

**AGENDA**  
**Tompkins County Board of Health**  
**Rice Conference Room**  
**Tuesday, January 25, 2022**  
**12:00 Noon**  
**Via Zoom**

**Live Stream at Tompkins County YouTube Channel:**

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

- 12:00** I. Call to Order
- 12:01** II. Privilege of the Floor – Anyone may address the Board of Health (max. 3 mins.)
- 12:04** III. Approval of December 7, 2021 Minutes (2 mins.)
- 12:06** IV. Financial Summary (9 mins.)
- 12:15** V. Reports (15 mins.)
- |                               |                                  |
|-------------------------------|----------------------------------|
| Administration                | Children with Special Care Needs |
| Health Promotion Program      | County Attorney’s Report         |
| Medical Director’s Report     | Environmental Health             |
| Division for Community Health | CSB Report                       |
- 12:30** VI. New Business
- 12:30** **Environmental Health**  
**Administrative Actions:**
1. Resolution #EH-ENF-21-0015 – Gaggle Company Inc., T-Ithaca, Violation of Article VI of the Tompkins County Sanitary Code (Sewage) (5 mins.)
  2. Resolution #EH-ENF-21-0020 – Cactus Head, C-, Throughout Tompkins County, Violations of Subpart 14-1 of the New York State Sanitary Code (Food) (5 mins.)
  3. Resolution #EH-ENF-21-0021 – Macro Mamas, Throughout Tompkins County, Violations Subpart 14-1 of New York State Sanitary Code (Food) (5 mins.)
  4. Resolution #EH-ENF-21-0022 – Old Mexico, C-Ithaca, Violations of BOH Orders #EH-ENF-21-0006 and Subpart 14-1 of the New York State Sanitary Code (Food) (5 mins.)

5. Resolution #EH-ENF-22-0001 – Taste of Thai Express, C-Ithaca, Violations of BOH Orders #EH-ENF-19-0024 and Subpart 14-1 of the New York State Sanitary Code (Food) (5 mins.)

**12:55 Administration (5 mins)**

Administrative Action:

1. Appointment of Medical Director

**1:00 Adjournment**

DRAFT

**MINUTES**  
**Tompkins County Board of Health**  
**December 7, 2021**  
**12:00 Noon**  
**Virtual Meeting via Zoom and In-Person for Members**

**Present:** Christina Moylan, Ph.D., President; Melissa Dhundale, MD; Edward Koppel, MD; Susan Merkel; and Samara Touchton;

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

**Excused:** David Evelyn, MD; Shawna Black; and Ravinder Kingra

**Guests:** William Troy, County Attorney

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

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

**Approval of October 26, 2021 Minutes:** Dr. Dhundale moved to approve the October 26, 2021 minutes as written, seconded by Dr. Koppel. All others in attendance voted to approve with one abstention.

Mr. Kruppa announced that Mr. William Troy was appointed as the new County Attorney. Current County Attorney, Mr. Johnathan Wood will retire the end of 2021. Mr. Troy has served as the county's deputy attorney for several years and will serve as the attorney for the BOH.

The BOH members and staff in attendance, welcomed and introduced themselves to Mr. Troy.

**Financial Summary:** Ms. Grinnell Crosby referred to the October 2021 financial summary report included in the packet. She said they continue to juggle all COVID related expenses including sampling costs; the modified ELC School Grant was submitted which will pay BOCES for COVID testing at the schools; and they anticipate approval on a public health fellow grant to hire six undergraduate level fellows, one graduate fellow and a coordinator for two years.

**Administration Report:** Mr. Kruppa shared a few kind words and thoughts on retiring County Attorney, Johnathan Wood. Mr. Kruppa said that he is thankful and appreciative for Mr. Wood's help and guidance through some challenging situations and enjoyed his monthly reports. He thanked him for his many years of service and will miss his presence.

**VACCINE:** Mr. Kruppa reported that twenty-three-hundred (2,300), five to eleven year old's have been fully vaccinated with two doses at the vaccine clinics; current county numbers for first doses are at 47% and second doses are at 36% with the state average for first dose at 20%. TCHD is working to get numbers to 70 - 80% for children in that age group. They are working with some school districts for first dose clinics in the next week and beginning in January 2022 offering to the rest of the school districts.

## DRAFT

A large-scale booster clinic is scheduled for this Saturday for 1,000 appointments. A press release will go out today with registration links. Mr. Kruppa hopes the booster clinic will help with the scarcity of appointments in the county and notes that surrounding counties have available appointments. The staff will take a two-week hiatus during the holiday season to re-group while the students are not in school and will restart in January.

**Budget:** Mr. Kruppa reported that the county budget was fully approved by the legislature with all included OTRs fully funded for 2022. Implementation of the OTRs will begin January 1, 2022.

**Health Promotion Program Report:** Ms. Hillson reported that the NYS grant funded Healthy Neighborhoods Program (HNP) was extended for 5 years, starting in April 2022, which will allow more home visits and the purchase of more home safety products. They anticipate hiring a budget approved health educator, who will work part-time in the HNP program and part-time in the advancement of tobacco-free communities grant.

**Strategic Plan:** Ms. Hillson reported that the strategic plan is underway. The Cross Functional Team submitted a Request for Proposals (RFP) to hire a branding development consultant to assist in the creation of a new logo and name for the integrated mental and public health departments. All proposals are due the end of the week.

**Medical Director's Report and Discussion:** Dr. Klepack referred to his report included in the packet and added that since his report was submitted, there has been a rise in cases. Causation factors may include such factors as crowding and moving indoors.

Dr. Klepack discussed an announcement in New York City of two supervised injection (consumption) facilities for the prevention of opioid overdose, for the provision of harm reduction and for the ability to establish long-term relationships with individuals who have substance use disorder, to help move them into treatment when they desire it. The facilities will be able to provide and identify those who need various types of social services. The global data has been positive regarding these types of facilities.

Dr. Klepack discussed Tetrahydrocannabinol (THC) which the NYS legislature has legalized for recreational use in the last legislative session creating the Cannabis Control Board which has become constituted by the governor. Rules and regulations have been put out regarding hemp cannabinoids which is different from THC but seeks to achieve safety and uniformity in the production and marketing of these products. THC regulations and rules will follow. Of note is that municipalities, villages and cities must decide by December 31<sup>st</sup> to opt-in or opt-out of retail sales and consumption locations. If they initially choose to opt-out, they can opt-in later, but if they decide to initially opt-in, they can't choose to opt-out later.

