



Meeting Agenda

DR. CHRISTINA MOYLAN, BOARD PRESIDENT

JENNIE SUTCLIFFE, WHOLE HEALTH COMMISSIONER
WILLIAM KLEPACK, M.D., MEDICAL DIRECTOR

Executive Committee Meeting, Thursday, April 9, 2026

Call to Order

2 p.m.

I. Privilege of the Floor

Open to anyone, 3-minute limit

II. [New Business](#)

EH enforcement (1)

III. Adjournment 3 p.m.

A video recording of this meeting will be posted on the [BOH YouTube Playlist](#).

Summary of New Business

ENVIRONMENTAL HEALTH DIVISION ENFORCEMENT ACTIONS

1. Draft Resolution # EH-ENF-26-005, Asteri Ithaca Apartments

NEW BUSINESS:

Executive Committee Meeting, April 9, 2026

Actions

Enforcement Actions

ENVIRONMENTAL HEALTH:

1. Draft Resolution # EH-ENF-26-005, Asteri Ithaca Apartments

CERTIFIED, REGULAR, & ELECTRONIC MAIL

April 6, 2026

Asteri Ithaca LLC
Attention: Jordan Gibson
305 West Commercial St
Springfield, MO 65803

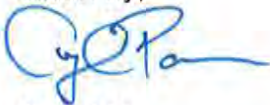
**Re: Tompkins County Board of Health Draft Resolution # ENF-26-005
Violation of Board of Health Resolution # ENF-25-0011,
Violation of New York Public Health Law, Section 1303 (Nuisances and
Sanitation), & Violation of Articles IV and V of Tompkins County Sanitary Code
Asteri Ithaca Apartments, C-Ithaca**

Dear Jordan Gibson:

Enclosed is the Hearing Officer's report on the Findings of Fact and Recommendations from the hearing held on March 25, 2026. Also enclosed is the Draft Resolution that the Tompkins County Board of Health will consider at its executive committee meeting on **Thursday, April 9, 2026**.

You or a representative has the right to speak to the executive committee for a few minutes prior to them taking action. If you wish to speak to the executive committee, 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 2:00 p.m.

Sincerely,



Cyril Parr
Director of Environmental Health

Enclosures: Draft Resolution ENF-26-005 w/ Exhibits A&B, Hearing Officer's Report, Revised Notice of Hearing w/ Draft Resolution, Resolution ENF- 25-0011, Commissioner Orders ENF-26-005, Penalty Calculations, and Case Summary

ec: Melissa McPherson, Asteri Ithaca; Michael Pehinec, Attorney for Asteri Ithaca LLC; Holly Mosher, Deputy County Attorney; Rich John, Hearing Officer; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Adriel Shea; Sarah Heath; Brenda Coyle
fw: Tompkins County Board of Health (via: SharePoint); 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;
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DRAFT 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**

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 (Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division). 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.

EXHIBIT A

Asteri Ithaca Refuse Complaint Investigation Visual Summary

Inspection Date: 01/27/2026



Figure 1a. outside 4th floor trash room.

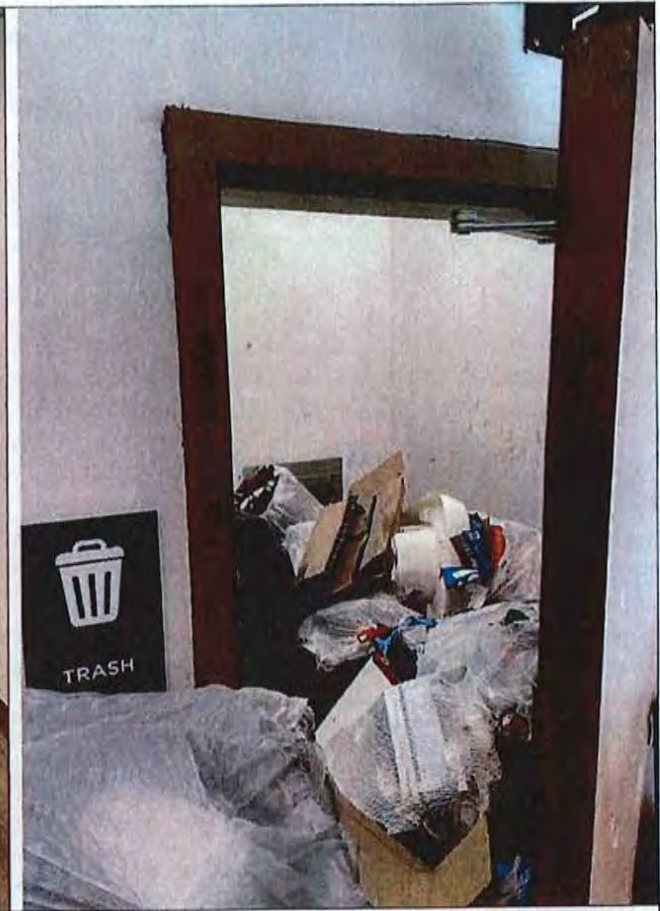


Figure 1b. 4th floor trash room – chute open.

Diversity Through Inclusion



Figure 2a. outside 5th floor trash room.



Figure 2b. Dried blood on landing between 5th and 6th floors (west stairwell).



Figure 3a. Liquid blood. 6th floor landing (west)



Figure 3b. Outside 6th floor trash room.

