 days. Training certificates must be made available during an inspection; **and**
6. Provide a plan to TCEH detailing how trash will be handled both daily and weekly including information on garbage hauling company by **June 30, 2026**. Once approved, the plan must be implemented immediately, **and**
7. Properly cool potentially hazardous foods using an approved method so potentially hazardous food temperatures are reduced to appropriate levels within appropriate amounts of time; **and**
8. Properly store potentially hazardous foods in refrigeration so that cold foods are kept below 45°F in cold holding, **and**
9. Store cooked/prepared foods to prevent cross-contamination from raw foods; **and**
10. Ensure medication and other toxic chemicals are not stored properly and not in the kitchen preparation area to prevent the possible contamination of food; **and**
11. Monitor for food that is spoiled and/or adulterated and properly discard spoiled/adulterated foods immediately; **and**
12. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

RESOLUTION # ENF-25-0027

**Casper's Kitchen
Kevin Griffin, Owner/Operator
118 Main Street, V-Groton
Groton, NY 13073**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to cool potentially hazardous foods using an approved method; **and**

Whereas, on November 4, 2025, and November 18, 2025, the Environmental Health Division (EH) observed critical violations of Subpart 14-1 of the NYSSC where potentially hazardous foods were not cooled using an approved method and held at improper temperatures; **and**

Whereas, Kevin Griffin, Owner/Operator, signed a Stipulation Agreement with Whole Health Commissioners Orders on December 23, 2025, agreeing that Casper's Kitchen 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 Kevin Griffin, Owner/Operator, is ordered to:**

1. Pay a penalty of \$200 for these violations, due by **March 15, 2026**; **and**
1. Properly cool potentially hazardous foods using an approved method so that potentially hazardous food temperatures are reduced to appropriate levels within appropriate amounts of time; **and**
2. Properly store potentially hazardous foods in refrigeration so that cold foods are kept below 45°F in cold holding, **and**
3. Properly store trash in covered cans when inside facility and move immediately to outdoor garbage collection area when cans are full, **and**
4. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on January 27, 2026.


Jennie Sutcliffe
Whole Health Commissioner

1/29/26
Date

CASE SUMMARY – FOR RESOLUTION # ENF-26-014

**Casper's Kitchen
Kevin Griffin, Owner/Operator
118 Main Street, V-Groton
Groton, NY 13073**

Compiled on May 11, 2026

Date	Action
11/05/2015	Permit to Operate a Food Service Establishment issued.
02/28/2017	BOH adopts Resolution # EH-ENF-17-0001 for operating without a permit.
04/24/2018	Resolution EH-ENF-18-009 adopted by the BOH for operating without a permit following revocation of permit due to bounced check.
08/06/2020	TCEH Inspection. No critical violations observed.
03/16/2021	TCEH Inspection. No critical violations observed.
05/24/2022	TCEH Inspection. Violations: Adulterated food found in establishment. Potentially hazardous foods were not stored under refrigeration.
08/20/2022	TCEH Re-inspection. Violations: Adulterated food found in establishment. Potentially hazardous foods were not stored under refrigeration.
12/06/2022	Resolution EH-ENF-22-0035 adopted by BOH.
01/31/2023	TCEH Inspection. No critical violations observed.
03/12/2024	TCEH Inspection. No critical violations observed.
09/30/2025	TCEH Inspection. Potentially hazardous foods not stored under refrigeration. Improper storage of garbage bags observed.
11/4/2025	TCEH Re-Inspection. Violations: Cooked or prepared foods were subject to cross-contamination from raw foods. Potentially hazardous foods were not cooled by an approved method.
11/18/2025	TCEH Re-Inspection. Violation: Potentially hazardous foods were not cooled by an approved method.
01/27/2026	BOH adopts Resolution EH-ENF-25-0027.
04/09/2026	TCEH Inspection. Violation: See attached inspection report.

Food Service Establishment Inspection Summary Report

Operation: CASPER'S (ID: 911323)
Facility Name: CASPER'S KITCHEN
Facility Code: 54-AC66 Facility Email: unwind14850@gmail.com
Facility Address: 118 Main Street, Groton, NY 13073

To the Attention of:

Kevin Griffin
CASPER'S KITCHEN
118 Main St
Groton, NY 13073
Email: unwind14850@gmail.com

Inspection

Date: April 9, 2026 11:32 AM
Inspector: Alexandra Dunn (adunn@tompkins-co.org)
Responsible Person: Bradley Grey
Additional Email(s): kmorgan@tompkins-co.org

Summary

Number of Public Health Hazards Found: 5
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 8

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

FOODS ADULTERATED OR RECEIVED FROM UNAPPROVED SOURCES.

ITEM # 1H WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Food from unapproved source, spoiled, adulterated on premises.

Inspector Findings: Observed approximately 8 jars containing olives and other condiments stored in the cooler covered with what appeared to be mold. Operator stated that he rarely touches that section of the cooler and did not know how long the items had been there.

Corrective action: The cooler was cleaned out during inspection, with all questionable food items being discarded.

Correction: Food items must be free from spoilage.

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Cooked or prepared foods are subject to cross-contamination from raw foods.

Inspector Findings: Observed cooked food items stored on the lowest level of the cooler, underneath and beside raw meat and raw eggs. Cooked food items included an open quart container of cooked potatoes, a 5qt crockpot with an open lid containing chili, another 5qt crockpot containing what appeared to be a cooked turkey or chicken. Discussed with operator the appropriate organization of the cooler.

Corrective action: Cooler was cleaned out and items were rearranged during inspection. Cooked food items will be reheated to 165F before serving.

Correction: In order to prevent contamination, cooked and ready-to-eat foods must be stored above raw meats/eggs.

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Accurate thermometers not available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating and holding.

Inspector Findings: Observed no probe thermometer being used in the kitchen upon arrival to inspection. Operator stated that a probe thermometer is usually around, but could not easily locate one. Discussed the importance of keeping the probe thermometer nearby at all times in order to regularly measure food temperatures, especially given that cooked potatoes were being hot held on the stove top for an extended period of time.

Corrective action: By the end of inspection, a probe thermometer was located and placed near the stove.

Correction: Accurate probe thermometer must be present and available for use.

FOODS NOT PROTECTED FROM CONTAMINATION BY OTHER SOURCES.

ITEM # 4A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Toxic chemicals are improperly labeled, stored or used so that contamination of food can occur.

Inspector Findings: Observed several bottles of personal medication intermixed with spice jars and dry storage items in the kitchen. Discussed with operator the importance of keeping medicine out of food prep/storage areas.

Corrective action: Medicine bottles were removed from the food storage areas.

Correction: In order to prevent contamination, medication must be stored separately from food items.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5B WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not cooled by an approved method where the food temperature can be reduced from 120°F to 70°F or less within two hours and 70°F to 45°F within four hours.

Inspector Findings: Observed a 5qt crockpot of chili and a 5qt crockpot with a cooked large chicken or turkey, both stored in the cooler. While the temperatures of both items were below 45F, based on their size and based on them being stored in the vessel in which they were cooked, these items would not have been able to cool from 120F-70F within two hours and from 70F-45F within another four hours. It was not clear how long these items had been in the cooler.

Corrective action: Items will be cooked to 165F before serving.

Correction: Potentially hazardous foods must be cooled by an appropriate method that ensures the temperature decreases by the time frame described above.

POOR SANITARY DESIGN, CONSTRUCTION, INSTALLATION OF EQUIPMENT AND UTENSILS.

ITEM #10A WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Food (ice) contact surfaces are improperly designed, constructed, installed, located (cracks, open seams, pitted surfaces, tin cans reused, uncleanable or corroded food contact surfaces)

Inspector Findings: Observed approximately 30 plates that were used to serve food being stored on a shelf directly underneath the prep table and directly beside the open trash bin. Discussed the importance of keeping these plates free from sources of contamination, since the plates were going directly to customers without further cleaning.

Corrective action: Serving plates were moved to another area above the trash and prep table.

Correction: As serving plates are considered food contact surfaces, they must be stored in an appropriate manner and location, in order to prevent contamination.

POOR SANITARY DESIGN, CONSTRUCTION, INSTALLATION OF EQUIPMENT AND UTENSILS.

ITEM #10B WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Non-food contact surfaces and equipment are improperly designed, constructed, installed, maintained (equipment not readily accessible for cleaning, surface not smooth finish)

Inspector Findings: Observed pooling water on the lowest shelf of the cooler, with food items resting in the pooled water. Operator stated the drain must be clogged. Discussed the importance of maintaining the cooler in a way that prevents pooling water and potential contamination.

Corrective action: Cooler was cleaned out during inspection.

Correction: The inside of the cooler must be appropriately maintained and cleaned.

IMPROPER CLEANING, WASHING AND SANITIZING OF EQUIPMENT AND UTENSILS.

ITEM #11B WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Wiping cloths dirty, not stored properly in sanitizing solutions

Inspector Findings: Observed numerous wiping clothes around the kitchen and no bucket with sanitizing solution. Operator stated that they don't typically use a sanitation bucket. The 3-bay sink was set up with appropriately.

Corrective action: Sanitation bucket was set up and wiping clothes were immersed.

Correction: Sanitizing bucket must be available to use for wet or contaminated wiping cloths, in order to ensure proper sanitation of kitchen.

IMPROPER SANITARY FACILITIES AND CONTROLS.

ITEM #12C WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Plumbing and sinks not properly sized, installed, maintained; equipment and floors not properly drained

Inspector Findings: Observed no air-gap in the plumbing underneath the 3-bay sink.

Correction: In order to prevent backflow and contamination, an air gap must be installed under all sinks used for washing dishes and utensils.

IMPROPER SANITARY FACILITIES AND CONTROLS.

ITEM #12E WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Handwashing facilities inaccessible, improperly located, dirty, in disrepair, improper fixtures, soap, and single service towels or hand drying devices missing

Inspector Findings: Observed handwash sink to be full of unused equipment. Operators were washing hands in the 3-bay sink and there was no hand soap or paper towels.

Corrective action: Paper towels were brought to the 3-bay sink.

Correction: Handwash station must be accessible and available for use at all times of prep and service.

IMPROPER GARBAGE AND RUBBISH DISPOSAL

ITEM #13B WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Garbage storage areas not properly constructed or maintained, creating a nuisance

Inspector Findings: Observed three open and spilling trash bags on the floor of the kitchen. Observed one open trash bag just outside the back door, along with a bucket of meat juice stored on the roof. Observed several more trash bags down the steps on a landing. Observed multiple clusters of flies throughout the kitchen and inside the meat juice bucket. Operator stated that he hadn't been out back yet that day and didn't know the trash was out there. Discussed with operators the importance of immediately removing trash and taking it to the dumpster, especially since the buildup of trash had become a nuisance with the level of fly activity.