Dr. Klepack discussed the new Omicron variant and encouraged all **not** to panic. Data is being collected and studied and much is preliminary. He urged all to continue wearing masks, social distancing and hand washing hygiene, staying home if you are sick and testing if you think you have an exposure or symptomatic. Dr. Klepack reported that there has been no Omicron variant detected within our region as of the end of last week. He noted that regardless of the variant, it does not have an impact on the treatment. Dr. Klepack noted that hospitalizations remain low in Tompkins County likely due to the high level of vaccination in the County.

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Dr. Klepack discussed the data on the high levels of influenza in Tompkins County and concluded that the vast majority of state reported cases are a subset of all influenza cases and that our numbers were particularly high due to clusters in higher education. He encourages all to get the influenza vaccination.

Dr. Dhundale asked about indoor mask mandates. Dr. Klepack replied that the TCHD has not changed advice on mask wearing indoors. Mr. Kruppa added that Tompkins County has the authority to mandate, but the county's current situation does not reflect the need to be more restrictive. He said that increased public messaging will get out about mask wearing, vaccinations, gatherings and protecting the most vulnerable. He noted that revised/different language will be used about COVID symptoms.

Dr. Koppel asked about other diseases such as Lyme disease, and other tick-borne diseases such as anaplasmosis etc.. Dr. Klepack referred to the section of his report on the diseases anaplasmosis and babesiosis. Those ticks that are infected with a pathogen are most frequently infected with Lyme, anaplasmosis, or babesiosis in that order. The period between tick bite and the tick infecting you varies and can be short in the case of anaplasmosis. It is important for the public to check for ticks daily, and consider wearing tick repellent when out and take other precautions recommended on our website.

**Division for Community Health (DCH) Report:** Ms. Espey referred to her report included in the packet and had nothing to add. She reported that cases are fluctuating around 40 to 80 cases a day with a high of 100 over this past weekend; the total number of people currently in isolation is 340 which is mostly from gatherings and local travel over the holidays; household and higher education (Cornell University and Ithaca College) exposures have increased; additional staffing is from both NYS Department of Health's Virtual Call Center and Tompkins County employees.

Ms. Espey reported that TCHD is working with leaders in the community and how to act, which enables a quicker response time and act preemptively on a positive result, even before the health department can reach them. She asked that people who are experiencing symptoms of COVID or if they're exposed to get tested with a PCR test. If one is symptomatic, stay home and away from others in the household as they wait for their results. Ms. Espey said that home tests should be followed up with a PCR test. TCHD can assist in getting appointments for those with positive home test results. Cases with a known exposure, symptomatic and more than 48 hours since testing positive allows TCHD to begin the investigation sooner.

Ms. Espey reported that Mom's Plus is taking clients; posting soon for a community health nurse as one will retire the end of the year; the WIC program is steadily increasing with clientele and enrollment; DCH will be working on the 2023 RFA five-year proposal for two months.

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

**County Attorney's Report:** Mr. Wood had nothing to report. With this being Mr. Wood's last meeting, he said that it has been a pleasure to be involved and thanked the members for this opportunity Dr. Moylan thanked Mr. Wood for all his support he has provided the BOH and TCHD over the years and welcomed Mr. Troy. Mr. Troy added to the discussion on cannabis that municipalities automatically opt-in if they do nothing, it's only if they want to opt-out and there are two parts (selling or consuming on site.)

**Environmental Health Report:** Ms. Cameron had nothing to add to her written report.

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**Community Mental Health Services Board (CSB) Report:** Mr. Kruppa reported that the CSB meeting discussed pay increases to \$15 for some occupations supported by the state. CSB member, Ms. Ellice Switzer who works in that field at Cornell gave a presentation on the subject and the minor impact it will have in Tompkins County as most doing that work already make those wages. Other surrounding counties will benefit. The CSB discussed vacancies on the board and subcommittees as they begin recruiting and will again utilize recruitment strategies with Ms. Hillson.

**Resolution #EH-ENF-21-0017 – Casablanca Pizzeria, C-Ithaca, Violations of Subpart 14-1 of the New York State Sanitary Code (Food) (5 mins.)** Dr. Koppel moved to accept the resolutions as written; seconded by Dr. Dhundale.

Ms. Cameron explained that this is a case of food being out of temperature in a prep cooler. EH proposes a fine of \$200. She noted that is a new owner as of August 4<sup>th</sup>, 2020 and not 2021 as noted in the case summary.

The vote to approve the resolution as written was unanimous.

**Resolution #EH-ENF-21-0018 – AGAVA, T-Ithaca, Violations Subpart 14-1 of New York State Sanitary Code (Food) (5 mins.)** Dr. Koppel moved to accept the resolutions as written; seconded by Ms. Merkel.

No discussion.

The vote to approve the resolution as written was unanimous.

**Resolution #EH-ENF-21-0019 – Ithaca Bakery, V-Lansing, Violations of BOH Orders #EH-ENF-10-001 Subpart 14-1 of the New York State Sanitary Code (Food) (5 mins.)** Ms. Touchton moved to accept the resolutions as written; seconded by Ms. Merkel.

Ms. Cameron explained that this violation used the penalty calculation method brought to the board in 2020. EH proposes a \$200 penalty taking into consideration of the risk factors of the violation and any previous enforcement actions due to critical violations. Credits or reductions in the proposed penalty was based on how many inspections were had since the last enforcement action that did not have critical violations. Ithaca Bakery had two inspections in 2019 without critical violations and one in 2021.

The vote to approve the resolution as written was unanimous.

**Administration:** Mr. Kruppa reported that BOH members Dr. Koppel and Ms. Merkel terms will end December 31<sup>st</sup> of this year. Both members are eligible and interested in reappointment. Mr. Kruppa proposed to the BOH to make a recommendation for the legislature to reappoint Dr. Koppel. Dr. Dhundale moved to recommend reappointment of Dr. Koppel for the legislature; seconded by Ms. Merkel.

All members were in favor of the proposal to recommend Dr. Koppel for reappointment.

Mr. Kruppa proposed to the BOH to make a recommendation for the legislature to reappoint Ms. Merkel. Ms. Touchton moved to recommend reappointment of Ms. Merkel for the legislature; seconded by Dr. Koppel.