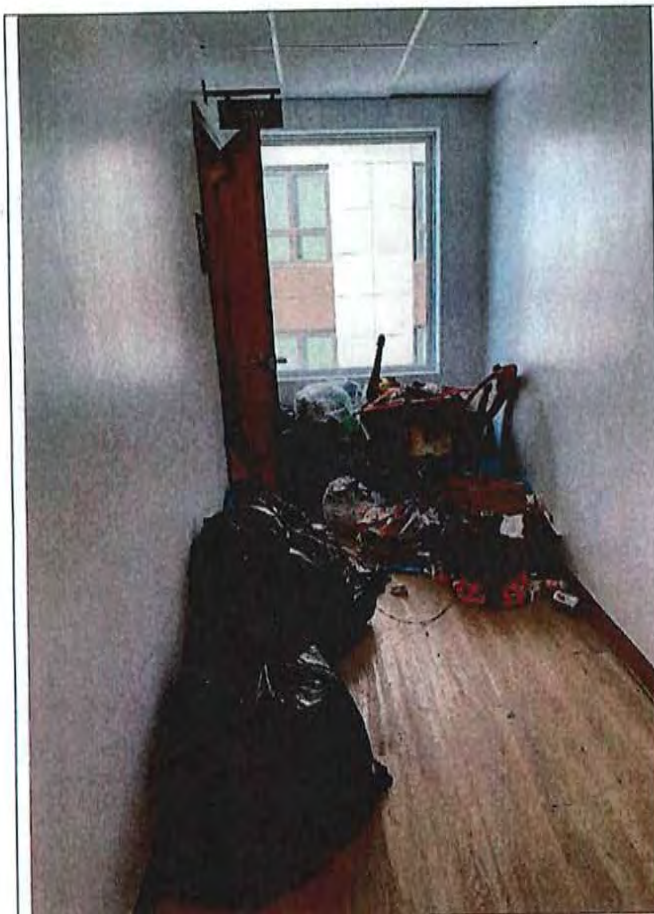


Figure 4a. Outside 7th floor trash room.



Figure 4b. 7th floor trash room – chutes open.



Figure 5a. Urine. Stairwell landing between floors 7 and 8.



Figure 6a. Outside 8th floor trash room.



Figure 6b. 8th floor trash room – chutes not visible.

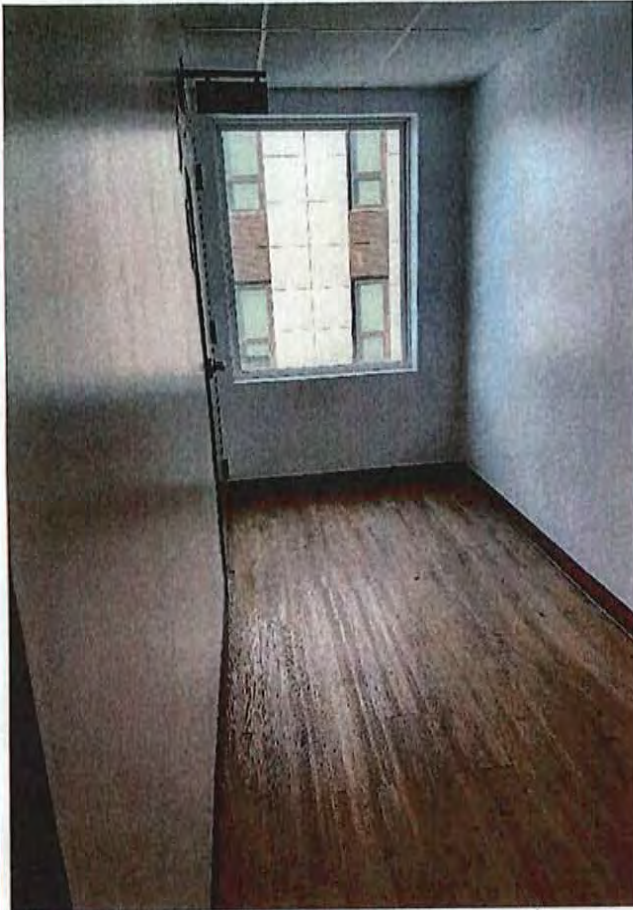


Figure 7. Outside 9th floor trash room. Trash room door locked.



Figure 8a. Outside 10th floor trash room.



Figure 8b. 10th floor trash room – refuse piled over 6 feet from floor.



Figure 9a. 11th floor fire door to west stairwell does not close completely or latch.

Figure 9b. Cigarette butts and used hypodermic needle inside 11th floor stairwell heater (west stairwell).



Figure 10a. Outside 11th floor trash room.



Figure 10b. 11th floor trash room. Trash depth from floor approximately 5.5 feet.



Figure 11a. Outside 12th floor trash room.



Figure 11b. 12th floor trash room (room unlocked by temporary, 3rd party cleaning staff).



Figure 12a. 12th floor trash room – chute doors closed.



Figure 12b. Used external barrier device contraceptive discarded on landing between 12th floor and roof access (west stairwell).