Also observed one closet that had multiple open trash bags on the floor with other unidentifiable litter. Operator stated he didn't know the trash was in that closet.

The grease trap appeared to have been overflowing.

There were numerous disagreeable odors throughout the facility, attributed to the observations above.

Corrective action: Trash was being taken out during inspection.

Correction: Trash must be adequately disposed of in order to prevent nuisances.

INADEQUATE INSECT/RODENT CONTROL

ITEM #14A WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Insects, rodents present

Inspector Findings: Observed multiple clusters of flies scattered throughout the kitchen, in the back hallway, and outside the back door. Observed countless dead bugs on all floor spaces and corners. Observed no traps or efforts to mitigate the pest presence. Operator stated that the pest control company comes once per month.

Correction: Pest presence must be adequately managed.

IMPROPER CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES.

ITEM #15C WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Premises littered, unnecessary equipment and article present, living quarters no completely separated for food service operations, live animals, birds and pets not excluded

Inspector Findings: Observed two closets full of unidentifiable miscellaneous items, one of which had a litter box with a significant amount of feces. In that same closet was a bag of litter. Observed countless unnecessary equipment, dog food, trash and unidentifiable debris throughout the facility. Discussed with operator the importance of keeping the kitchen free from unnecessary items and especially items destined for the dumpster.

Correction: Facility must maintain at least a basic level of tidiness and cleanliness that ensures food safety and prevent of pests and spoilage.

Additional Information Collected During Inspection

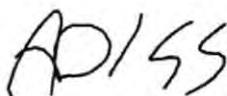
Comments: (5) Part 1 Critical Item Violations: 1H, 2C, 2E, 4A, 5B
(8) Part 2 Blue Item Violations: 10A, 10B, 11B, 12C, 12E, 13B, 14A, 15C

Enforcement to follow.

Note: The buildup of grease and grime on the electrical components will be referred to the appropriate agencies.

Note: Regarding a section of the public complaint, the women's bathroom was closed to the public and under repair.

Note: Additional photos in the facility's folder.



Inspector: Alexandra Dunn (adunn@tomkins-co.org)



Received by: Bradley Grey



5/8/2026






Photo	Caption
	<p>15C: closet with litter box</p>
	<p>2C: cooked foods under/beside raw meat/eggs</p>
	<p>13B: trash</p>

Photo	Caption
	<p>13B, 15C: closet with trash</p>
	<p>2C, 5B: crockpots</p>

Summary of Recommended Enforcement Penalty - FSE

Food Service Establishment Summary

Facility Name: Casper's	FSE - Violation of BOH	
Inspection Date:		4/9/2026
Inspection Risk Factor Score		36
# of BOH Actions:		2
# of Inspections w/o Critical Violation since last action:		0

Food Penalty Calculation

<u>Inspection Risk Factor</u> Score	<u>Penalty Amount</u>
5-7	\$200
8-14	\$400
15-21	\$600
22-28	\$800
29+	case-by-case

Multiplied By

<u># of BOH Actions</u>	<u>Factor Assessed</u>
1	1
2	2
3	3
3+	4

Recommended Food Penalty Determination

Food Penalty Amount	Inspection Credit Amount*	Recommended Penalty
(\$200 * 5 violations) * 2	\$0	\$2,000

*\$200 credit/ inspection for no critical violation since last BOH Order

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 3, 2026

Greg Conard
Lenroc, LLC
222 South Cayuga Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # ENF-26-015
Failure to hold potentially hazardous foods at or above 140°F during hot holding
Hotel Ithaca – Food Service, C-Ithaca**

Dear Greg Conard:

Thank you for signing the Stipulation Agreement on June 2, 2026, for Hotel Ithaca's Food Service. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**.

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 Kristee Morgan or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Stipulation Agreement and Orders, and Case Summary

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Kristee Morgan; Joan Pike; Brenda Coyle
fw: Tompkins County Board of Health (via: SharePoint); CEO C-Ithaca; TC Legislature: Travis Brooks; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
file: Signed copy to F:Drive;
F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Hotel Ithaca\Enforcement\Draft Resolution 26-016.docx

DRAFT RESOLUTION # ENF-26-015

**Hotel Ithaca – Food Service
Lenroc LLC/Greg Conard, Owner/Operator
222 South Cayuga Street
Ithaca, NY 14850**

Whereas, the owner/operator of a Food Service Establishment must comply with the regulations established under Part 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain temperatures of potentially hazardous foods above 140°F during hot holding; **and**

Whereas, on March 7, 2026, and May 6, 2026, the Environmental Health Division (EH) observed critical violations of Subpart 14-1 of the NYSSC where potentially hazardous foods were not held at temperatures at or above 140°F; **and**

Whereas, Greg Conard, Operator, signed a Stipulation Agreement with Whole Health Commissioners Orders on June 2, 2026, agreeing that Hotel Ithaca – Food Service 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 Lenroc LLC, Owner/Operator, is ordered to:**

1. Pay a penalty of \$200 for these violations, due by **August 15, 2026**. (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **and**
2. Maintain temperatures of potentially hazardous foods at or above 140°F in hot holding and provide adequate hot holding equipment when catering at festivals and events to maintain these temperatures; **and**
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

STIPULATION AGREEMENT AND ORDERS # ENF-26-015

Hotel Ithaca – Food Service
Lenroc LLC/David Hart, Owner/Operator
222 South Cayuga Street
Ithaca, NY 14850

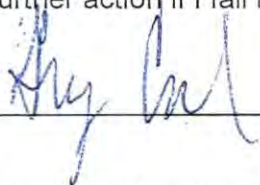
I, David Hart, as a representative for Lenroc LLC, agree that on March 7, and May 6, 2026, Hotel Ithaca – Food Service was in violation of Subpart 14-1 of the New York State Sanitary Code for failure to keep potentially hazardous foods at or above 140°F in hot holding.

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 Environmental Health Division.)


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

1. Maintain temperatures of potentially hazardous foods at or above 140°F in hot holding and provide adequate hot holding equipment when catering at festivals and events to maintain these temperatures; **and**
2. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

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

Signed:  Date: 6/2/26

Lenroc, LLC is hereby ordered to comply with these Orders of the Whole Health Commissioner.

Signed:  Date: 6/2/26
Jennie Sutcliffe
Whole Health Commissioner

CASE SUMMARY – FOR RESOLUTION # ENF-26-015

**Hotel Ithaca – Food Service
Lenroc LLC/Greg Conard, Owner/Operator
222 South Cayuga Street
Ithaca, NY 14850**

Compiled on June 2, 2026

Date	Action
06/20/2019	Permit to Operate a Temporary Residence and Food Service Establishment issued.
01/12/2021	TCEH - Inspection. Violation: Enough refrigerated storage not maintained so that potentially hazardous foods stayed below 45°F during cold holding.
02/11/2021	TCEH Re-Inspection. Violation cited on 1/12/2021 was observed to be corrected.
12/16/2021	TCEH Inspection. HACCP inspection conducted with facility.
03/05/2022	TCEH Inspection at Chili Cookoff. No critical violations observed.
08/04/2022	TCEH Inspection. Violation: Potentially hazardous foods not kept at or below 45°F during cold holding.
11/09/2022	TCEH Re-inspection. Violation cited on 8/4/2022 was observed to be corrected.
02/22/2023	TCEH Inspection. Violation: Potentially hazardous foods not kept at or below 45°F during cold holding.
09/21/2023	TCEH Inspection. Violation: Potentially hazardous foods were not kept at or below 45°F during cold holding.
03/04/2023	TCEH Inspection at Chili Cookoff. No critical violations observed.
08/13/2023	TCEH Inspection. No critical violations observed.
03/02/2024	TCEH Inspection at Chili Cookoff. No critical violations observed.
05/08/2024	TCEH Inspection. Violation: Adulterated food on premises.
06/06/2024	TCEH Re-inspection. Violation cited on 5/8/2024 was observed to be corrected.
12/11/2024	TCEH Inspection. Violation: Potentially hazardous foods not kept at or below 45°F during cold holding.
03/01/2025	TCEH Inspection at Chili Cookoff. No critical violations observed.
04/16/2025	TCEH Inspection. No critical violations observed. Previous violation observed to be corrected.
09/12/2025	TCEH Inspection. No critical violations observed.
02/13/2026	TCEH Inspection. No critical violations observed.
03/07/2026	TCEH Re-Inspection. Violations: See attached inspection report.
05/06/2026	TCEH Re-Inspection. Violation: See attached inspection report.

Food Service Establishment Inspection Summary Report

Operation: HOTEL ITHACA- MAX'S - FSE-H (ID: 312828)
Facility Name: HOTEL ITHACA
Facility Code: 54-0827 Facility Email: gconard@harthotels.com
Facility Address: 222 South Cayuga Street, Ithaca, NY 14850

To the Attention of:

David Hart
LENROC, LLC
222 South Cayuga St
Ithaca, NY 14850
Email: gconard@harthotels.com

Inspection

Date: March 7, 2026 01:10 PM
Inspector: Mikhail Kern (mkern@tompkins-co.org)
Responsible Person: Curtis Colon

Summary

Number of Public Health Hazards Found: 2
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 1

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Accurate thermometers not available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating and holding.

Inspector Findings: No thermometer present at food service area.
Correction: Accurate thermometer must be used to ensure acceptable temperatures in hot and cold holding.
Operator texted to bring thermometer from restaurant.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings: Observed one half pan of chili in hot box measuring 130-135 degrees F.
Correction: Potentially hazardous food must be kept above 140 degrees F at all times.
Operator discarded pan during inspection. Other half pan in hot box measured 160 degrees F.

IMPROPER SANITARY FACILITIES AND CONTROLS.

ITEM #12E WAS FOUND IN VIOLATION 1 TIME(S).

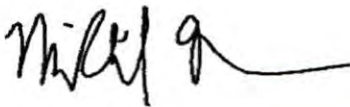
All or parts of the item are violations.

Code Requirements: Handwashing facilities inaccessible, improperly located, dirty, in disrepair, improper fixtures, soap, and single service towels or hand drying devices missing

Inspector Findings: Hand wash station set up with sanitized water instead of water and soap.
Correction: Hand wash must include soap to physically remove pathogens.
Discussed proper hand wash setup.

Additional Information Collected During Inspection

Comments: Part 1: Critical violations observed of Items 2E and 6A.
Part 2: Violation observed of Item #12E.
Reinspection required.
At Chili Cook-Off.