DRAFT

All members were in favor of the proposal to recommend Ms. Koppel for reappointment.

The next meeting is Tuesday, January 25<sup>th</sup>, 2022 @ Noon.

**Adjournment:** Adjourned at 12: 53 p.m.

Board of Health  
January 25, 2022  
Financial Report

December 2022 / Month 12

COVID sampling costs not budgeted continue to inflate expenditures in functional unit 4010. The County is seeking FEMA reimbursement on these expenses, end of year adjustment is expected. Community Health is running above budget due to continued pandemic expenses, cell phones, computers, service contracts (answering service, 211 and a mail distribution program) and staff. Planning and Coordination of CSN is running higher due to on call expenses and over time. Work will continue with County Administration and County Finance to adjust the books for pandemic-related expenses, including addition of grant funds. The department received approval on the increased COVID funding allocation in our Immunization grant. COVID grants have been evaluated to maximize reimbursements. Claims will be submitted upon approval of budget modifications.

The Medical Examiner Program may exceed their budget due to increased cases. The Finance Director has been notified; projected shortfall will need further review once all year end expenses are posted. The department may be able to propose a transfer from other mandates.

Fourth quarter claims are in process. We received approval on our Healthy Neighborhoods Program for the next five-year award. Fees and other revenues are lower than budgeted as staff have not been able to stand up all programs.



Tompkins County Financial Report for Public Health

Percentage of Year 100.00%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	2,742,286	5,442,745	198.47%	304,674	97,300	31.94%	2,437,612	5,345,445	219.59%
4011 EMERGING LEADERS IN PH	48,986	43,197	88.18%	48,986	0	0.00%		43,197	
4012 WOMEN, INFANTS & CHILDREN	526,561	502,213	95.38%	526,561	425,419	80.79%		76,794	
4013 OCCUPATIONAL HLTH.& SFTY.	98,435	94,578	96.08%	0	0	0.00%	98,435	94,578	96.08%
4015 VITAL RECORDS	77,825	71,333	91.66%	108,000	121,629	112.62%	-30,175	-50,296	166.68%
4016 COMMUNITY HEALTH	1,780,492	2,036,580	114.38%	651,101	332,070	51.00%	1,129,391	1,704,509	151.01%
4018 HEALTHY NEIGHBORHOOD PROG	173,713	127,225	73.24%	173,713	41,823	24.08%		85,402	
4047 PLNG. & COORD. OF C.S.N.	1,404,966	1,452,751	103.40%	396,690	321,713	81.10%	1,008,276	1,131,038	112.18%
4090 ENVIRONMENTAL HEALTH	1,761,219	1,698,992	96.47%	597,013	472,695	79.18%	1,164,206	1,226,297	105.35%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,235,837	1,105,098	89.42%	-1,235,837	-1,105,098	89.42%
<b>Total Non-Mandate</b>	<b>8,614,482</b>	<b>11,469,614</b>	<b>133.14%</b>	<b>4,042,574</b>	<b>2,917,748</b>	<b>72.18%</b>	<b>4,571,908</b>	<b>8,551,866</b>	<b>187.05%</b>
2960 PRESCHOOL SPECIAL EDUCATI	5,860,000	4,184,807	71.41%	3,823,000	2,407,815	62.98%	2,037,000	1,776,993	87.24%
4017 MEDICAL EXAMINER PROGRAM	288,226	281,640	97.72%	0	3,042	0.00%	288,226	278,598	96.66%
4054 EARLY INTERV (BIRTH-3)	653,000	330,466	50.61%	319,970	108,383	33.87%	333,030	222,082	66.69%
<b>Total Mandate</b>	<b>6,801,226</b>	<b>4,796,913</b>	<b>70.53%</b>	<b>4,142,970</b>	<b>2,519,240</b>	<b>60.81%</b>	<b>2,658,256</b>	<b>2,277,673</b>	<b>85.68%</b>
<b>Total Public Health</b>	<b>15,415,708</b>	<b>16,266,527</b>	<b>105.52%</b>	<b>8,185,544</b>	<b>5,436,988</b>	<b>66.42%</b>	<b>7,230,164</b>	<b>0,829,539</b>	<b>149.78%</b>

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
<b>NON-MANDATE</b>			<b>MANDATE</b>		
4010 Administration	-2,707,863	207,374	2960 Preschool	1,675,193	1,415,185
4012 WIC	19,513	101,142	4054 Early Intervention	322,534	211,587
4013 Health & Safety	3,857	0	4017 Medical Examiner	6,586	-3,042
4014 Medical Examiner	0	0		<u>2,004,313</u>	<u>1,623,730</u>
4015 Vitals	6,492	-13,629			
4016 Community Health	-257,069	319,030			
4018 Healthy Neighborhood	46,488	131,890			
4047 CSCN	-47,785	74,977			
4048 PHCP	0	0			
4090 Environmental Health	62,052	124,318			
4095 State Aid	0	130,739			
	<u>-2,874,314</u>	<u>1,075,840</u>			

Total Public Health Balances	
Available Budget	Revenues Needed
<u>-870,001</u>	<u>2,699,570</u>

## HEALTH PROMOTION PROGRAM – December 2021/January 2022

Samantha Hillson, Director, PIO  
Ted Schiele, Planner/ Evaluator  
Diana Crouch, Healthy Neighborhoods Education Coordinator  
Shannon Alvord, Communications Coordinator

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

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### Highlights

- HNP received notice from the State of our award for the next 5-year cycle of the program, beginning April 2022.
- TCHD website migration is underway to new Drupal 8 platform.
- Strategic Plan implementation: cross-functional team for Integration developed and submitted an RFP for a branding development agency, received 22 submissions, currently reviewing.
- Health Educator position currently posted for Advancing Tobacco Free Communities and Healthy Neighborhoods Program, applications due 1/21/22, <https://www.tompkinscivilservice.org/civilservice/vacancies>.