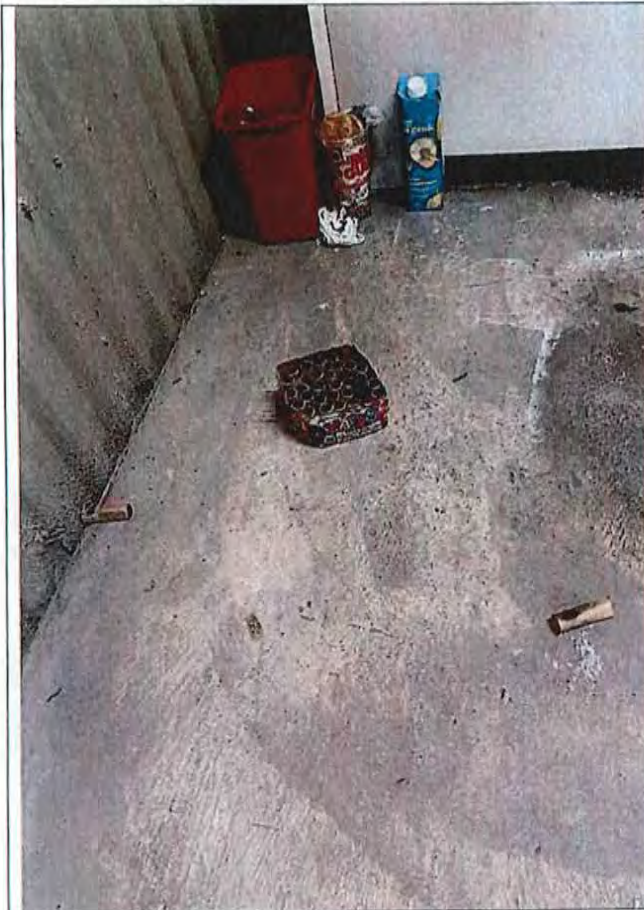


Figure 13a. Spent fireworks remnants and sharps container without safety lid. 9th floor landing, east stairwell.



Figure 13b. Used hypodermic needle on landing between 9th and 8th floor. East stairwell.

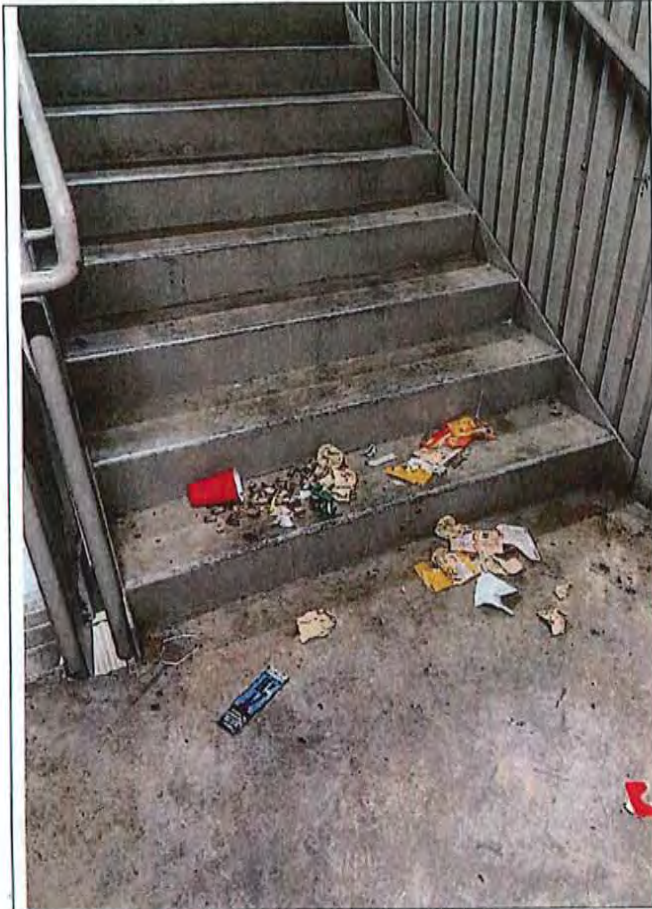


Figure 14a. Refuse in east stairwell, between 7th and 8th floors.

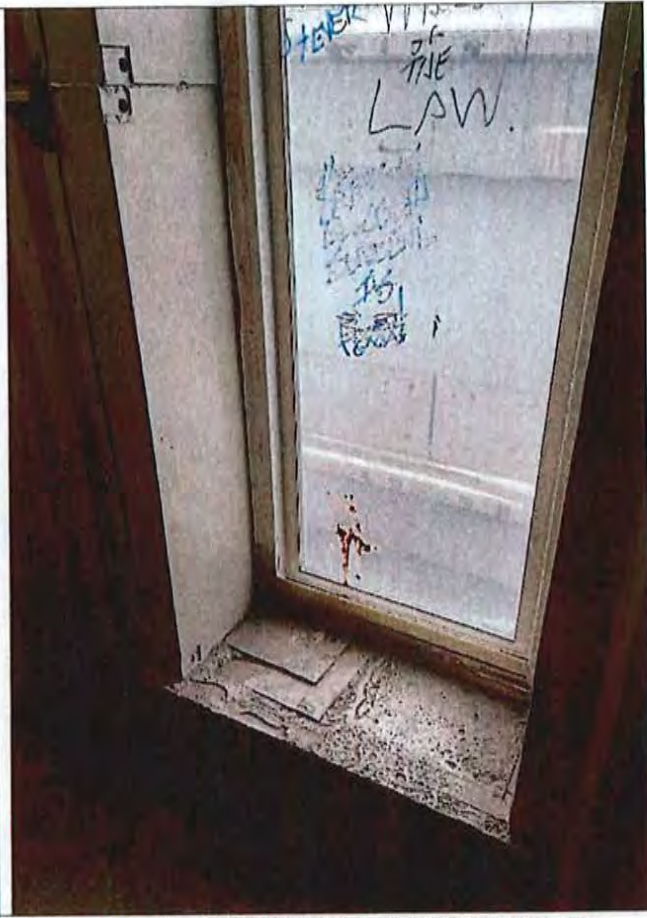


Figure 14b. Apparent fecal matter on window of landing between 7th and 8th floors.