Inspector: Mikhail Kern (mkern@tompkins-co.org)



Received by: Curtis Colon



3/10/2026

Food Service Establishment Inspection Summary Report

Operation: HOTEL ITHACA- MAX'S - FSE-H (ID: 312828)
Facility Name: HOTEL ITHACA
Facility Code: 54-0827 Facility Email: gconard@harthotels.com
Facility Address: 222 South Cayuga Street, Ithaca, NY 14850

To the Attention of:

David Hart
LENROC, LLC
222 South Cayuga St
Ithaca, NY 14850
Email: gconard@harthotels.com

Re-Inspection

Date: May 6, 2026 05:28 PM
Inspector: Mikhail Kern (mkern@tompkins-co.org)
Responsible Person: Kelly Fisher

Summary

Number of Public Health Hazards Found:	1
Number of Public Health Hazards NOT Corrected:	0
Number of Other Violations Found:	1

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings: Observed approximately 5 sheet pans of mac and cheese in an electric hot box measuring between 129-136 degrees F.
Correction: Potentially hazardous food must be kept above 140 degrees F at all times.
Operator transported pans to restaurant for rapid reheating. Discussed hot holding upgrades for future events.
This is a repeat violation.

IMPROPER SANITARY FACILITIES AND CONTROLS.

ITEM #12E WAS FOUND IN VIOLATION 1 TIME(S).

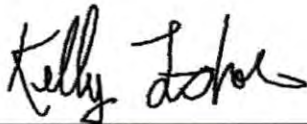
All or parts of the item are violations.

Code Requirements: Handwashing facilities inaccessible, improperly located, dirty, in disrepair, improper fixtures, soap, and single service towels or hand drying devices missing

Inspector Findings: Hand wash station set up with sanitized water instead of water and soap.
Correction: Hand wash must include soap to physically remove pathogens.
Discussed proper hand wash setup.
Note: This is a repeat violation.

Additional Information Collected During Inspection

Comments: Part 1: Critical violation observed of Item 6A.
Part 2: Violation observed of Item 12E.
Reinspection required.
Enforcement to follow.



Inspector: Mikhail Kern (mkern@tompkins-co.org)

Kristee Morgan 5/8/2026

CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 22, 2026

Ithaca Estates LLC
Attn: Amit Malhota
31 Union Ave
Edison, NJ 08820

**Re: Tompkins County Board of Health Draft Resolution ENF-26-016
Violation of Board of Health Resolution ENF-26-007
Ithaca Estates mobile home park, T-Dryden**

Dear Amit Malhota:

On May 12, 2026, Tompkins County Environmental Health (TCEH) staff found the water line that had recently been replaced within the Ithaca Estates mobile home park bisects an existing sewage system, causing a discharge of sewage to the surface of the ground. TCEH had not been notified of the discharge. This discharge is a violation of Board of Health Resolution ENF-26-007.

Additionally, the water line, which begins outside of the water storage building and follows the hedge north of Phil's Way until it angles back towards the park road near the creek culvert, does not appear to have been installed properly. A portion of the line was observed to be uncovered, within a pool of water, and at a depth of less than a foot from original grade. The entirety of the replaced line was bedded in fill containing rocks and debris of variable size. These modifications do not meet the requirements of Subpart 5-1 of New York State Sanitary Code.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**. 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 Scott Freyburger or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Resolution ENF-26-007 and Case Summary

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Scott Freyburger, Public Health Engineer; Dillon Shults; Adriel Shea; Adam Ace; Michael Robson; Annamae Joyce; Brenda Coyle
fw: CEO T-Dryden; Supervisor T-Dryden; Gregory Mezey, TC Legislature; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
file: Signed copy to F:Drive;
F:\EH\MOBILE HOME PARKS (MHP)\Facilities (MHP-4)\Ithaca Estates LLC (Congers)\Enforcement\2026\Draft Res 26-016.docx

RESOLUTION ENF-26-016

**Ithaca Estates
Ithaca Estates LLC, Owner
23 Kirk Rd, Town e.g. T-Dryden
Freeville, NY 13068**

Whereas, the owner/operator of a Mobile Home Park must comply with the regulations established under Part 17 of the New York State Sanitary Code (NYSSC), Subpart 5-1 of the NYSSC and Article VI of the Tom-pkins County Sanitary Code (TCSC); **and**

Whereas, on April 28, 2026, the Tom-pkins County Board of Health adopted Resolution ENF-26-007, which included orders to immediately notify Tom-pkins County Environmental Health of any sewage discharge to the surface of the ground and to abide by all other provisions of Part 17 of the NYSSC, and to abide by all applicable provisions of Article VI of the TCSC; **and**

Whereas, Part 17 of the NYSSC and Article VI of the TCSC prohibit the discharge of inadequately treated sewage to the surface of the ground; **and**

Whereas, on May 12, 2026, Ithaca Estates mobile home park was in violation of Part 17 of the NYSSC, Article VI of the TCSC and Board of Health Resolution ENF-26-007 for the presence of sewage to the surface of the ground; **and**

Whereas, Article VI of the TCSC requires a property owner/operator or a contractor to obtain an Onsite Wastewater Treatment System Construction Permit before making alterations or repairs to an existing sewage system; **and**

Whereas, on May 12, 2026, Ithaca Estates mobile home park was in violation of Article VI of the TCSC for having altered an existing sewage system without an Onsite Wastewater Treatment System Construction Permit; **and**

Whereas, Subpart 5-1, Appendix 5-A Recommended Standards for Water Works 2022 Edition requires water distribution system piping to be:

- placed away from onsite wastewater treatment systems; **and**
- installed in adequate bedding that is free of stone; **and**
- covered with sufficient earth to prevent freezing; **and**

Whereas, on May 12, 2026, Ithaca Estates mobile home park was in violation of Subpart 5-1, Appendix 5-A Recommended Standards for Water Works 2022 Edition for the installation of a waterline that:

- Bisects an existing sewage treatment system; **and**
- Is buried in fill that contains stone; **and**
- Is not covered with sufficient earth to prevent freezing; **and**

Whereas, Ithaca Estates LLC, Owner, has violated Part 17 and Subpart 5-1, Appendix 5-A of the NYSSC, Article VI of the TCSC and Board of Health Resolution ENF-26-007; **now therefore be it**

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

1. A penalty of \$2,600 shall be assessed for these violations. This penalty will be waived if Orders #2 through #6 are met. **(Do Not** submit penalty payment unless notified by the Tompkins County Environmental Health Division); **and**
2. Immediately, erect temporary fencing and lime areas where sewage has been or is discharging to the ground surface; **and**
3. Immediately begin pumping the respective septic tank(s) as often as necessary to prevent the discharge of sewage to the ground surface until the issue is permanently resolved; **and**
4. **By July 1, 2026**, submit a report with approvable plans prepared by a NYS licensed design professional that provides an evaluation of the condition of the OWTS damaged during the installation of the water line and propose repairs to restore its ability to provide adequate treatment of sewage effluent; **and**
5. **Within 45 days of approval of plans by TCEH**, complete all repairs to the OWTS and submit a record drawing and a certification prepared by a NYS licensed design professional attesting that repairs have been completed in accordance with approved plans; **and**
6. **By September 1, 2026**, submit a report with approvable plans prepared by a NYS licensed design professional that:
 - a. identifies the location (or best approximation) of all onsite wastewater treatment systems (OWTS) serving homes/lots along Bill's Way and Phil's Way (east of the creek); **and**
 - b. identifies the specific homes/lots served by each OWTS; **and**
 - c. identifies any drainage swales, tiles or pipes meant to dewater the park of surface water and/or groundwater in the section of the park east of the creek; **and**
 - d. provides investigative results documenting if and how infiltration and inflow from groundwater and/or water distribution system leaks affects the existing OWTS, and/or if and how dewatering swales, tiles or pipes short circuit the adequate treatment of sewage effluent in this section of the park; **and**
 - e. proposes modifications or repairs, where necessary, that shall prevent the discharge of inadequately treated sewage to the surface of the ground, water courses, water bodies or groundwater; **and**
 - f. proposes modifications or repairs, where necessary, to the potable water distribution system to maintain necessary separation distances to OWTS, to eliminate dead ends, to prevent leaks of finished water, and to prevent the freezing of water lines by ensuring lines are buried below the frost line; **and**
7. **Within 45 days of approval of plans by TCEH** (or in accordance with an agreeable timetable proposed to TCEH and formally adopted by future Board of Health action), complete all modifications and submit record drawings and certifications prepared by a NYS licensed design professional attesting that all modifications have been completed in accordance with the approved plans; **and**
8. Immediately notify TCEH of any future discharges of sewage to the ground surface; **and**
9. Comply with all provisions of Part 17 of the New York State Code for Mobile Home Parks; **and**
10. Comply with all provisions of Article VI of the Tompkins County Sanitary Code for Sewage Holding, Treatment and Disposal.

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 9, 2026

Tanya Williams
Caribbean Patty World
188 ½ Main St.
Binghamton, NY 13905

**Re: Tompkins County Board of Health Draft Resolution # ENF-2026-20
Potentially hazardous foods held at improper temperature and inadequate facilities to
maintain temperatures
Caribbean Patty World, Throughout Tompkins**

Dear Tanya Williams:

On December 3, 2024, the Tompkins County Board of Health adopted resolution #EH-ENF-24-0016 requiring you to maintain temperatures of potentially hazardous foods at or below 45°F in cold holding, and above 140°F during hot holding.

On May 29, 2026, Tompkins County Environmental Health Division staff observed critical violations of Subpart 14-2 of the NYSSC. These are violations of Board of Health Orders.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**.