### Community Outreach

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

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

Suicide Prevention Coalition	Revival of this coalition, new leadership, strategic planning process	monthly
Immunization Coalition	Quarterly meeting, updates about COVID-19 vaccine and discussion/feedback, youth vaccination promotion	quarterly
Mental Health website review cmte	Bi-weekly meeting, based at Mental Health	Bi-weekly
Lead Poisoning Prevention Network	Quarterly meeting, review lead cases, prevention, new regulation	quarterly
Cayuga Health Women’s Service Line	Re-launch of this service line and discussion. Collaboration with community partners	quarterly

COVID-19

- Outreach and promotion of booster and youth vaccination clinics, testing, distribution of free home tests and masks.
- In collaboration with COVID Communications team, develop and disseminate public information on guidance updates. Update website and social media.
- In partnership with 211, HPP staff are delivering saliva test kits to individuals who are unable to get to a vaccination site. Working on full transition to the County employee testing program specialists to implement this program.
- Ongoing website updates related to COVID-19 developments (see Media, Website section below).
- Ongoing review, analysis, and updates of COVID-related data. Regularly updated data is available on the COVID [Data Page](#).
- Weekly Communications Team meetings – planning for larger vaccination/booster and masking campaign with incoming funding from NYS.
- Support and feedback offered to Cornell University’s COVID surveillance project.

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

- The CHIP Steering Committee meets monthly (first Thursday):
  - The intended purpose of the Steering Committee is to support the workgroups both individually and collectively through consultation, feedback, and community networking.
  - Developing a reporting and monitoring tool, with assistance from the Cornell MPH program.
  - 2022 focus on collecting data for health equity.
- Cancer screening intervention monthly meeting.
- Social Determinants of Health (SdoH) intervention monthly meeting.
- School-based health
- Maternal and Child Health
- CHIP Update to NYS was submitted in December 2021.

- Awaiting State guidance on the next round of the Community Health Assessment.

### Healthy Neighborhoods Program

- HNP received notice from the State of our award for the next 5-year cycle of the program, beginning April 2022.
- The HNP program continues to receive calls requesting information about indoor air quality, radon, mold and mildew, bed bug infestations, etc. Home visits have increased.
- Staff continue to support County COVID-19 vaccination clinics and saliva kit delivery.
- Ongoing collaboration with Environmental Health Lead Program.

#### December 2021

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2021	Dec. 2020	TOTAL 2020*
# of Initial Home Visits (including asthma visits)	7	100	10	225
# of Revisits	0	0	0	76
# of Asthma Homes (initial)	3	19	5	61
# of Homes Approached	2	448	0	436

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

### Health Promotion

- Developing and planning for our Community Health Worker initiative, with plans to hire two CHWs. Working with community partners who have similar roles, or plans for similar roles, including Cayuga Health, CCE, REACH Medical, and HSC.
- HPP strategic planning: outlining the main goals of the program, compiling a list of all board and committee meetings we attend, delegating workflow.
- Website Migration: project management for migration of Health Department website to a new platform adopted county-wide. Staff from across the department are reviewing web pages and assisting with the transfer to the new site. Edits and re-organization will continue as we move onto the new platform.
  - Assisting with updates and organization of the Mental Health website.

### Tobacco Free Tompkins

- Tobacco Free Zone for Cortland-Tompkins-Chenango grant staff call.
- Tompkins coordinator continued their assignment with the COVID communications team.
- Planning for hiring of a Health Educator in 2022 to serve half-time in Tobacco and half-time in HNP.

### Media, Website, Social Media

- [COVID-19 website](#) pages updated regularly
  - Added [age and vaccination status of deaths](#) of Tompkins County residents attributed to COVID-19.

- COVID-19 Press Releases in December 2021
  - [COVID19 2021-12-29 Isolation Quarantine Guidance](#)
  - [COVID19 2021-12-23 Self-Test Guidance and Form](#)
  - [COVID19 2021-12-21 Update: Detailing Recent Increase in Hospitalizations and Deaths, Prevention Strategies](#)
  - [COVID19 2021-12-17 Update: Omicron Variant](#)
  - [COVID-19 Youth Vaccine Clinics Newfield and Lansing](#)
  - [COVID19 2021-12-14 Update: NYS Mask Mandate or Vaccination Requirement](#)
  - [COVID19 2021-12-14 Update: Increase in Cases, Omicron Spreading, Follow Precautions](#)
  - [COVID-19 Increase in Cases 12.12.21](#)
  - [COVID-19 Omicron Variant](#)
  - [COVID19 2021-12-10 Update: Delays in Case Investigation and Contact Tracing](#)
  - [COVID19 2021-12-10 Update: NYS Implements Mask Or Proof of Vaccination Mandate for Businesses and Venues](#)
  - [COVID19 2021-12-08 Updates: Virtual Town Hall Thursday Dec 9 at 4:30pm](#)
  - [COVID19 2021-12-07 Updates: Moderna Booster Clinic Dec 11, Town Hall Dec 9](#)
  - [COVID19 2021-12-02 Updates on Variants, Booster Doses, Contact Tracing, Case Investigations](#)
- Other Health Department press releases
  - [Seeking a Dog 2021-12-13](#)
- Ongoing work with Mental Health to update/ upgrade the [TCMH website](#).
- Ongoing work to transition TCHD site to new county format (Drupal 8).

#### PH-MH Strategic Planning with Batiste Leadership

- Cross-Functional Integration Team continues to meet bi-weekly: reviewing and selecting branding development agency.
- Services Team will re-start their meetings in January with support from Shannon Alvord.

#### Emerging Leaders in Public Health (ELPH) Cohort III – Kresge Foundation/Batiste Leadership

- ELPH Network – Current Topic Sessions bi-monthly: meet virtually with other ELPH participants, discussion and sharing ideas
- Final Report submitted to The Kresge Foundation 12/31/21

#### Training/Professional Development

- JEDI: General Meeting and subcommittees (Shannon – Communications, Samantha – Data and Analysis, Diana – Recognition)
- LGBTQ+ training, upcoming in January