Figure 15a. Soot, ash and debris from fireworks.
Note: Reportedly, fireworks were set off over the 1/25 – 1/26 weekend, necessitating the evacuation of the building.

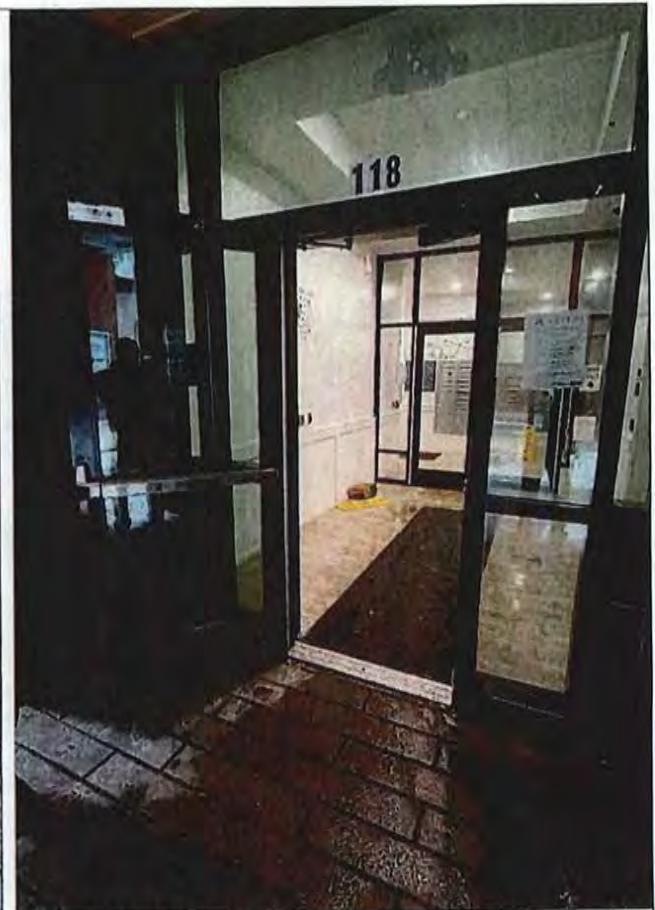


Figure 15b. Door of main entrance to Asteri Ithaca found left open. Self-closure device did not appear to be functioning properly.



Figure 16a. 1st floor fire door to east stairwell does not appear to close properly.



Figure 16b. Frozen urine inside 4th floor entrance to Asteri Ithaca from Green St parking garage.

EXHIBIT B

Aster Ithaca Refuse Complaint Reinspection Visual Summary

Inspection Date: 02/03/2026



Figure 1a. Used hypodermic needle.
 Ground floor – west stairwell.



Figure 1b. Dried blood. 3rd – 4th floor
 landing – west stairwell.



Figure 1c. Feces on wall and jacket.
 4th floor landing – west stairwell.

Diversity Through Inclusion

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Figure 2a. Outside 4th floor trash room.



Figure 2b. Chute doors open. Trash room – 4th floor.

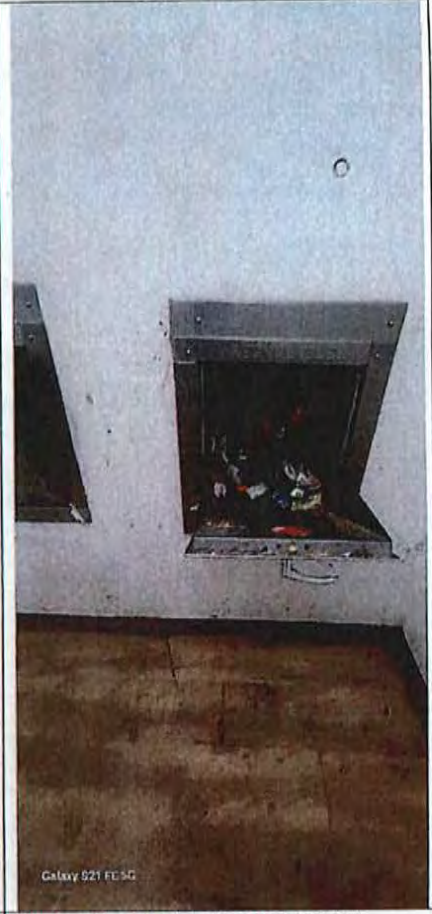


Figure 2c. Chute clogged. Trash room – 4th floor.

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Figure 3a. Outside 5th floor trash room.

Figure 3b. Chute door open. 5th floor trash room

Figure 3c. Dried blood. 5th – 6th floor landing – west stairwell.

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Figure 4a. Dried blood. 6th floor landing.



Figure 4b. Outside 6th floor trash room (door locked).



Figure 4c. Outside 6th floor trash room (door locked).



Figure 5a. Outside 7th floor trash room (door locked).



Figure 5b. Urine. Between 7th and 8th floors.



Figure 5c. Outside 8th floor trash room (door locked).

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Figure 7a. West stairwell fire door. Self-closing mechanism not functioning properly.



Figure 7b. Outside 11th floor trash room (door locked).



Figure 7c. Outside 12th floor trash room (door locked).

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026



Figure 8a. Spent fireworks remnants and trash. 9th floor landing – east stairwell.



Figure 8b. Broken sharps container. Between 7th and 8th floors – east stairwell.



Figure 8c. Refuse. Between 7th and 8th floors – east stairwell.