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 Kristee Morgan or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Stipulation Agreement and Orders, and Case Summary

ec: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Kristee Morgan; Mikhail Kern; Brenda Coyle
fw: Tompkins County Board of Health (via: SharePoint); TC Legislature: Travis Brooks; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
file: Signed copy to F:Drive;
F:\EH\FOOD (SF)\TEMP FSE (STF)\Facilities\Caribbean Patty World\2026\Draft Resolution 2026-20.docx

Diversity Through Inclusion

DRAFT RESOLUTION # ENF-2026-20

**Caribbean Patty World
Tanya Williams, Owner/Operator
188 ½ Main Street
Binghamton, NY 13905**

Whereas, the owner/operator of a Temporary Food Service Establishment must comply with the regulations established under Part 14-2 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-2 of the NYSSC to hold potentially hazardous foods at a temperature between 45°F and 140°F; **and**

Whereas, on December 3, 2024, the Tompkins County Board of Health Resolution #ENF-24-0016 ordered Tanya Williams to maintain all potentially hazardous food temperatures at or below 45 °F in cold holding, and at or above 140 °F at all times during hot holding; **and**

Whereas, on May 29, 2026, the Tompkins County Environmental Health Division (TCEH) observed critical violations at the Ithaca Festival where potentially hazardous foods were not kept below 45°F during cold holding and were not kept above 140°F during hot holding, **and**

Whereas, on May 29, 2026, Caribbean Patty World violated these provisions of the New York State Sanitary Code and the provisions of Board of Health Resolution #ENF-24-0016 were not met; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Tanya Williams, Owner/Operator, is ordered to:**

1. Pay a penalty of \$800 for these violations, due by **August 15, 2026**. (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **and**
2. Maintain potentially hazardous foods below 45°F during refrigeration; **and**
3. Maintain potentially hazardous foods above 140°F during hot holding; **and**
4. Prior to receiving further temporary food permits from Tompkins County Environmental Health (TCEH), submit a plan for approval by TCEH detailing how food will be kept hot or cold during transportation and kept hot or cold onsite at events; **and**
5. Submit smaller, revised menu prior to operating at next temporary food service event in Tompkins County. The revised menu must show a smaller, more manageable selection of foods that can be more easily maintained at required temperatures. The menu must be approved prior to the event.
6. Comply with all the requirements of Subpart 14-2 of the New York State Code for Temporary Food Service Establishments.

STIPULATION AGREEMENT AND ORDERS # ENF-24-0016

Caribbean Patty World
Juanita Tanya Williams, Owner/Operator
188 ½ Main Street
Binghamton, NY 13905

Received

OCT 23 2024

Tompkins County


I, Juanita Tanya Williams, as a representative for Caribbean Patty World, agree that on ~~September~~ Environmental Health 20, September 27 and September 28, 2024, I was in violation of Subpart 14-2 of the New York State Sanitary Code for failure to keep potentially hazardous foods below 45°F in cold holding or above 140°F during hot holding.

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

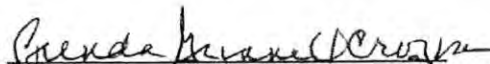
I also agree to comply with the following Orders when signed by the Tompkins County Whole Health Commissioner:

1. Maintain potentially hazardous foods below 45°F during refrigeration; and
2. Maintain potentially hazardous foods above 140°F during hot holding; and
3. Prior to receiving further temporary food permits from Tompkins County Environmental Health (TCEH), submit a plan for approval by TCEH detailing how food will be kept hot or cold during transportation and kept hot or cold onsite at events; and
4. Comply with all the requirements of Subpart 14-2 of the New York State Code for Temporary Food Service Establishments.

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

Signed:  Date: 10/17/2024

Juanita Tanya Williams is hereby ordered to comply with these Orders of the Whole Health Commissioner.

Signed:  Date: 10/23/24
Frank Kruppa
Whole Health Commissioner

CASE SUMMARY – FOR RESOLUTION # ENF-2026-20

**Caribbean Patty World
Tanya Williams, Owner/Operator
188 ½ Main Street
Binghamton, NY 13905**

Compiled on June 5, 2026

Date	Action
06/18/2022	First permit to operate a Temporary Food Service Establishment issued for Caribbean Patty World for operation at Ithaca Raggae Festival. TCEH Inspection. Violations: Potentially hazardous foods held at improper temperatures.
07/20/2023	TCEH Inspection at Grassroots Festival. No critical violations observed.
07/18/2024	TCEH Inspection at Grassroots Festival. Violation: Potentially hazardous foods held at improper temperature.
07/20/2024	TCEH Re-inspection at Grassroots Festival. Violation: Inadequate facilities to maintain temperatures.
07/21/2024	TCEH Re-Inspection at Grassroots Festival. Previous violations observed to be corrected. No critical violations observed.
09/27/2024	TCEH Inspection at Ithaca Apple Festival. Violation: Potentially hazardous foods held at improper temperatures.
09/28/2024	TCEH Re-inspection at Ithaca Apple Festival. Violation: Potentially hazardous foods held at improper temperatures. Board of Health action initiated.
12/03/2024	Tompkins County Board of Health passes final resolution #ENF-2026-20.
07/17/2025	TCEH Inspection at Grassroots Festival. No critical violations observed.
05/29/2026	TCEH Inspection at Ithaca Festival. Violations: See attached inspection report. These were violations of Board of Health orders.
05/30/2026	TCEH Re-Inspection. Violations observed on 5/29/2026 were corrected. No additional critical violations observed.

Temporary Food Service Establishment Inspection Summary Report

Event: CARIBBEAN PATTY WORLD at 2026 - Ithaca Festival (ID: 1211001)
Location Name: ITHACA (C) -TEMP FSE ONLY
Location Code: 54-5401
Location Address: Various Street, Ithaca, NY 14850

To the Attention of:

Juanita Tanya Williams
Caribbean Patty World
188 1/2 Main St
Binghamton, NY 13905
Email: Caribbeanbarandgrill@aol.com

Inspection

Date: May 29, 2026 02:35 PM
Inspector: Mikhail Kern (mkern@tompkins-co.org)
Responsible Person: Tanya Juanita Williams

Summary

Number of Public Health Hazards Found: 4
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 1

Reinspection is Required

Each item found in violation is reported below along with the code requirement.

CRITICAL ITEM

ITEM # 3 WAS FOUND IN VIOLATION 3 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous food at improper temperature (45 degree F - 140 degree F) [14-2.3(b)(c)]

Inspector Findings:

1. Observed two 1/8 pans of grilled vegetables at 135 degrees F near crock pots not under hot holding.
Correction: Potentially hazardous food must be kept above 140 degrees F at all times.
Operator cooked vegetables to 165 degrees F on grill.
2. Observed approximately 1 tomato's worth of sliced tomatoes in plastic container next to grilled vegetables at 71 degrees F not under cold holding.
Correction: Potentially hazardous foods must be kept below 45 degrees F at all times.
Operator discarded tomato during inspection.

3. Observed quarter pan of oxtail at 115-155 degrees F and quarter pan of rice and beans at 132 degrees F in right hand steam table.

Correction: Potentially hazardous food must be kept above 140 degrees F at all times. Operator placed both on grill for rapid reheating. Discussed mixing of oxtail to even out temperature.

CRITICAL ITEM

ITEM #10 WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Inadequate facilities to maintain temperature [14-2.3(c), 14-2.4, 14-2.15]

Inspector Findings: Observed all foods in the refrigerator between 57-64 degrees F.
Correction: Cold holding facilities must maintain potentially hazardous food below 45 degrees F. Operator moved items to freezer for rapid chilling and storage. Discussed prechilling unit and items and not overfilling unit.

SANITATION and MAINTENANCE ITEMS

ITEM #17 WAS FOUND IN VIOLATION 1 TIME(S).

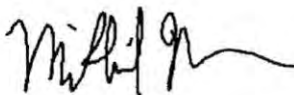
All or parts of the item are violations.

Code Requirements: Hand washing facilities inadequate [14-2.8, 14-2.12, 14-2.16]

Inspector Findings: Observed hand wash facility not set up at time of inspection. Dish soap used in lieu of hand soap.
Correction: Hand wash station must be set up and used before food preparation begins to prevent contamination.
Operator set up station during inspection. Dish soap to be replaced with hand soap.

Additional Information Collected During Inspection

Comments: Part 1: Critical violations observed of Items 3 and 10.
Part 2: Violation of Item #17.
Reinspection required. Violation of Board of Health Orders.
Note: Food logs not available at time of inspection. Logs to be emailed for today and be present on-site for inspection tomorrow.



Inspector: Mikhail Kern (mkern@tompkins-co.org)



Received by: Tanya Juanita Williams

 6/8/2026

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tompkins-co.org

Temporary Food Service Establishment Inspection Summary Report

Event: CARIBBEAN PATTY WORLD at 2026 - Ithaca Festival (ID: 1211001)
Location Name: ITHACA (C) -TEMP FSE ONLY
Location Code: 54-5401
Location Address: Various Street, Ithaca, NY 14850

To the Attention of:

Juanita Tanya Williams
Caribbean Patty World
188 1/2 Main St
Binghamton, NY 13905
Email: Caribbeanbarandgrill@aol.com

Re-Inspection

Date: May 30, 2026 05:30 PM
Inspector: Katherine Walker (kwalker@tompkins-co.org)
Responsible Person: Tanya Williams

Summary

Number of Public Health Hazards Found:	0
Number of Public Health Hazards NOT Corrected:	0
Number of Other Violations Found:	0

Reinspection is not Required

Each item found in violation is reported below along with the code requirement.

NO CRITICAL VIOLATIONS REPORTED

NO ADDITIONAL VIOLATIONS REPORTED

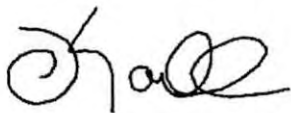
Additional Information Collected During Inspection

Comments: Part 1: No critical violations observed
Part 2: No violations observed

Violations of Items #3, #10 and #17 observed during inspection on 5/29/26 have been corrected.

Inspected at Ithaca Fest.

No reinspection required.



Inspector: Katherine Walker (kwalker@tompkins-co.org)



Received by: Tanya Williams

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 15, 2026

Asteri Ithaca LLC
Attention: Kimberly Skinner
305 West Commercial St
Springfield, MO 65803

Re: Tompkins County Board of Health Resolution ENF-2026-23
Violation of Board of Health Resolution ENF-26-005

Dear Kimberly Skinner:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**, for violations of Board of Health Resolution ENF-26-005.