**Medical Director's Report**  
**Board of Health**  
**October 2021**

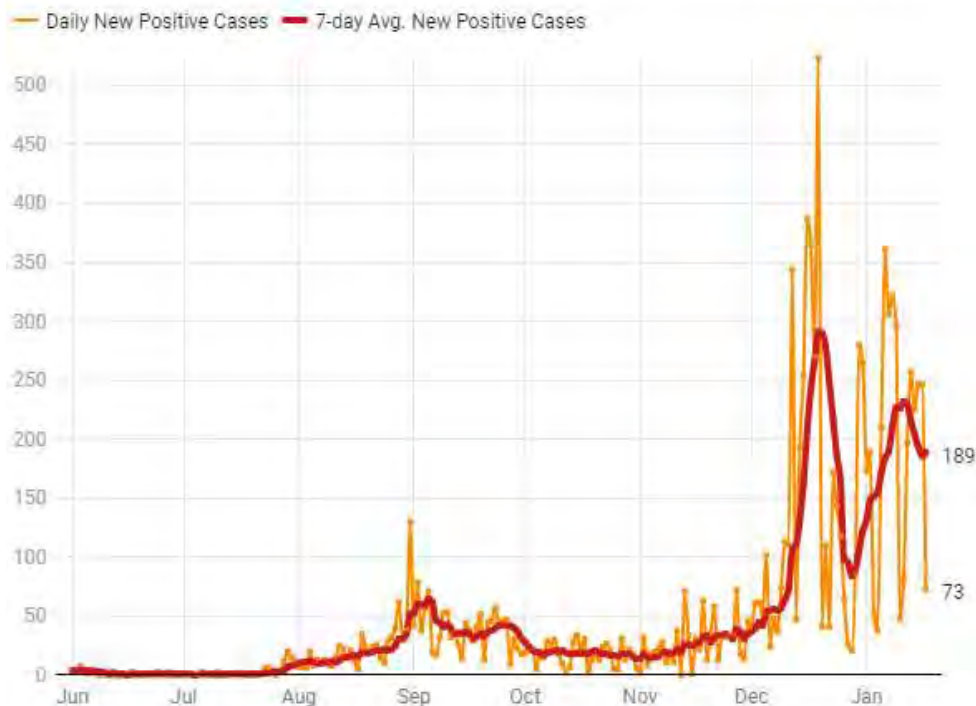
I will provide some updates on clinical concerns about Covid, address influenza trends, and present some information on rabies and tick-borne disease.

**Cases - Local Data**

Note that the following graphs do not include positive self-reported at home antigen tests

**Daily New Cases + 7-Day Avg. New Cases (from June 1, 2021)**

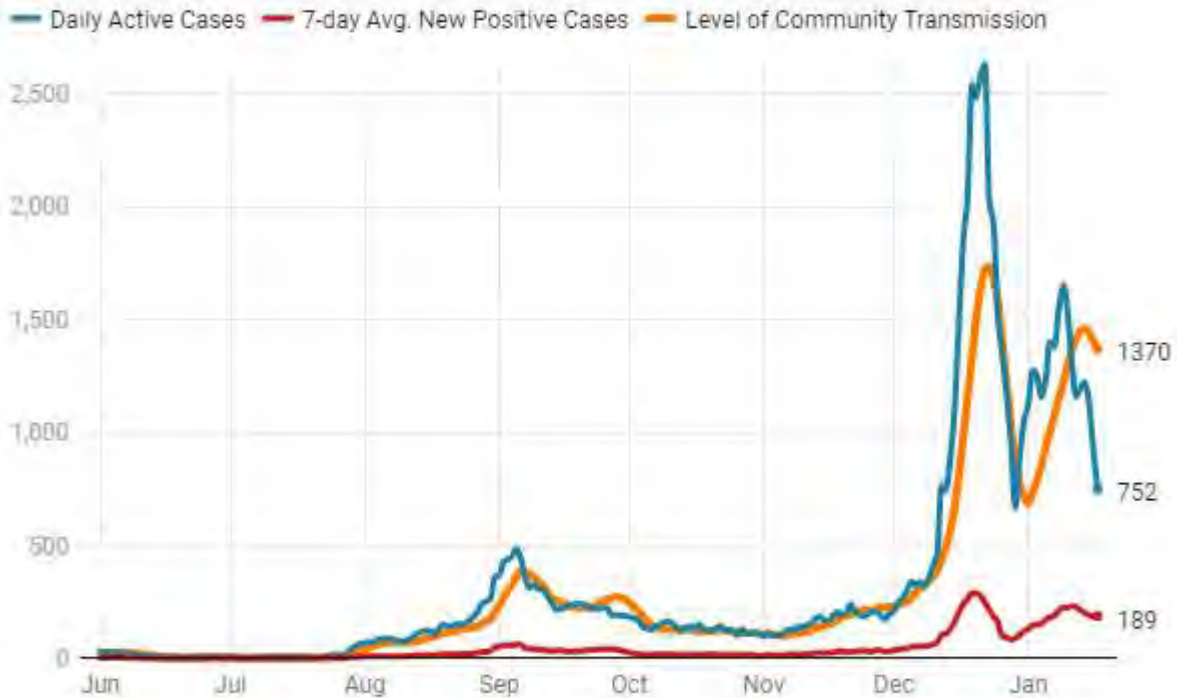
From June 1, 2021. COVID-19, Tompkins County, N.Y. (Dates that extend above the graph are noted below.)



We seem to be seeing a trend toward decreasing cases. Is this what some experts have predicted as a falloff in omicron infections as rapid as its ramp up? (the drop in late December is caused by the departure of higher education students). Our ability to monitor what is going on will be complicated by the re-arrival of higher education students and an expected surge in cases.

## Daily Active Cases + Level of Community Transmission + 7-Day Avg. New Cases

COVID-19, Tompkins County, N.Y. Data from 6/1/21 to the present. Find Daily Active Cases and Level of Community Transmission definitions below the graph.



**DAILY ACTIVE CASES:** the total number of positive cases minus the total released cases and deaths. **LEVEL OF COMMUNITY TRANSMISSION:** defined by the CDC as the "total number of new cases per 100,000 persons within the last 7 days." Low= $\leq 10$ , Moderate=10-49, Substantial=50-99, High= $\geq 100$ . County pop. 105,740 (2020 Census).