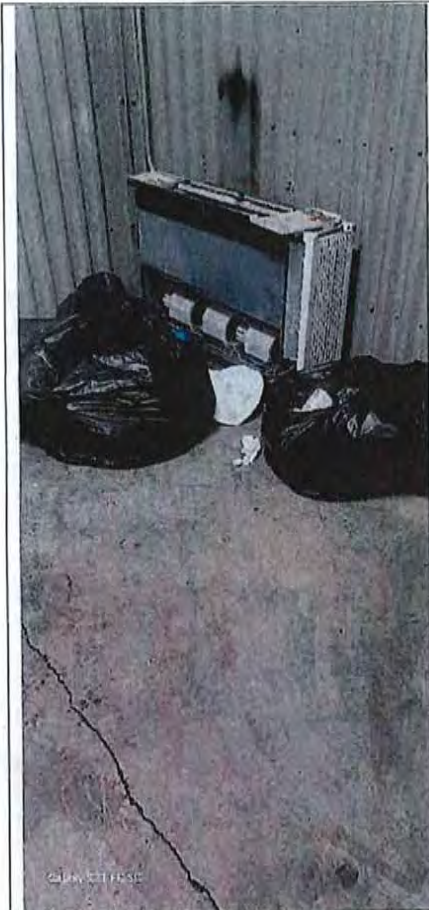


Figure 9a. Refuse. 6th floor – east stairwell.



Figure 9b. Feces in disposable cup. 5th-6th floors – east stairwell.



Figure 9c. Feces and refuse. 5th – 6th floors – east stairwell.

Aster Ithaca Refuse Complaint Reinspection Visual Summary
02/03/2026

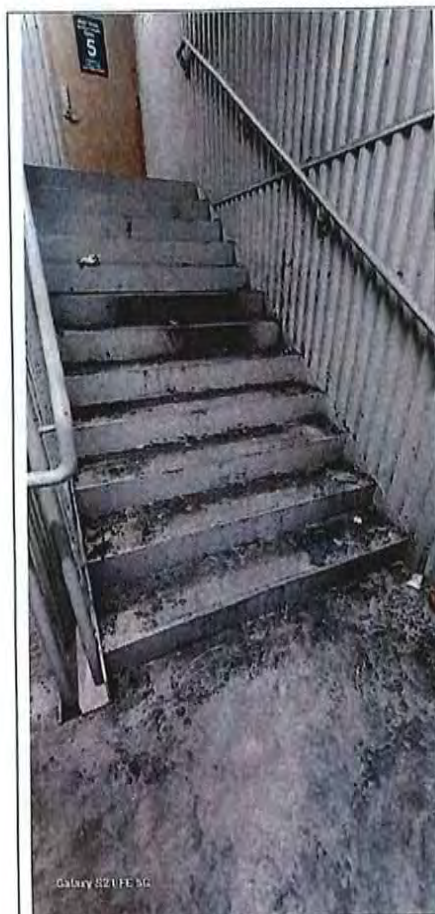


Figure 10a. Soot, ash and debris from fireworks, 4th-5th floors – east stairwell.



Figure 10b. Bike storage room on ground floor with garbage totes.



Figure 10c. Garbage chutes and trash compactors. Note: compactors filled to capacity and trash pick-up not scheduled until following morning.

STATE OF NEW YORK
COUNTY OF TOMPKINS
DEPARTMENT OF HEALTH

Findings of Fact and Recommendations

In the matter of the Complaint against:

Asteri Ithaca LLC
305 West Commercial Street
Springfield, Missouri 65803

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

Pursuant to a Notice of Hearing issued on March 18, 2026, a hearing was convened on March 25, 2026 at 9:30 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:

Skip Parr, Director of Environmental Health
Holly Mosher, Deputy County Attorney
Jennifer Sutcliffe, Commissioner Tompkins County Whole Health Department
Adriel Shea, Senior Environmental Health Specialist

Appearances for the Respondent was:

Michael Pehinec, Coughlin & Gearhart LLP

Statement of Violations

Article IV Section 4.01(b) of the Tompkins County Sanitary Code
Article V Section 5.02 of the Tompkins County Sanitary Code
Violation of Board of Health Orders ENF 25-0011 dated July 22, 2025,
and ENF 26-005, dated January 28, 2026
Findings of Fact

Asteri Ithaca, LLC is the owner of a portion of a commercial building located at 118 East Green Street in the City of Ithaca, New York. The property consists of 181 apartments serving affordable housing tenants, with 40 of the units receiving supportive services. It is not clear what supportive services are being provided, and what services, if any, may be available to the remainder of the tenants.

In response to a complaint of unsanitary conditions, Tompkins County initiated an investigation and enforcement action dated December 13, 2024. In response to that investigation, the Respondent and the County entered into a Stipulation Agreement dated July 9, 2025, that was incorporated into a Health Department Resolution Dated July 22, 2025, being ENF 25 – 0011.

Pursuant to the Stipulation Agreement and ENF 25 – 0011, the Respondent agreed to create and implement a Waste Management Plan. Subsequently, the Respondent engaged an engineering and consulting firm, Barton & Loguidice, to assist in preparing a Waste Management Plan, and submitted that Plan to the County on October 28, 2025. The Tompkins County Health Department accepted the Waste Management Plan on November 12, 2025, with a condition that the Plan would be implemented as of the end of the year.

