

MEETING MINUTES Approved 8-27-19

Tompkins County Board of Health

June 25, 2019

12:00 Noon

Rice Conference Room

Present: Shawna Black; Melissa Dhundale, MD; Edward Koppel, MD; Janet Morgan, PhD; and Christina Moylan, PhD, President

Staff: Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Brenda Grinnell Crosby, Public Health Administrator; Samantha Hillson, Director of Health Promotion Program; Frank Kruppa, Public Health Director; Deb Thomas, Director of Children with Special Care Needs; Jonathan Wood, County Attorney; Shelley Comisi, Administrative Assistant; and Brittni Griep, LGU Administrative Assistant

Excused: David Evelyn, MD, MPH, Board of Health Member; William Klepack, MD, Medical Director; Michael McLaughlin, Jr., Board of Health Member; and Susan Merkel, Board of Health Member

Guests: Jason Molino, Tompkins County Administrator; Skip Parr, Senior Public Health Sanitarian; Devon Moore, Taste of Thai Express; Rajinder Singh, Shahi Pakwan

Call to Order: Dr. Moylan called the regular meeting of the Board of Health (BOH) to order at 12:01 p.m.

Privilege of the Floor: Mr. Rajinder Singh from Shahi Pakwan addressed the Board, stating that he was unable to be at the inspection the entire time due to another obligation. His father, who is the cook at the restaurant, does not speak English so he believes there was a language barrier at the time of the inspection. He assured the Board that there will be no more mistakes in the future. Ms. Black asked if the Health Department had visited twice and what the findings were when they visited the first time. Mr. Singh stated that there was a violation for rice out of temperature and a misunderstanding regarding a waiver that he could have applied for.

Mr. Devon Moore from Taste of Thai Express spoke about a critical violation regarding their probe thermometer that was not calibrated. He stated that it seems as though every time it is used, it needs to be calibrated. Mr. Moore stated that he could invest in a different thermometer if the Board feels it is necessary. Ms. Black asked about the different types of thermometers that may be available and what

Mr. Moore has done moving forward. Mr. Moore stated that they have not bought thermometers as of yet but they had addressed the other critical violations that they were cited for that day.

Approval of May 28, 2019 Minutes: Dr. Koppel moved to approve the minutes of the May 28, 2019 meeting as written; seconded by Ms. Morgan. The vote to approve the minutes as written: Unanimous approval; motion carried.

Introductions: Mr. Jason Molino, Tompkins County Administrator, was present to update the Board on the process for evaluating the Public Health/Mental Health joint leadership model.

County Administrator's Remarks on the Public Health/Mental Health Joint Leadership Model: Mr. Molino provided a brief update to the Board. The first meeting was held two weeks ago, with the result of the meeting being a lot more questions that have been posed to the team. Mr. Molino stated that there were more questions than answered at this point, which he stated was expected. He stated that there will be a similar process for the next meeting or two, with an expectation of more information being provided to the review team for their use. Ms. Morgan confirmed what Mr. Molino stated and added that it has been tricky to evaluate the structure versus the person. The second meeting is scheduled for June 26th and Mr. Molino assured the Board that either he or Ms. Amie Hendrix will be at every meeting to update everyone on the progress that has been made.

Financial Summary: Ms. Grinnell Crosby stated that the financial summary for May 2019 was included in the packet. She did not have anything else to add to her report.

Administration Report: Mr. Kruppa reported that Board members have to sign off on having completed sexual harassment training. The training can be provided via video either through Tompkins County or the members' place of employment. There is a September 13th due date for members to sign an attestation stating that they have completed this training.

Health Promotion Program Report: Ms. Hillson had nothing to add but did state that her team is restructuring how they put together their report and is open to feedback.

Medical Director's Report: Dr. Klepack was not present.

Division for Community Health Report: Ms. Bishop stated that Public Health had a victory in the State legislature as they have passed the bill to eliminate the religious exemption for vaccinations in private and public schools, as well as daycares. Ms. Moylan asked Dr. Dhundale how the Ithaca City Schools plan to handle this with the upcoming school year. Dr. Dhundale stated that she has asked to see if she can have an advisory board or if other physicians in the area can help review this information. The school district's attorney is looking into this to see what they can do.

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

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

Environmental Health Report:

- Ms. Cameron stated that there was a public information meeting for the residents of Nate's Floral Estates last week, held by the DEC. There were representatives from the DEC and the State Department of Health present to discuss the ongoing environmental investigation. The meeting was well attended by the residents of the park. Ms. Cameron stated that they have found isolated areas of contaminated soil that are above the DEC's allowed levels for residential areas. Dr. Koppel asked for a reminder of what the site was used for prior to what it is now. Ms. Cameron stated that part of it was the City of Ithaca's landfill and another part of it was a metal recycling facility.