Chart: Tompkins County Health Department, Ithaca, N.Y. • Source: TCHD • [Get the data](#) • Created with [Datawrapper](#)

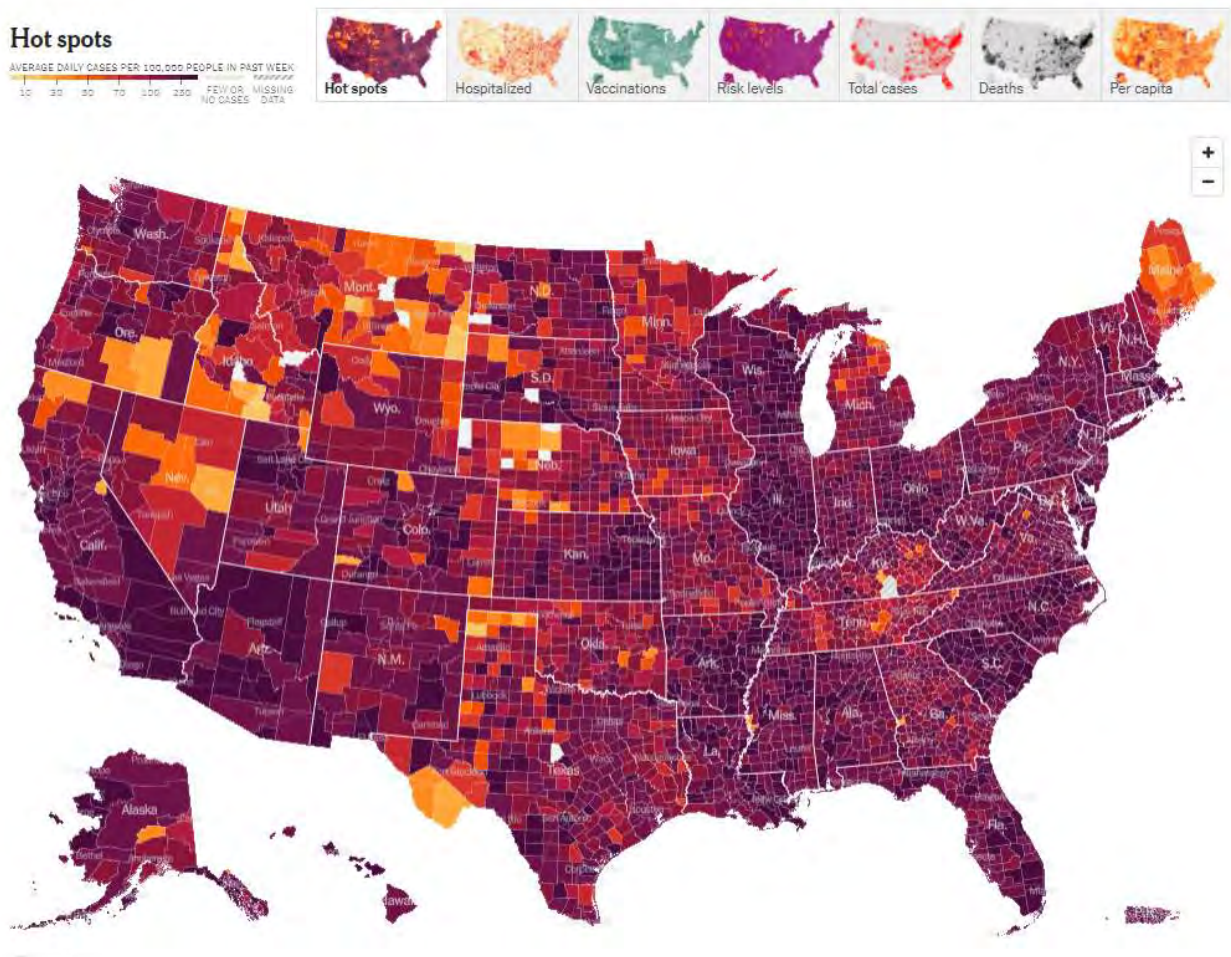
## Nationally

We are not seeing a trend downwards.

	DAILY AVG. ON JAN. 17	14-DAY CHANGE	TOTAL REPORTED
Cases	790,553	+62%	66,526,927
Tests	2,505,068	+96%	—
Hospitalized	156,505	+54%	—
Deaths	1,961	+54%	850,750

<https://www.nytimes.com/interactive/2021/us/covid-cases.html>

There are very few places in the country where cases/100,000 are not above 100.





To look specifically at NYS – we do see a decrease in cases with hospitalizations lagging.

	CASES DAILY AVG.	PER 100,000	14-DAY CHANGE	HOSPITALIZED DAILY AVG.	PER 100,000	14-DAY CHANGE	DEATHS DAILY AVG.	PER 100,000	FULLY VACCINATED
United States	790,553	238	+62%	156,505	47	+54%	1,961.1	0.59	63%
New York >	48,518	249	-27%	13,049	67	+40%	194.3	1.00	73%

## Testing

Our percent positive tests appear also to have gone through a peak.