Upon receiving a report of unsanitary conditions, four members of the Tompkins County Health Department conducted an inspection of the premises on January 27, 2026. As a result of that inspection, Tompkins County issued a notice of violation on January 28, 2026. Tompkins County then conducted a follow up inspection on February 3, 2026. While the premises appeared to be in better condition on February 3, 2026, substantial amounts of garbage and debris remained in the hallways, trash rooms, and stairwells, leading to an amendment of the notice of violations to include the continuing conditions. Adriel Shea testified that during these inspections he took photographs of the conditions found in violation of the County Sanitary Code. These inspections and the evidence thereof are the basis for ENF 26 – 005 under consideration at this Hearing.

Respondent did not contest the presence of large amounts of garbage in the hallways, trash rooms, stairwells, garbage chutes, and trash compactors of the building.

Hypodermic needles were found as well. Respondent did note that information provided under some of the submitted photographs assumed that certain substances said to be found (blood, fecal matter, urine) were not actually tested to determine if those claims were accurate. Respondent's point is relevant as to the substance claimed to be blood and whether the hypodermic needles found throughout had been used. However, because of odor and appearance, it is likely that the claims related to fecal matter and urine were accurate.

The county presented evidence as to the number of violations it found and the period of time those conditions existed. Based upon those violations, the County determined that 83 violations of the Tompkins County Sanitary Code occurred, and 15 violations of the Waste Management Plan were observed.

Respondent's counsel indicated that the Respondent had made significant investments in repairing damage to the building and in attempting to implement the Waste Management Plan. Counsel also noted the specific challenges related to some of the tenants in the building, and the difficulty of pursuing evictions in Ithaca, particularly for behavioral issues as opposed to non-payment of rent. From the evidence presented, it does appear that some individuals are engaging in obviously inappropriate behavior (e.g., defecating, urinating, fireworks, drug usage, damage, and graffiti) within the public areas of the building space.

Conclusion

On January 27, 2026, and through February 3, 2026, the premises were in violation of the Tompkins County Sanitary Code Article IV Section 4.01(b), Article V Section 5.02 and the Board of Health Orders ENF 25-0011 dated July 22, 2025, and ENF 26-005, dated January 28, 2026, as revised.

Recommendations

The Department of Health seeks:

- A penalty of \$49,000
- Compliance with the Waste Management Plan
- A requirement for 24-hour professional security guards licensed by New York State
- Sufficient maintenance and cleaning staff to keep the common areas of the building in compliance.

- Detailed staffing plans for the building.
- Compliance with Articles IV and V of the Tompkins County Sanitary Code.
- Compliance with Section 1300 of the New York Public Health Law.

All of the steps outlined above related to building operations appear reasonable and necessary in order to stabilize this property and maintain it as a habitable living space. Respondent did not contest the need for more security in the building and increased investment in staffing for maintenance and cleaning. Therefore, it is recommended that those elements are recommended.

However, Respondent's counsel did ask for consideration of abating some or all of the financial penalty to be applied against staffing costs, and as an inducement for future performance.

Tompkins County Environmental Health has devoted substantial resources to this property over more than the past year, and it is likely that public resources will be required to confirm full implementation and satisfactory operation of the Waste Management Plan in the foreseeable future. From this standpoint, the requested financial penalty of \$49,000 does not appear unreasonable.

Yet, the point made by Respondent's counsel, that the property is currently housing some of the most difficult to house individuals in our community, appears to be true. The evidence presented by the County supports the contention that a percentage of the residents are intentionally engaging in regular anti-social, offensive, and sometimes dangerous conduct. These individuals are creating the hazards that the Respondent has struggled and failed to manage. I note that beyond the Respondent's present responsibilities, it appears obvious that some further ongoing public intervention/investment to provide supportive services to the entire tenant population (rather than just 40) is necessary if the identified behavioral issues occurring among some of the residents are to be addressed.

Certainly, attempting to address that structural issue of problem tenants was not within the purview of this Hearing, and is not a responsibility of the Department of Environmental Health. However, his claim that behavior-based evictions would likely be unsuccessful even if justified, is relevant to whether the Waste Management Plan can be successfully implemented. Since arriving at a functioning Waste Management Plan for the property is the ultimate goal of the Environmental Health Department, it is my recommendation to reduce the penalty to \$40,000, upon a demonstration to the Commission of at least as

much new investment by the Respondent into the necessary management of the building. If a later outcome is that the Waste Management Plan is unsuccessful, there will likely be a new complaint and hearing, with an opportunity to revisit this issue of financial penalty, where a present abatement could be added back in at that time.



Richard John
Hearing Officer

March 30, 2026

CERTIFIED, REGULAR, & ELECTRONIC MAIL

March 18, 2026

Asteri Ithaca LLC
Attention: Jordan Gibson
305 West Commercial St
Springfield, MO 65803

**Re: Notice of Hearing # ENF-26-005 – REVISED DATE
Violation of Board of Health Resolution # ENF-25-0011,
Violation of New York Public Health Law, Section 1303 (Nuisances and Sanitation), &
Violation of Articles IV and V of Tompkins County Sanitary Code
Asteri Ithaca Apartments, C-Ithaca**

Dear Jordan Gibson:


On March 17, 2026, the attorney representing you requested an adjournment of the hearing scheduled for March 20, 2026, due to a scheduling conflict. As such, the administrative hearing has been rescheduled at the Tompkins County Health Department offices, first floor Rice Conference Room, 55 Brown Road, Ithaca, New York, on **Wednesday, March 25, 2026, at 9:30 a.m. (EST)**. The purpose of the hearing is to determine the facts as to whether you have violated New York State Public Health Law and the Tompkins County Sanitary Code. After the hearing, The Hearing Officer will make a recommendation to the Board of Health regarding the enclosed draft resolution.