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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Resolution ENF-26-005, and Case Summary

ec: Melissa McPherson, Asteri Ithaca; Michael Pehinec, Attorney for Asteri Ithaca LLC; Holly Mosher, Deputy County Attorney; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Adriel Shea; Sarah Heath; Kate Walker; Brenda Coyle

fw: Dominick Recckio, Acting City Manager, C-Ithaca; Lisa Nicholas, Director of Planning & Development, Chief Michael Moody, Ithaca Fire; Chief Thomas Kelly, Ithaca Police; C-Ithaca; Robert Fell-DeWalt, Director of Code Enforcement, C-Ithaca; Veronica Pillar, TC Legislature; Korsah Akumfi, County Administrator; Bridgette Nugent, Deputy County Administrator; Maury Josephson, County Attorney; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director

file: Signed copy to F:Drive;
F:\EH\COMPLAINTS-NUISANCES (SG)\24 Complaints\Asteri\Enforcement\2026\Draft Res ENF-2026-23.docx

DRAFT RESOLUTION ENF-2026-23

**Asteri Ithaca
Asteri Ithaca LLC
118 E Green St, C-Ithaca
Ithaca, NY 14850**

Whereas, property owners and operators under the jurisdiction of the Tompkins County Board of Health must comply with Section 300 of New York Public Health Law (NYPHL); **and**

Whereas, Asteri Ithaca LLC, is the property owner and the operator of Asteri Ithaca, a residential building within Tompkins County; **and**

Whereas, NYPHL Section 309(f) grants the Tompkins County Board of Health (BOH) the authority to prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations, or any of the regulations of the state sanitary code; **and**

Whereas, on April 9, 2026, the BOH adopted Resolution ENF-26-005 for violations of state and local sanitary codes, as well as violations of Resolution ENF-25-0011; **and**

Whereas, Resolution ENF-26-005 included an order (order #2) for Asteri LLC to “Immediately, implement the solid waste management plan, as approved on November 12, 2025”, **and**

Whereas, during the May 2026 compliance inspections, TCEH has noticed marked and consistent improvement in the sanitary condition of the hallways and trash rooms of Asteri Ithaca; and to a lesser extent in the stairwells and with trash room odors; **and**

Whereas, during compliance inspections by TCEH staff on May 1, 4, 7, 13, 21, and 29, 2026, Asteri Ithaca LLC was found to be in violation of Resolution ENF-26-005 for failing to comply with multiple provisions of its waste management plan including:

- The construction of an outdoor pet relief area on the fourth-floor patio to help reduce dog waste in the stairwells and in public spaces around the building;
- The installation of security cameras in high-risk areas including trash rooms, stairwells, and the bike room to deter misuse and unauthorized disposal;
- Upgrading ventilation in trash rooms to mitigate odors and pest issues; **and**

Whereas, during a compliance inspection on May 7, 2026, building management informed TCEH staff that the City of Ithaca’s Building Division had denied Asteri Ithaca LLC’s proposal to construct an outdoor pet relief area on the building’s fourth floor patio; **and**

Whereas, during a compliance inspection on May 29, 2026, building management informed TCEH staff of a contract to have security cameras installed in the building’s stairwells and trash rooms in approximately eight weeks; **and**

Whereas, Resolution ENF-26-005 included a penalty payment of \$49,000 (Order #1), of which, \$9,000 would be waived if Asteri Ithaca LLC demonstrated compliance with all subsequent orders (orders #2 - #7) of the resolution; **and**

Whereas, Asteri Ithaca LLC has, to date, demonstrated compliance with orders #3 - #7, and substantive compliance with order #2 of Resolution ENF-26-005, and any requirement to pay the remaining \$9,000 penalty may be deferred and dependent on full compliance with the orders and their respective deadlines of this resolution (Resolution ENF-2026-23); **and**

Whereas, TCEH reserves the right to seek any and all remedies available to it under Article I of the Tompkins County Sanitary Code and Section 309 of Public Health Law including, but not limited to, fines and penalties up to \$2,000 per day for any future violations of Board of Health Orders; **now therefore be it**

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

1. Pay a penalty of \$9,000 for violating order #2 of Resolution ENF-26-005 **by August 15, 2026**, (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division). This penalty will be waived if full compliance with orders #2 - #4 of this resolution is demonstrated; **and**
2. Install fully functional security cameras of adequate number and placement within the stairwells and trash rooms of Asteri Ithaca **by July 24, 2026; and**
3. Repair all trash chute doors within the trash rooms of Asteri Ithaca -to function as designed **by July 24, 2026; and**
4. Modify and submit an approvable waste management plan that proposes changes to provisions within the current plan that are now understood to be impractical or unattainable **by July 24, 2026**. All proposed changes must be clearly identified; **and**
5. Fully implement the modified waste management plan by the implementation dates of the waste management plan, once approved by TCEH; **and**
6. Continue to comply with all applicable requirements of Article IV: Refuse Disposal and Article V: Nuisances and General Sanitation of the Tompkins County Sanitary Code, as ordered in Resolution ENF-26-005; **and**
7. Continue to comply with all applicable requirements of Section 1300 of the New York Public Health Law, as ordered in Resolution ENF-26-005.

RESOLUTION # ENF-26-005

**Asteri Ithaca
Asteri Ithaca LLC
118 E Green St, C-Ithaca
Ithaca, NY 14850**

Whereas, Tompkins County property owners must comply with Articles IV and V of Tompkins County Sanitary Code (TCSC); **and**

Whereas, Tompkins County property owners must comply with Section 1300 of New York Public Health Law (NYPHL); **and**

Whereas, Section 300 of NYPHL grants The Tompkins County Board of Health enforcement authority within its jurisdiction; **and**

Whereas, Asteri Ithaca LLC, is the property owner and the operator of Asteri Ithaca, a residential building with 181 housing units receiving government financial assistance, of which, 40 are supportive housing units; **and**

Whereas, Article IV, Section 4.01(b) of the TCSC provides that on every premises there shall be adequate containers to accumulate refuse and so placed and maintained as to not create a nuisance; **and**

Whereas, Article V, Section 5.02 of the TCSC provides that where a nuisance or condition which may affect health is present, the owner of the premises shall be delivered written notice requiring them to abate the nuisance or condition; **and**

Whereas, Section 1303(3) of NYPHL provides that the Tompkin County Board of Health (BOH) shall order the suppression or removal of all nuisances and conditions detrimental to life and health; **and**

Whereas, on July 22, 2025, in response to previous violations of Section 4.01(b) of the TCSC at Asteri Ithaca, the BOH adopted Resolution #ENF-25-0011, requiring Asteri LLC to have a professional third party submit a proposed waste management plan to TCEH for approval, and then to implement the plan once approved; **and**

Whereas, on October 28, 2025, the Vecino Group, parent company of Asteri LLC, submitted the final draft of Asteri Ithaca's waste management plan; **and**

Whereas, on November 12, 2025, TCEH accepted the proposed waste management plan, with the condition that the plan would be fully implemented by December 31, 2025; **and**

Whereas, on January 27, 2026, a complaint investigation by Tompkins County Environmental Health (TCEH) staff found inadequately contained refuse, biohazards in common areas and the general lack of managerial or security presence within Asteri Ithaca (refer to Exhibit A); **and**

Diversity Through Inclusion

Whereas, on January 28, 2026, Commissioner of Whole Health's Orders # ENF-26-005 were issued to Asteri Ithaca LLC, requiring immediate removal and disposal of inadequately contained refuse and cleaning and disinfecting areas contaminated with biohazards; **and**

Whereas, on February 3, 2026, TCEH staff reinspected Asteri Ithaca and found that most of the refuse observed during the previous inspection had been removed and disposed of, while the areas containing biohazards had not been cleaned or disinfected, and the managerial and security presence appeared to be unchanged (refer to Exhibit B); **and**

Whereas, on January 27, 2026, and February 3, 2026, Asteri Ithaca LLC was in violation of Article IV, Section 4.01(b) of the TCSC, for failure to adequately provide and place containers for refuse, so as not to create a nuisance; of Article V, Section 5.02, for failure to fully abate these nuisances or conditions once notified; **and**

Whereas, on January 27, 2026, and February 3, 2026, Asteri Ithaca LLC was in violation of Resolution #ENF-25-0011 Order #2, for failure to implement multiple provisions of the waste management plan as approved;

- ~ A 24/7 security presence to support building operations and waste management compliance;
- ~ The installation of security cameras in high-risk areas including trash rooms, stairwells, and the bike room to deter misuse and unauthorized disposal;
- ~ Maintain a violation log to track recurring issues, categorize incidents and support enforcement actions;
- ~ Improved access control at building entry points to prevent illegal dumping;
- ~ The implementation of a guest check-in system to limit unauthorized access;
- ~ The implementation of a bike registration program to prevent unit-level accumulation and to track ownership;
- ~ The continued use of resident waste ambassadors to monitor floor-level conditions and promote proper disposal practices;
- ~ The construction of an outdoor pet relief area on the fourth-floor patio to help reduce dog waste in the stairwells and in public spaces around the building;
- ~ Assuring that sharps containers remain in secure and monitored locations and remain locked to prevent the reuse of hypodermic needles;
- ~ Assuring that bulky waste items, including furniture, mattresses and appliances are not left in hallways, stairwells or trash rooms;
- ~ The posting and maintenance of large, visually engaging, multilingual signage in all trash rooms, on chute doors and in common-high-traffic areas to reinforce waste disposal rules and expectations;
- ~ The placement of large, secure bins near elevator lobbies for convenient daily disposal;
- ~ Upgrading ventilation in trash rooms to mitigate odors and pest issues;
- ~ Increase the number or capacity of dumpsters if necessary to manage the building's waste output;
- ~ Management's implementation of a metrics and monitoring framework, to track and evaluate quantitative and qualitative metrics of key performance indicators across education, infrastructure, residential behavior and waste volume; **and**

Whereas, Article V of the TCSC grants the Commissioner of Tompkins County Whole Health the authority to order Asteri Ithaca LLC to appear at a hearing and show cause why a violation should not be declared a nuisance or a condition dangerous to life or health, and why an order for its abatement should not be issued; **and**

Whereas, a hearing was held on March 25, 2026, and the hearing officer concluded that Asteri Ithaca LLC was in violation of Article IV, Section 4.01(b) and Article V, Section 5.02 of the TCSC and in violation of Resolution #ENF-25-0011 Order #2 on and between January 27, 2026, and February 3, 2026; **and**

Whereas, the hearing officer agreed Environmental Health's recommended penalty of \$49,000 for these violations was reasonable; **and**

Whereas, if Asteri Ithaca realized its pledge to henceforth maintain the building in a sanitary condition and without nuisances, the hearing officer also agreed it was reasonable for Asteri Ithaca LLC to request a reduced penalty based on the challenges of managing housing where many tenants face struggles that are complex and persistent; **and**

Whereas, in the Finding of Fact and Recommendations, the hearing officer recommended a reduced penalty of \$40,000 if Asteri Ithaca LLC invested, at a minimum, an equivalent amount into the successful management of the building; **and**

Whereas, should Asteri Ithaca LLC now fail to comply with orders to abate nuisances or conditions detrimental to public health, the Commissioner reserves the right, under Article V of the TCSC, to order duly authorized representatives to enter upon the premise of Asteri Ithaca and to abate, suppress, or remove such nuisance or condition at Asteri Ithaca LLC's expense; or to order the building to be vacated, until such time that the building can be placed back into a sanitary and habitable condition; **and**

Whereas, NYPHL Section 309(f) grants the Tompkins County Board of Health the authority to prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations; or any of the regulations of the state sanitary code; **and**

Whereas, Tompkins County Environmental Health reserves the right to seek any and all remedies available to it under Article I of the Tompkins County Sanitary Code and Section 309 of Public Health Law including, but not limited to, fines and penalties up to \$2,000 per day for any future violations of Board of Health Orders; **now therefore be it**

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

1. Pay a penalty of \$49,000 for these violations. \$40,000 is due by **May 15, 2026**. The remaining \$9,000 will be waived if compliance with Orders #2 through #7 is demonstrated; **and**
2. **Immediately**, implement the solid waste management plan, as approved on November 12, 2025; **and**
3. Provide continuous paid professional security with guards licensed by the New York State Department of State, and sufficiently staffed, to monitor the common areas within the building, respond to incidents as needed, and maintain continuous control of access to the premises by **April 30, 2026**; **and**.