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

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



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

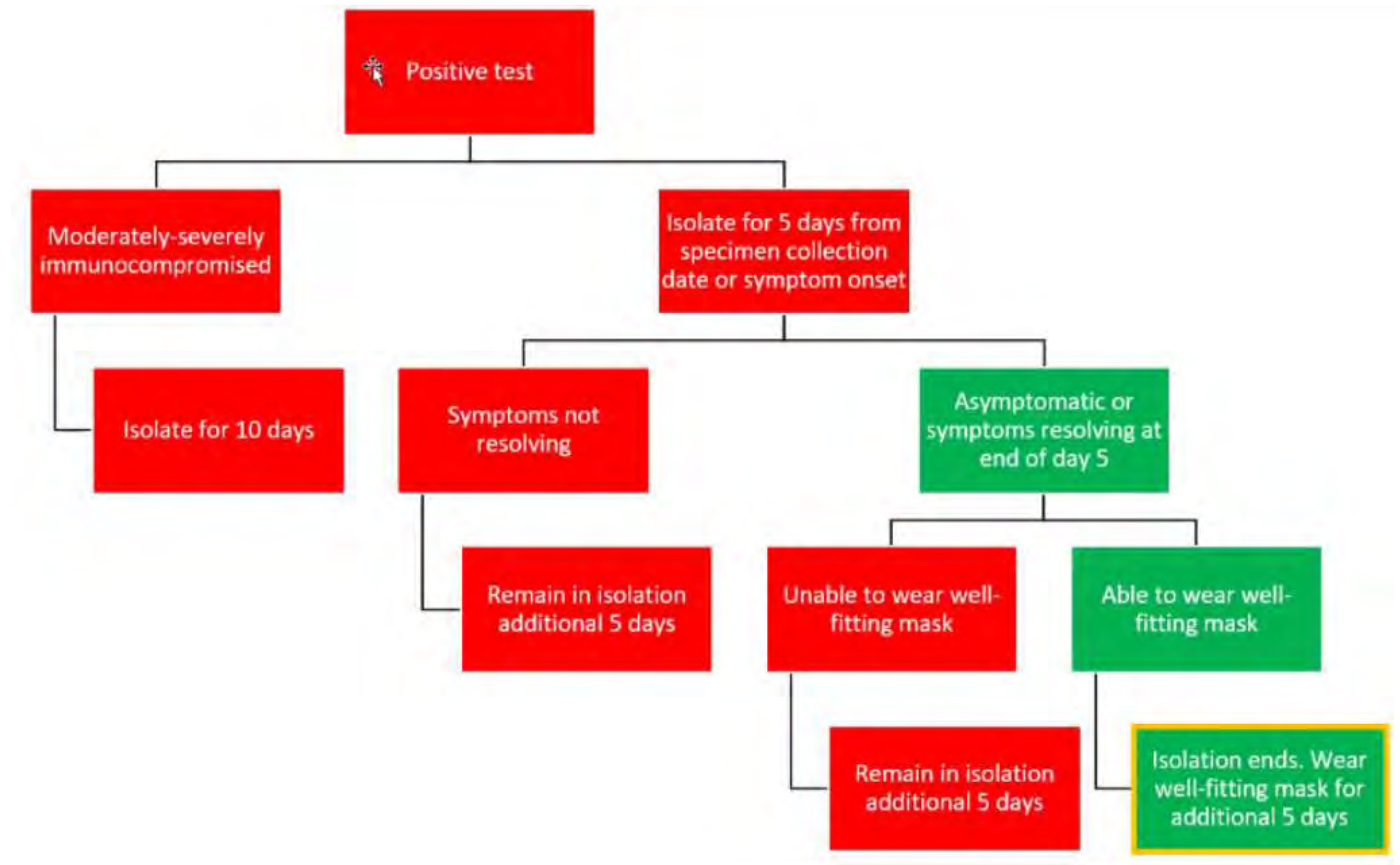
## Hospitalizations

No significant change in the data since my last bulletin other than we seem to also have gone through a peak and:

Currently the breakdown for adult Covid positive admissions at CMC is that 80% are for Covid while for 20% Covid is an incidental finding (though may contribute to morbidity)

**Isolation and Quarantine** – algorithm depiction that may help with the new guidelines (note that these only apply to those who are not immunocompromised or severely ill)

### Isolation Flow Chart



Contact: Quarantine Flowchart



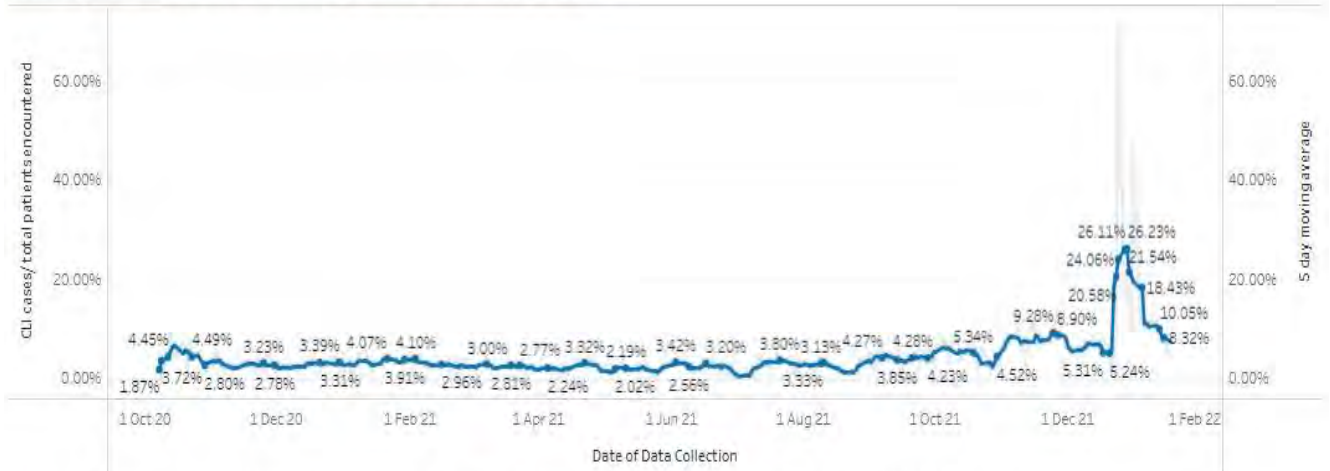
Source: NYSDOH

## Covid Like Illness (CLI)

Many primary care practices have been reporting data to me for more than two years now. We use this to keep an idea of what Covid is doing in the community. As we transition now in our contact tracing and testing etc. (as detailed in the press release in the early part of this bulletin) these CLI reports should help keep us informed. Thanks to the practices who are participating.

Note the y axis is not the same for all graphs. Those practitioners caring for 0-20 year old persons clearly have had a greater impact on their practices than those caring only for older adults.

*Non-higher education CLI/total patient encounters ratio*



The non-higher education community includes practices other than Cornell University and Ithaca College. This figure only includes business days after 10/08/2020.

**Measure Names**

- 5 day moving average CLI/total and the date is median
- CLI cases/total patient encounters