You have the right to attend the hearing, present your case, and may be represented by an attorney. Should you fail to appear, the hearing will be held in your absence. The Board of Health will then take action, which may include orders and penalties, after consideration of the recommendations of the Hearing Officer.

Please call Skip Parr in the Environmental Health Division at 607-274-6688 if you have any questions.

Sincerely,



 Jennie Sutcliffe
Whole Health Commissioner

Enclosures: Draft Resolution, Exhibit A, Exhibit B, Commissioner of Whole Health's Orders, Resolution # ENF-25-0011, and Case Summary

ec: Ashley Bollock; Michael Pehinec, Attorney for Asteri; Holly Mosher, Deputy County Attorney; Rich John, Hearing Officer; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Adriel Shea; Sarah Heath; 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; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director
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Diversity Through Inclusion

DRAFT 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**

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 any future violation should not be declared a nuisance or condition dangerous to life or health, and why an order for its abatement should not be issued; **and**

Whereas, following a hearing, should the Commissioner determine the condition to be a nuisance or a danger to life or health, the Commissioner may serve Asteri Ithaca LLC with an order specifying abatement actions and the period within which they shall be completed; **and**

Whereas, should Asteri Ithaca LLC fail to comply with a future order 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, due by **May 15, 2026 (Do Not** submit penalty payment until notified by the Tompkins County Environmental Health Division.); **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, so as to monitor the common areas within the building, respond to incidents as needed, and maintain continuous control of access to the premises by **April 15, 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 15, 2026; and**
5. Provide written notification detailing staffing plans for security, cleaning, and maintenance services by **April 1, 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.

RESOLUTION # ENF-25-0011

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

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

Whereas, Asteri Ithaca LLC, is the property owner and the operator of Asteri Ithaca, a 181 housing unit apartment that includes 40 supportive housing units; **and**

Whereas, it is a violation of Article IV, Section 4.01.b of the TCSC which states that on every premise there shall be adequate containers to accumulate refuse and so placed and maintained as to not create a nuisance; **and**

Whereas, on December 13, 2024, Tompkins County Environmental Health (TCEH) issued a Notice of Violation citing improperly stored garbage throughout Asteri Ithaca; **and**

Whereas, on February 19, 2025, TCEH accepted the Asteri Ithaca LLC, Waste Disposal Implementation Plan to address the improperly stored garbage cited on December 13, 2024; **and**

Whereas, on April 14, 2025, TCEH performed a site visit to follow up on implementation of the waste disposal plan and in response to a complaint regarding Ithaca Asteri's trash collection system, and TCEH observed that additional measures would be needed to for waste management at Asteri Ithaca; **and**

Whereas, Jordan Gibson, a representative for Asteri Ithaca LLC, signed a Stipulation Agreement with Whole Health Commissioners Orders on July 2, 2025, agreeing that Asteri Ithaca violated this provision of the Tompkins County Sanitary Code; **now therefore be it**

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

1. **By August 15, 2025,** submit a report from a licensed design professional experienced in waste management systems or a waste management consultant approved by Tompkins County Environmental Health, which includes:
 - a. an evaluation of the adequacy of the current trash management facilities and practices; **and**
 - b. an approvable plan with an implementation schedule to adequately manage the building's waste streams, including volume; **and**
2. Implement the plan as approved by Tompkins County Environmental Health.

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


Jennie Sutcliffe
Whole Health Commissioner

7/23/2025
Date

Diversity Through Inclusion

CERTIFIED, REGULAR, & ELECTRONIC MAIL

January 28, 2026

Asteri Ithaca LLC
Attention: Jordan Gibson
305 West Commercial St
Springfield, MO 65803

Re: **Commissioner of Whole Health's Orders # ENF-26-005 – Immediate Action Required**
Violation of Board of Health Resolution # ENF-25-0011
Violation of Article V of Tompkins County Sanitary Code – Unsanitary Buildings

Dear Jordan Gibson:

On January 27, 2026, Tompkins County Environmental Health (TCEH) investigated complaints regarding lack of management control including adequate staffing and security to prevent the accumulation of garbage at Asteri Ithaca located at 118 East Green Street. Findings of the investigation include (see photos attached):

- Trash Rooms on almost all floors (4 through 12) were filled with uncontained garbage that was spilling out into the hallways. The doors to the trash rooms in most cases could not be closed. Discernable odors and flies were also evident.
- Where observable, most trash chute doors were blocked by refuse and could not be closed.
- Pools of liquid and dried blood were observed in the west stairwell.
- Remnants of feces and/or urine were observed in the east and west stairwells.
- Remnants of fireworks that appeared to have been discharged were observed in the east stairwell.
- There appeared to be inadequate staffing and security to effectively manage sanitation of the building.

These are violations of Board of Health Orders# ENF-25-0011 that required the submission and implementation of a waste management plan for Asteri. On November 12, 2025, TCEH, approved the Asteri Waste Management Strategy developed by Barton and Loguidice with an implementation deadline of December 31, 2025. Additionally, the current unsanitary conditions of the building are creating a public health nuisance to the occupants of the building and adjacent to the premises in violation of Article V of Tompkins County Sanitary Code. To mitigate the health and safety concerns of the current condition of Asteri Ithaca, **Asteri LLC, is hereby ordered to comply with the following Commissioner of Whole Health Orders:**

- Remove and properly dispose of all uncontained garbage and refuse from the trash rooms and hallways **immediately and no later than February 2, 2026.**

Diversity Through Inclusion

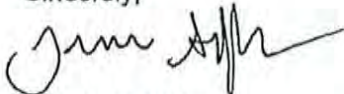
- Evaluate stairwells and properly clean and disinfect areas containing blood, urine, feces, or other biohazards **immediately and no later than February 2, 2026.**

This office reserves the right to seek any and all remedies available to it under Article I of Tompkins County Sanitary Code and Section 309 of Public Health Law including, but not limited to, fines and penalties of up to \$500 per day per violation for failure of the above Orders.