4. Provide sufficient paid maintenance and paid cleaning staff furnished with necessary supplies to maintain all common areas of the premises in a manner that is sanitary and free of nuisances on a daily basis by **April 30, 2026; and**
5. Provide written notification detailing staffing plans for security, cleaning, and maintenance services by **April 15, 2026**. For each service type, the notification must include the name of any contracted service (if applicable), the number of staff to be utilized, shift hours, areas of coverage, a description of responsibilities for each area, and back-up staffing arrangements; **and**
6. Comply with all applicable requirements of Article IV: Refuse Disposal and Article V: Nuisances and General Sanitation of the Tompkins County Sanitary Code; **and**
7. Comply with all applicable requirements of Section 1300 of the New York Public Health Law.

This action was adopted by the Tompkins County Board of Health at its executive committee meeting on April 9, 2026.



Jennie Sutcliffe
Whole Health Commissioner

4/9/2026
Date

CASE SUMMARY – FOR RESOLUTION ENF-26-023

**Asteri Ithaca
Asteri Ithaca LLC
118 E Green St, C-Ithaca
Ithaca, NY 14850**

Updated June 12, 2026

Date	Action
November - December 2024	TCEH received several complaints regarding the waste handling occurring at Asteri Ithaca including the accumulation of trash outside of the building including videos and photos of hypodermic needles, feces, and blood in stairwells and other locations of the building.
12/6/2024	Joint inspection by TCEH and City of Ithaca Code Enforcement of Asteri Apartments. Multiple trash rooms were observed to contain excessive numbers of trash bags and refuse that blocked access to the trash chutes. The doors to the trash chutes in several rooms were broken and could not close, while others would not close due to refuse stuck in the entrance to the chute. The conditions in some trash rooms create a potential fire hazard as well as potential health and safety concerns to those entering the trash rooms and handling the materials in those rooms.
12/13/2024	TCEH issued a Notice of Violation (NOV) citing Article IV of the Tom-pkins County Sanitary Code which states: <i>On every premise there shall be adequate containers to accumulate refuse and so placed and maintained as to not create a nuisance.</i> The NOV required Asteri to submit a plan for managing refuse at this property due by 12/30/24.
1/2/2025	Waste Disposal Implementation Plan submitted by Asteri Ithaca's parent company, Vecino LLC, received by TCEH.
1/17/2025	TCEH met with Vecino to discuss plan.
1/24/2025	TCEH sent comments to Vecino on Waste Disposal Implementation Plan and requested a revised plan be submitted by 2/14/25.
2/6/2025	TCEH received Vecino's revised plan.
2/19/2025	TCEH accepted Vecino's revised plan without further comment.
4/16/2025	TCEH performed a site visit at Asteri Ithaca as follow-up on implementation of the waste disposal plan and in response to a complaint. TCEH observed improvements made at Asteri, but additional measures would be needed because issues such as human waste in stairwells, large amounts of trash clogging chutes, and broken chute doors were observed.
6/3/2025	TCEH sent Stipulation Agreement 25-0011.
7/1/2025	TCEH met with Vecino to discuss stipulation agreement.
7/2/2025	Revised Stipulation Agreement 25-0011 signed by Vecino was received by TCEH.
7/17/2025	Vecino forwards to TCEH a proposal with scope of services developed by Barton and Loguidice, describing how they planned to develop a waste management plan for Asteri Ithaca.
7/22/2025	Resolution ENF-25-0011 adopted by Board of Health.

8/7/2025	Vecino provides TCEH a draft waste management plan created by Barton and Loguidice. Draft includes recommendations for security cameras in trash rooms, hallways and stairwells, and recommends 24/7 security coverage.
10/28/2025	Vecino provides TCEH with B&Ls final draft of the waste management plan for Asteri Ithaca. The final version states that 24/7 security will be implemented and that security cameras will be installed in high-risk areas, including trash rooms, stairwells and the bike room.
11/12/2025	TCEH notifies Vecino of acceptance of the final waste management plan. The notification states that the plan should be implemented by the end of 2025 and any complaints received after will be investigated to determine compliance with the County's sanitary code and the waste management plan.
1/22/2026	TCEH receives a complaint with pictures showing the accumulation of trash in the hallways outside of trash rooms in Asteri Ithaca.
1/27/2026	TCEH visits Asteri Ithaca to investigate the complaint received. TCEH confirms the complaint is valid and that the situation has worsened since reviewing the pictures provided with the complaint. TCEH also observes biohazards in the stairwells, evidence of a fire in a stairwell and that there seems to be an overall lack of staff, security and management to keep the common spaces of the building in a sanitary condition.
1/28/2026	Whole Health sends Vecino Commissioner of Whole Health's Orders #ENF-26-005 requiring cleaning and sanitizing of the areas cited no later than February 2, 2026.
2/3/2026	TCEH visits Asteri for a follow-up inspection. Finds much, but not all of the trash has been removed, however, the presence of biohazards in the stairwells has worsened, and there is still a general lack of staffing to secure and clean the building adequately.
3/17/2026	Notice of Hearing sent to Asteri with a March 20, 2026, hearing date scheduled.
3/17/2026	TCEH received call from attorney representing Asteri requesting a change in hearing date.
3/18/2026	Notice of Hearing with Revised Date of March 25, 2026, sent by TCEH.
4/6/2026	Resolution ENF-26-005 adopted by Board of Health.
5/1/2026 5/4/2026 5/7/2026 5/13/2026 5/21/2026 5/29/2026	Compliance checks performed by TCEH. 24/7 Security was observed to be in place. Violations observed: <ul style="list-style-type: none"> • Cameras were not in place in Stairwells except 4th floor. • Evidence of dog feces, urine, and vomit observed in stairwells. • No Pet Relief Area. • Trash chute door opens Each successive inspection showed some improvement. 5/29/26 inspection attached.
6/11/2026	Compliance check performed. Same violations were present but conditions in the stairwells had improved.

ASTERI ITHACA COMPLIANCE REPORT			
Date of Inspection: <u>5/29/26</u>	<input type="checkbox"/> ReInspct	Time: <u>1:18 pm</u>	Inspector(s): <u>A. Shea; K. Uelke</u>
Areas Inspected			
<input checked="" type="checkbox"/> 1 st Floor Entry	<input type="checkbox"/> 4 th Floor Entry	<input checked="" type="checkbox"/> E Stairwell (Floors <u>All</u>)	<input checked="" type="checkbox"/> W Stairwell (Floors <u>All</u>)
<input checked="" type="checkbox"/> Trash Rooms (Floors <u>All</u>)	<input checked="" type="checkbox"/> Hallways (Floors <u>All</u>)	<input type="checkbox"/> Bike Room	<input type="checkbox"/> Other:
Asteri Ithaca Waste Management Plan			
Violation	X = Violation Present		
Security			
1	<input type="checkbox"/>	A 24/7 security presence to support building operations and waste management compliance <input type="checkbox"/> Licensed by NYS Department of State <input type="checkbox"/> Sufficiently staffed to continuously control building access and respond to incidents	
2	<input checked="" type="checkbox"/>	Installation of security cameras in high-risk areas including trash rooms, stairwells, and the bike room to deter misuse and unauthorized disposal	
3	<input type="checkbox"/>	Maintain a log to track recurring issues, categorize incidents and support metrics and monitoring (see #15)	
4	<input type="checkbox"/>	Improved access control at building entry points to prevent illegal dumping	
5	<input type="checkbox"/>	Implementation of a guest check-in system to limit unauthorized access	
6	<input type="checkbox"/>	Implementation of a bike registration program to prevent unit-level accumulation and to track ownership	
Sanitation			
7	<input checked="" type="checkbox"/>	Maintenance and cleaning staff <input type="checkbox"/> Paid/professional <input type="checkbox"/> Sufficiently staffed and furnished with necessary supplies <input checked="" type="checkbox"/> Common areas maintained in sanitary condition and free of nuisances	
8	<input checked="" type="checkbox"/>	Construction and maintenance of an outdoor pet relief area on the fourth-floor patio to help reduce dog waste in the stairwells and in public spaces around the building	
9	<input type="checkbox"/>	Sharps containers remain in secure and monitored locations and remain locked to prevent the reuse of hypodermic needles	
10	<input type="checkbox"/>	Bulky waste items, including furniture, mattresses and appliances are not left in hallways, stairwells or trash rooms	
11	<input type="checkbox"/>	Posting and maintenance of large, visually engaging, multilingual signage in all trash rooms, on chute doors and in common-high-traffic areas to reinforce expectations of waste disposal rules and expectations	
12	<input type="checkbox"/>	Placement of large, secure bins near elevator lobbies for convenient daily disposal	
13	<input checked="" type="checkbox"/>	Upgraded ventilation in trash rooms to mitigate odors and pest issues	
14	<input type="checkbox"/>	Number or capacity of dumpsters if necessary to manage the building's waste output	
15	<input type="checkbox"/>	Management's implementation of a metrics and monitoring framework, to track and evaluate quantitative and qualitative metrics of key performance indicators across education, infrastructure, residential behavior and waste volume	
See page 2 for descriptions of violations observed			



ASTERI ITHACA COMPLIANCE REPORT - CONTINUED

Descriptions of Violations Observed

Date of Inspection: _____

Violation	Xs Cited	Description
Security		
1		
2		Unresolved - See previous reports. CAMERAS HAVE BEEN ORDERED. APPROXIMATELY 6 WEEKS OUT.
3		
4		
5		
6		
Sanitation		
7		Observed numerous instances, including urine and hypodermic needles. Noted overall improvement since previous inspections.
8		Waste Management Plan modification needed - See previous reports.
9		
10		
11		
12		
13		Awaiting update regarding repair timeline for trash chute doors.
14		
15		

Other

Reported number of units occupied & reported number of tenants present:

Inspector: Print name: Kate Walker

Signature: [Signature]

Received by: Print name: Melissa

Signature: [Signature]