Report on the Community Services Board (CSB) Meeting: Mr. Kruppa provided a brief update on the June meeting as Ms. Merkel was not present. Ms. Hendrix was present at the meeting to give an update though much of the meeting was reviewing and approving the 2020 Priority Plan. Ms. Griep will forward a copy of the Priority Plan to the Board of Health members following this meeting.

Administrative Actions:

Review of Proposed 2020 Environmental Health Division Fees: Ms. Cameron stated that this was more of an informal review of the fees as it is part of the budget that Ms. Grinnell Crosby and Mr. Kruppa submits for the department. Ms. Cameron pointed out the changes to the fees, as they were marked in red in the report. There was discussion amongst Ms. Cameron and Mr. Wood regarding the fee schedule for water systems. Mr. Wood suggested breaking it down by gallons used instead of by who owns the systems being used. This wording will be changed for the budget. There was discussion regarding other fees that are being changed, either increased, decreased or new fees, that will be included in the budget.

Ms. Black made a motion to approve the changes to the fees, with the change in the wording for the water systems; seconded by Dr. Koppel. All in favor; motion carried.

Habitat for Humanity of Tompkins and Cortland Counties Request for Waiver of OWTS Permit Application Fees: Ms. Cameron explained that Habitat for Humanity is going to retain the ownership of the land in this case, instead of the homeowners who would be eligible for Section 8. There was discussion regarding why the waiver was requested. Ms. Cameron explained that the Department will typically waive fees for low income homeowners but a specific waiver is needed since Habitat for Humanity will own the land.

Ms. Morgan made a motion to approve the request as written; seconded by Dr. Dhundale. All in favor; motion carried.

Inn at Taughannock Request for Waiver of Article 6.06(f)(1) for Installation and Use of a Permanent Holding Tank: Ms. Cameron explained that this will be brought to the Board next month because they did not get their submittals in on time for this meeting.

Resolution #EH-ENF-19-00013 – Shahi Pakwan, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was a hot holding violation; repeat violation.

Ms. Black moved to accept the resolution as written; seconded by Ms. Morgan. Motion carried unanimously.

Resolution #EH-ENF-19-00019 – Plum Tree Japanese Restaurant, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was a thermometer issue and that language line was used during the office conference in order to communicate what was needed to be done to correct the issue.

Dr. Koppel moved to accept the resolution as written; Ms. Morgan seconded this motion; Motion carried unanimously.

Resolution #EH-ENF-19-00021 – Ko Ko Restaurant, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0022 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was the second violation with four critical violations cited. Ms. Cameron also stated that EH staff performed a HACCP inspection with the staff at the restaurant. Mr. Parr stated that there could be a language communication issue between management and staff at the restaurant.

Dr. Dhundale moved to accept the resolution as written; Dr. Koppel seconded. Motion carried unanimously.

Resolution #EH-ENF-19-00022 – Country Inn and Suites, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0019 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that was a cold holding violation.

Ms. Morgan moved to accept the resolution as written; Dr. Dhundale seconded. Motion carried unanimously.

Resolution #EH-ENF-19-00023 – Corelife Eatery, C-Ithaca, Violations of BOH Orders #EH-ENF-19-0004 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was for temperature violations and violation of previous Board of Health orders.

Dr. Koppel moved to accept the resolution as written; Dr. Dhundale seconded that motion. Motion carried unanimously.

Resolution #EH-ENF-19-00024 – Taste of Thai Express, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0015 and of Subpart 14-1 of New York State Sanitary (Food): Ms. Cameron explained that

this is a violation for food not being under refrigeration as well as having thermometer calibration issues.

Ms. Black moved to accept the resolution as written; Ms. Morgan seconded that motion. Motion carried unanimously.

Resolution #EH-ENF-19-0025 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-19-0017 and of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron explained that this resolution will be moved to the August agenda and will have an update for the Board next month. At this point, the Department has approved the GrassRoots water plans and GrassRoots has submitted a satisfactory application for their permit. Ms. Cameron stated that they are reviewing potential additional enforcement. There was discussion regarding fines possible for this organization.

2020 Budget Update: A copy of the *Departmental Summary – Public Health – 2020 Request* was distributed prior to the discussion (Attachment 1). Mr. Kruppa stated that they have to have their part of the budget to County Administration by July 17th. Mr. Kruppa stated that they have been able to build in items that have been previously been cut out of the budget and they are not requesting any over target requests (OTRs) for the department. Ms. Black asked about the increase to the Medical Examiner portion of the budget. Mr. Kruppa explained that there is an increase in autopsies being performed due to a right sizing of the program in the new contracted structure. Mr. Kruppa explained that they will bring this back next month to let the Board know what they have submitted.

Adjournment: At 1:16 p.m. Dr. Moylan adjourned the meeting.