Additionally, subsequent to these Orders, TCEH will take additional Board of Health action to address other concerns and violations regarding the failure of Asteri LLC to implement the approved waste management plan. A draft resolution to the Board of Health will be forthcoming.

Please contact Adriel Shea or Skip Parr at (607) 274-6688 if you have any questions.

Sincerely,



Jennie Sutcliffe
Commissioner of Whole Health

Enclosures: Inspection photos

cc: TCWH: Cyril (Skip) Parr, Director of Environmental Health; Adriel Shea; Sarah Heath; Brenda Coyle
fw: Rob Fell-DeWalt, Director of Code Enforcement C-Ithaca; Lisa Nicholas, Director of Planning and Development C-Ithaca; Dominick Recchio, Deputy City Manager C-Ithaca; Adam Vinson, TC Legislature; TCWH: Cyril (Skip) Parr, Director of Environmental Health; Jennie Sutcliffe, Whole Health Commissioner; Brenda Crosby, Deputy Public Health Director; Adriel Shea; Brenda Coyle
file: Signed copy to F:Drive;
F:\EH\COMPLAINTS-NUISANCES (SG)\24 Complaints\Asteri\Enforcement\Asteri Commissioner Orders ENF-26-005.docx

Proposed Penalty Methodology for Draft Resolution #ENF-26-005

Table 1. Violations of Articles IV and V of the Tom-pkins County Sanitary Code:

Floor*	Violations of 4.01(b) on 1/27/26	Violations of 4.01(b) on 2/3/26 NEW†	Violations of 4.01(b) on 2/3/26 REPEAT‡	Violations of 5.02 on 1/27/26	Violations of 5.02 on 2/3/26 NEW†	Violations of 5.02 on 2/3/26 REPEAT‡	Total Violations Per Floor
1					I		1
2							
3					I		1
4	I	II		I	II		6
5	III	III	ⅆ	II	III	ⅆ	23
6	I	II		II		ⅆ	11
7	II	I	ⅆ	III		ⅆ	18
8	II	I		II			5
9	I		ⅆ				7
10	I	I		I			3
11	II			II			4
12	II			II			4
Totals of Vio. Types	15	10	18	15	7	18	83
Total Violations of the TC Sanitary Code							

* Floors 1-3 are the Downtown Ithaca Conference Center. Floors 4-12 are Asteri Ithaca. The violations cited for floors 1 and 3 were in the stairwells shared by the Conference Center and Asteri.

Note: For the purposes of this calculation table, the landings in the stairwells that are between floors will be counted towards the floor below a landing.

† "New" violation columns are used to tabulate violations that were not cited during the 1/27/2026 inspection but were observed during the 2/3/2026 reinspection.

‡ "Repeat" violation columns are used to tabulate violations cited during both the 1/27/2026 and the 2/3/2026 reinspection (following the Commissioner of Whole Health's order to abate by 2,2,2026) and were confirmed to be same, uncorrected violations.

Numbers in red designate the totals of violations calculated by multiplying repeat violations by 6 (the days that elapsed between the first inspection and the reinspection) and adding the result(s) to the sum of the non-repeat violations.

Note: each day a verified nuisance exists is considered a separate violation.

Table 2. Deviations from Asteri Ithaca LLC’s waste management plan:

Deviations from Asteri Ithaca LLC’s waste management plan observed during TCEH inspections (1/27/2026 & 2/3/2026)	Running Total
A 24/7 security presence to support building operations and waste management compliance	1
The installation of security cameras in high-risk areas including trash rooms, stairwells, and the bike room to deter misuse and unauthorized disposal	2
Maintain a violation log to track recurring issues, categorize incidents and support enforcement actions	3
Improved access control at building entry points to prevent illegal dumping	4
The implementation of a guest check-in system to limit unauthorized access	5
The implementation of a bike registration program to prevent unit-level accumulation and to track ownership	6
The continued use of resident waste ambassadors to monitor floor-level conditions and promote proper disposal practices	7
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	8
Assuring that sharps containers remain in secure and monitored locations and remain locked to prevent the reuse of hypodermic needles	9
Assuring that bulky waste items, including furniture, mattresses and appliances are not left in hallways, stairwells or trash rooms	10
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 expectations of waste disposal rules and expectations	11
The placement of large, secure bins near elevator lobbies for convenient daily disposal	12
Upgrading ventilation in trash rooms to mitigate odors and pest issues	13
Increase the number or capacity of dumpsters if necessary to manage the building's waste output	14
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	15
Total Deviations Observed	15

Table 3: Proposed Monetary Penalty for Resolution #ENF-26-005

Total Violations of the TC Sanitary Code	83		
Total Deviations from Asteri Ithaca LLC’s waste management plan	15		
Total Violations Cited	98	Penalized at \$500 per violation	\$49,000

CASE SUMMARY – FOR RESOLUTION # ENF-26-005

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

Updated March 24, 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 Tompkins 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.
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.