Tompkins County Environmental Health Inspection Photos – 5.29.2026

Photos taken by Kate Walker and Adriel Shea

Photos compiled by Adriel Shea



Chute doors open. 12th floor trash room



Chute doors open. 11th floor trash room



Chute doors open. 10th floor trash room



Apparent urine. W stairs, 9th floor



Chute doors open. 9th floor trash room



Apparent urine. E stairs, 9th floor



Apparent urine. E stairs, 8th floor



Chute doors open. 8th floor trash room



Hypodermic needle behind heating register. W stairs, 7th floor



Possible fecal residue. W stairs, 7th floor



Apparent urine. W stairs, 7th floor



Hypodermic needle under heating register. W stairs, 7th floor



Apparent urine. W stairs, 7th floor



Chute doors open. 7th floor trash room



Apparent urine. E stairs, 7th floor



Apparent urine. E stairs, 7th floor



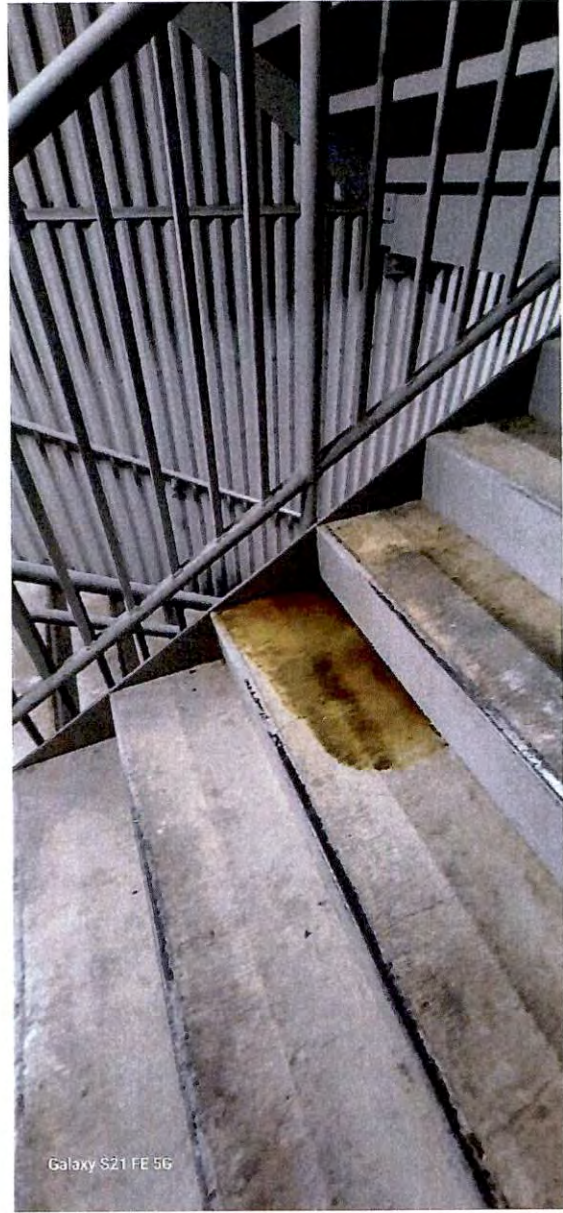
Apparent urine. E stairs, 6th floor



Apparent urine. E stairs, 6th floor



Chute doors open. 6th floor trash room



Apparent urine. W stairs, 6th floor



One chute door open. 5th floor trash room



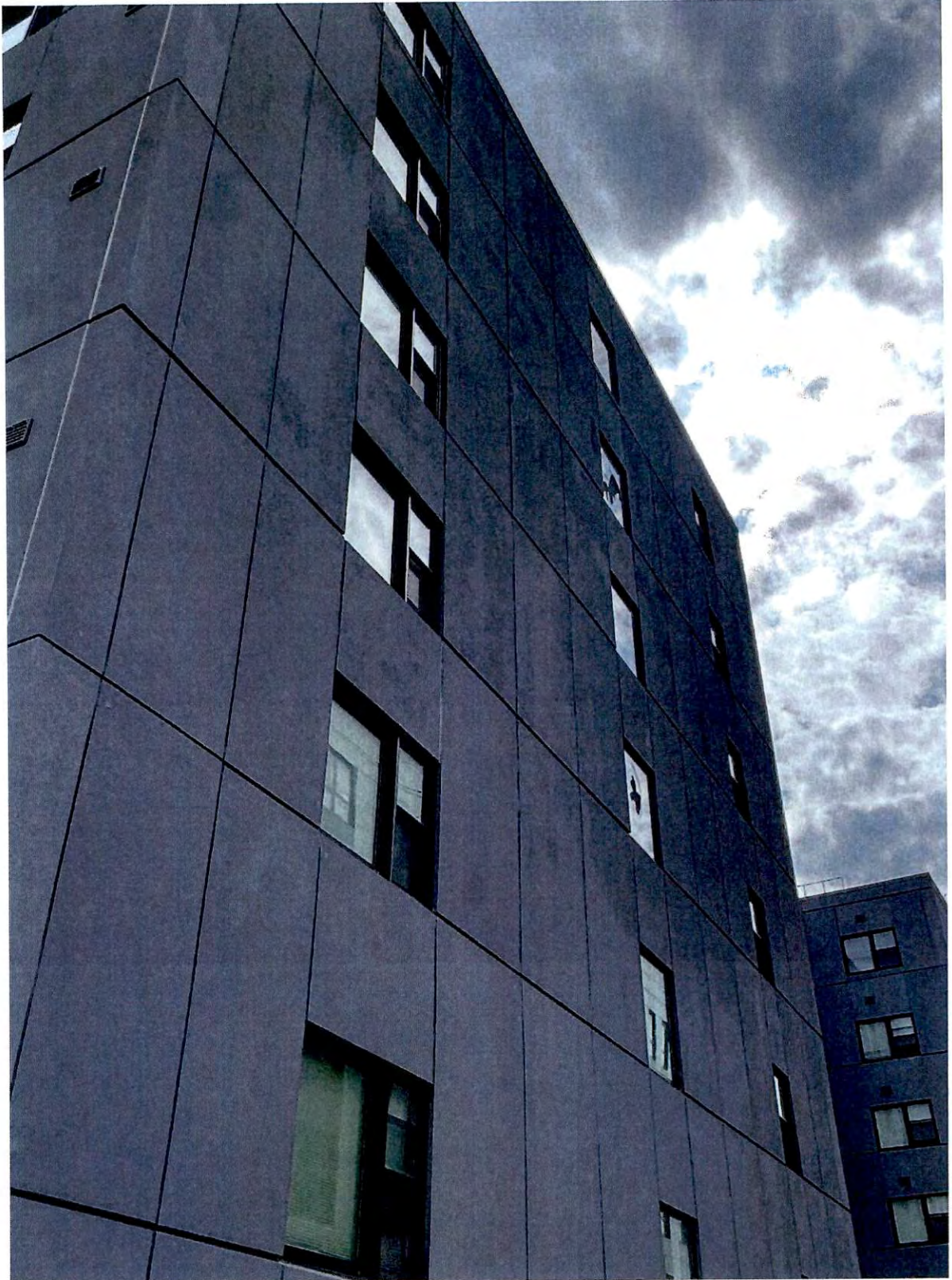
Chute doors open. 4th floor trash room



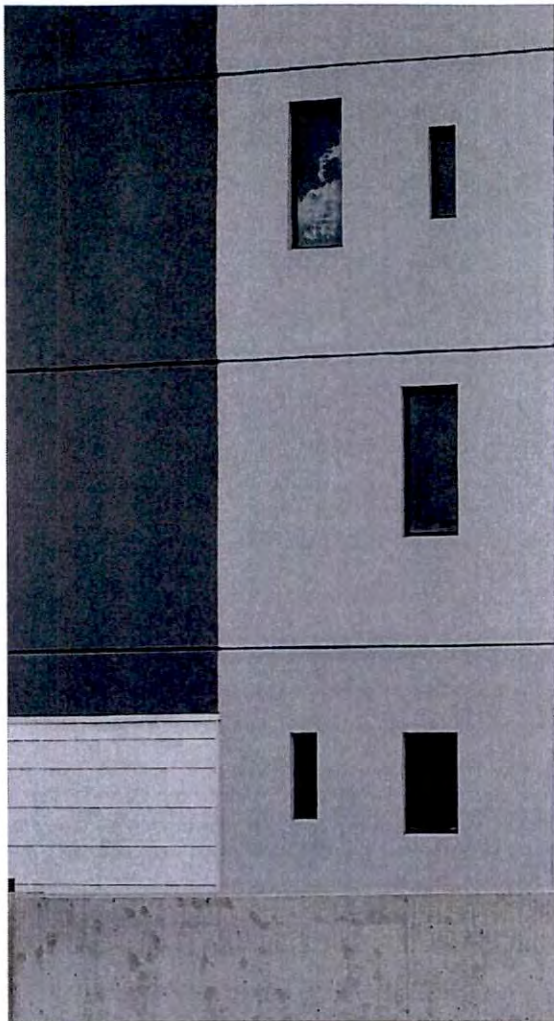
Hypodermic needles behind heating register. W stairs, 2th floor



Apparent urine. W stairs, 1st floor



Broken hallway windows with loose shards of glass. NE end of Asteri Ithaca



Broken stairwell windows (not all broken windows visible in photo) with loose shards of glass. East end of Asteri Ithaca.

NOTE: WINDOWS LOCATED DIRECTLY ABOVE PEDESTRIAN WALKWAY

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 15, 2026

1395 Danby, LLC
Attn: Breiny Galitzky
Storage Sense
12 Jeffery Place
Monsey, NY 10952

Re: Tompkins County Board of Health Draft Resolution ENF-2026-26
Violation of Tompkins County Board of Health Resolution ENF-26-006
Bailey Park mobile home park, T-Danby

Dear Breiny Galitzky:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 23, 2026**, for violations of Board of Health Resolution ENF-26-006.

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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution, Resolution ENF-26-006, and Case Summary

ec: William Borchers (will@propupgroup.com); Mike Albro; Water Operator; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Scott Freyburger, Public Health Engineer; Adriel Shea; Dillon Shults; Annamae Joyce; Allyson Castellani; Adam Ace

fw: Jennie Sutcliffe, TC Whole Health Commissioner; Town Supervisor; T-Danby; CEO, T-Danby; Irene Weisser, TC Legislature; John Strepelis, NYSDOH; Anna Kelles, NYS Assembly; Catherine Emilian, NYS Assembly; Stephanie M. Milks, Assistant Attorney General of New York

file: Signed copy to F:Drive;
F:\EH\MOBILE HOME PARKS (MHP)\Facilities (MHP-4)\Bailey Park\Enforcement\2026\Draft Res 2026-26.docx

DRAFT RESOLUTION ENF-2026-26

**Bailey Park
1395 Danby LLC, Owner
1395 Danby Road, Town of Danby
Ithaca, NY 14850**

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

Whereas, owners/operators of mobile home parks must comply with Part 17 of the NYSSC; **and**

Whereas, Bailey Park is a mobile home park with a water system and is regulated under Part 17 and Subpart 5-1 of the NYSSC; **and**

Whereas, Part 17.6(a)(1) of the NYSSC requires an owner/operator of a mobile home park to provide drinking water that is potable, adequate in quantity, and readily available to occupants of the park; **and**

Whereas, both Part 17.6(a)(2) and Subpart 5-1.27 of the NYSSC require an owner/operator of a mobile home park water system to maintain a minimum water pressure of 20 pounds per square inch throughout the park at all times; **and**

Whereas, Bailey Park operated under a Boil Water Order from January 23, 2026, to February 20, 2026, due to pressure losses caused by a significant leak in the water distribution system that resulted in extended daily water interruptions to homes in the park; **and**

Whereas, the water distribution system's current configuration made locating and isolating the leak difficult and time consuming; **and**

Whereas, on March 3, 2026, Tompkins County Environmental Health (TCEH) provided the operator of Bailey Park with Stipulation Agreement and Orders ENF-26-006; **and**

Whereas, 1395 Danby LLC, Owner, signed the Stipulation Agreement with Whole Health Commissioners Orders on March 13, 2026, agreeing that Bailey Park violated these provisions of the New York State Sanitary Code; **and**

Whereas, included in Stipulation Agreement and Orders ENF-26-006 was the order to *“develop a report and approvable plans prepared by a NYS licensed design professional detailing the existing water system and proposing changes (e.g. valving, metering, etc.) that will allow the operator to easily locate leaks and/or isolate sections of the distribution system, while maintaining adequate water pressure, quantity and quality in the rest of the system by May 15, 2026”*; **and**

Whereas, the Tompkins County Board of Health adopted Resolution ENF-26-006 on April 28, 2026, which included the order referenced above; **and**

Whereas, 1395 Danby LLC did not provide TCEH with approvable plans by the May 15, 2025 deadline, and as of June 11, 2026, has not provided approvable plans; **and**

Whereas, as of June 11, 2026, no approved modifications have been made to the Bailey Park water distribution system; **and**

Whereas, TCEH reserves the right to seek any and all remedies available to it under Article I of the Tompkins County Sanitary Code and Section 309 of Public Health Law including, but not limited to, fines and penalties up to \$2,000 per day for any future violations of Board of Health Orders; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Bailey Park LLC, Owner/Operator, is ordered to:**

1. Pay a penalty of \$500 for these violations, due by **August 15, 2026**. (**Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **and**
2. Submit a report and approvable plans prepared by a NYS licensed design professional detailing the existing water system and proposing changes (e.g. valving, metering, etc.) that will allow the operator to easily locate leaks and/or isolate sections of the distribution system, while maintaining adequate water pressure, quantity and quality in the rest of the system **by July 15, 2026**; **and**
3. Complete all modifications to the water system and submit a record drawing and a certification prepared by a NYS licensed design professional attesting that the water system has been modified in accordance with the approved plans **within 45 days of approval by TCEH**; **and**
4. Comply with all provisions of *Part 17: Mobile Home Parks* and *Subpart 5-1: Public Water Systems* of the NYSSC.

RESOLUTION # ENF-26-006

**Bailey Park
1395 Danby, LLC, Owner
1395 Danby Road, Town of Danby
Ithaca, NY 14850**

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

Whereas, owners/operators of mobile home parks must comply with Part 17 of the NYSSC; **and**

Whereas, Bailey Park is a mobile home park with a water system and is regulated under Part 17 and Subpart 5-1 of the NYSSC; **and**

Whereas, Part 17.6(a)(1) of the NYSSC requires an owner/operator of a mobile home park to provide drinking water that is potable, adequate in quantity, and readily available to occupants of the park; **and**

Whereas, both Part 17.6(a)(2) and Subpart 5-1.27 of the NYSSC require an owner/operator of a mobile home park water system to maintain a minimum water pressure of 20 pounds per square inch throughout the park at all times; **and**

Whereas, Bailey Park operated under a Boil Water Order from January 23, 2026 to February 20, 2026, due to a significant leak in the water distribution system, which caused daily losses of water for extended periods; **and**

Whereas, the water distribution system's current configuration made locating and isolating the leak difficult and time consuming; **and**

Whereas, on March 3, 2026, Tompkins County Environmental Health (TCEH) provided the operator of Bailey Park with Stipulation Agreement and Orders # ENF-26-006; **and**

Whereas, 1395 Danby LLC, Owner, signed the Stipulation Agreement with Whole Health Commissioners Orders on March 13, 2026, agreeing that Bailey Park violated these provisions of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
that 1395 Danby LLC, Owner, is ordered to:**

1. Develop and submit to TCEH an emergency back-up plan that addresses how residents' water needs will be met during outages exceeding 24 hours **by April 15, 2026 (Completed); and**
2. Submit a report and approvable plans prepared by a NYS licensed design professional detailing the existing water system and proposing changes (e.g. valving, metering, etc.) that will allow the operator to easily locate leaks and/or isolate sections of the distribution system, while maintaining adequate water pressure, quantity and quality in the rest of the system **by May 15, 2026; and**

Diversity Through Inclusion

3. Complete all modifications to the water system and submit a record drawing and a certification prepared by a NYS licensed design professional attesting that the water system has been modified in accordance with the approved plans **within 45 days of approval by TCEH; and**
4. Comply with all provisions of *Part 17: Mobile Home Parks and Subpart 5-1: Public Water Systems* of the NYSSC.

This action was adopted by the Tompkins County Board of Health at its regular meeting on April 28, 2026.

Dr Brenda Gunnell-Crash
Jennie Sutcliffe
Whole Health Commissioner

5/1/26
Date

CASE SUMMARY – FOR RESOLUTION # ENF-2026-26

**Bailey Park
William Borchers, Owner
1395 Danby Rd, (T) Danby
Ithaca, NY 14850**

Compiled on 6/12/2026

Date	Action
	Bailey Park is a permitted Mobile Home Park and public water system. The facility came under new ownership in 2020.
1/23/2026	Tompkins County Environmental Health (TCEH) was notified of a break in the drinking water distribution system at Bailey Park. As a result, TCEH issued a boil water order to residents for inadequate pressure in the distribution system. Given the severity of the leak, the storage tank was quickly draining. As such, the water operator provided bottled water for residents over the weekend. Water operator stated they would contact a company to help them identify the leak in the distribution system.
1/24/2026	TCEH spoke with a concerned resident at Bailey Park. The resident confirmed they did receive bottled water on 1/23/2026.
1/27/2026	TCEH communicated with water operator at Bailey Park. Water operator scheduled for a company to come onsite to find the leak, but they did not show up onsite. Discussed plans to ensure bottled water would be provided for residents and water would be supplied to residents in the mornings and afternoon until the distribution system is repaired. Water operator continued to look for the leak in the distribution system.
1/28/2026	TCEH communicated with the water operator at Bailey Park. Water operator stated that water was being run directly to residents for 2 hours in the morning and 2 hours in the evening and that bottled water is being provided. Despite attempts, the leak was not found. No company was available to help find the leak.
1/30/2026	TCEH was notified that Bailey Park was considering replacing lines as the leak could not be identified. TCEH notified NYSDOH office of the ongoing situation.
2/2/2026	Water operator submitted a proposal to our office for the replacement of distribution lines with the inclusion of valves to isolate sections of the system to mitigate future impacts of distribution system breaks. The work was proposed to begin on 02/04/2026.
2/4/2026	In the morning, certified water operator contacted TCEH letting us know that final approval to move forward with work was not approved by ownership. TCEH contacted management and was told they were waiting on a second quote before moving forward with repairs. TCEH called management at the end of the day and were informed the company was planning to go with the second quote and the work would begin on 02/06/2026. At this time, a notice of violation was issued.
2/5/2026	TCEH issued a Notice of violation. The notice of violation required the operator of the park to correct the issue with the water system without further delay and to inform the tenants of the park about the steps management was taking to correct the issue.

2/6/2026	Bailey Park notified residents of the situation. Notified tenants a leak detection company would be there on 02/09/2026.
2/9/2026	TCEH staff visited Bailey Park and did not observe any contractors onsite.
2/10/2026	TCEH staff visited Bailey Park and spoke with Manager of the storage unit facility which is under common ownership with Bailey Park. Office Manager stated they had not seen any contractors onsite to find and repair the leak. Office manager had no other updates.
2/12/2026	TCEH contacted Manager of storage unity facility for update. Manager stated a contractor arrived at the site, but the leak detection crew was not onsite. Contractor onsite found a leak on the service line to a vacant home and was able to valve off water to the vacant residence.
2/13/26	TCEH staff went onsite and talked with the Office manager. The office manager stated no contractor was onsite today.
2/16/2026	TCEH was informed that pressure in the distribution system was maintained over the weekend, indicating the leak on the service line to the vacant home was the source of pressure loss.
2/17/2026	Water operator informed TCEH that he was planning on taking the release total coliform samples.
2/20/2026	TCEH called Microbac Laboratory for Bailey Park two samples. Verbal results were relayed that both samples were absent for total coliform/E. coli.
2/20/2026	TCEH emailed the boil water release for Bailey Park to the operator and management and instructed them to ensure delivery of the release to all residents and posting to common areas at the facility.
2/26/2026	TCEH received the two sample laboratory reports absent for total coliform.
3/3/2026	TCEH provides Stipulation Agreement and Orders #ENF-26-006 to the owner and operator of Bailey Park
3/13/2026	Bailey Park owner signs Stipulation Agreement and Orders.
4/28/2026	Tompkins County Board of Health (BOH) adopts resolution ENF-26-006
5/4/2026	TCEH emails park owner, asking if they anticipate meeting the May 15, deadline for submitting approvable plans, as required by ENF-26-006. Owner responds that plans will be submitted before the deadline.
5/8/2026	Email communication between park owner and TCEH regarding formatting of engineering plans and work done already.
5/18/2026	TCEH emails park owner, stating plans have not been received and requesting an update on when plans will be submitted. Owner states plans will be submitted very soon.
5/19/2026	Park owner emails TCEH stating that the surveyor they hired for the project must verify locations of certain points of concern.
5/20/2026	TCEH emails park owner stating that they must provide a specific date by which plans will be submitted and that a significant delay will require Board approval. Park owner responds that they will provide precise dates very soon.
6/1/2026	TCEH emails park owner stating that if approvable engineering plans are not received by June 5, 2026, TCEH will take additional enforcement action.
6/5/2026	No plans are received.