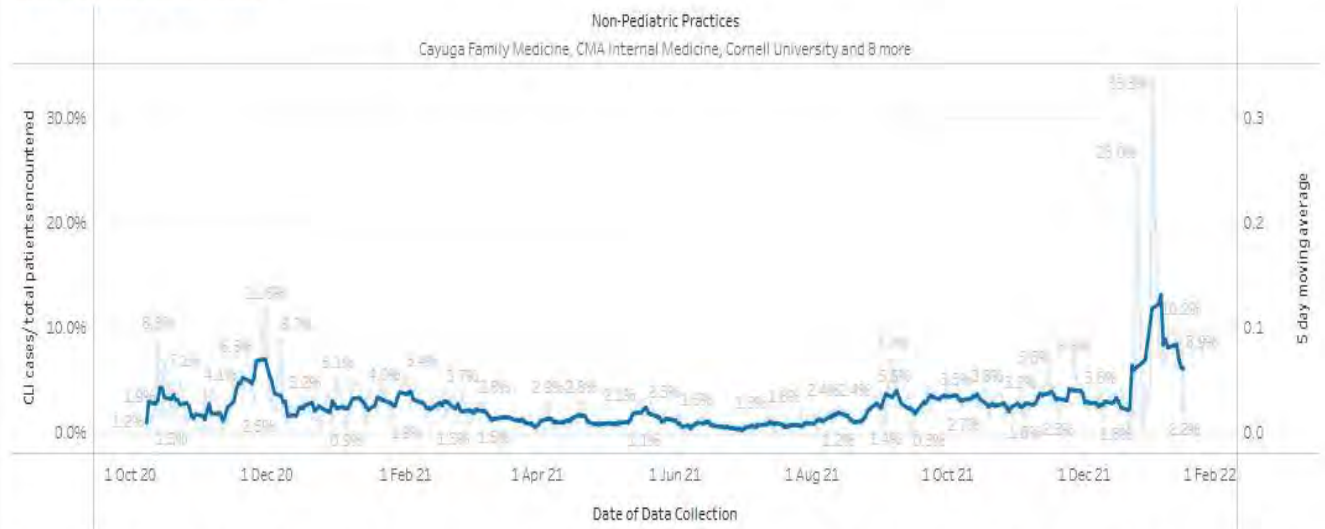
### Pediatric CLI Cases



The trends of CLI cases/ total patients encountered and 5 day moving average CLI/total and the date is median for Date of Data Collection Day broken down by Practice Name. Color shows details about CLI cases/ total patients encountered and 5 day moving average CLI/total and the date is median. The data is filtered on Filter Business Day after 10/08 and Date of Data Collection. The Filter Business Day after 10/08 filter keeps True. The Date of Data Collection filter includes dates on or after 08/10/2020. The view is filtered on Practice Name and Exclusions (DAY(Date of Data Collection), Practice Name). The Practice Name filter keeps Northeast Pediatrics. The Exclusions (DAY(Date of Data Collection), Practice Name) filter keeps 2,602 members.

Measure Names  
■ 5 day moving a...  
■ CLI cases/total...

### Non-Pediatric CLI Cases



The trends of CLI cases/ total patients encountered and 5 day moving average CLI/total and the date is median for Date of Data Collection Day broken down by Non-Pediatric Practices. Color shows details about CLI cases/ total patients encountered and 5 day moving average CLI/total and the date is median. The data is filtered on Filter Business Day after 10/08 and Date of Data Collection. The Filter Business Day after 10/08 filter keeps True. The Date of Data Collection filter includes dates on or after 10/8/2020. The view is filtered on Non-Pediatric Practices.


Measure Names  
■ 5 day moving average CLI/total and the date is median  
■ CLI cases/total patients encountered

## Boosters and eligibility

From the FDA - For a printable version <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/do-i-qualify-covid-19-vaccine-booster-and-which-one>

Do I qualify for a COVID-19 vaccine booster and which one?			
Which primary vaccine series did you complete?	Pfizer-BioNTech	Moderna	Janssen (J&J)
<b>You can get a booster if:</b>	It's been at least 5 months since completing a primary series AND you are:	It's been at least 5 months since completing a primary series AND you are:	It's been at least 2 months since completing primary vaccination AND you are:
	Age 12+	Age 18+	Age 18+
<b>If eligible, you can get a booster of:</b>	Pfizer-BioNTech* Moderna Janssen (J&J) <small>*Only Pfizer-BioNTech can be used as a booster in those age 12-17.</small>	Moderna Pfizer-BioNTech Janssen (J&J)	Janssen (J&J) Pfizer-BioNTech Moderna

For more information, visit [www.fda.gov/covid19vaccines](http://www.fda.gov/covid19vaccines).

 **U.S. FOOD & DRUG ADMINISTRATION**

### As to the question about are they “fully vaccinated”

the CDC does not use that term much anymore. They use now “primary series” and “booster”

From the CDC - <https://www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html>

## Some concerning trends for those 18 and younger

[https://www.health.ny.gov/press/releases/2022/docs/pediatric\\_covid-19\\_hospitalization\\_report\\_summary.pdf](https://www.health.ny.gov/press/releases/2022/docs/pediatric_covid-19_hospitalization_report_summary.pdf)

PEDIATRIC HOSPITALIZATIONS

## HOSPITALIZATIONS INCREASING FASTEST AMONG CHILDREN

NEW HOSPITAL ADMISSIONS BY AGE										
	0 – 4 YEARS		5 – 11 YEARS		12 – 18 YEARS		19 – 64 YEARS		65+ YEARS	
	RATE	CHANGE SINCE DEC. 5 - 11	RATE	CHANGE SINCE DEC. 5 - 11	RATE	CHANGE SINCE DEC. 5 - 11	RATE	CHANGE SINCE DEC. 5 - 11	RATE	CHANGE SINCE DEC. 5 - 11
DEC. 5 – 11	0.44	-	0.18	-	0.13	-	1.87	-	7.62	-
DEC. 12 - 18	0.56	+29%	0.19	+5%	0.34	+153%	2.17	+16%	7.94	+4%
DEC 19 - 25 (EXCL. DEC. 25)	1.43	+226%	0.42	+130%	0.60	+353%	2.78	+48%	8.70	+14%
DEC. 26 – JAN. 1 (INCL. DEC. 25)	3.91	+791%	0.79	+335%	1.52	+1,047%	6.39	+241%	21.87	+187%

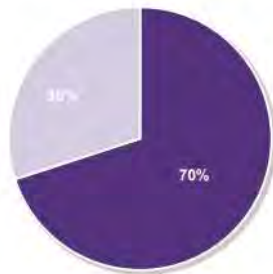
Rates are per 100,000 population

Source: HERDS, New COVID-19 hospital admissions by age group and week, Jan. 4 Pediatrics report (Table 2)



If a 0-18 year old is hospitalized it is likely they are also symptomatic

### 7 OF 10 CHILDREN HOSPITALIZED WITH COVID-19 WERE SYMPTOMATIC FOR COVID-19 AT TIME OF ADMISSION



■ Symptomatic COVID    ■ Not reported as symptomatic

Source: HERDS New admissions symptom status among persons 0-18 years, most recent reporting period of Dec. 26, 2021 – Jan. 1, 2022 (includes Dec. 25) Jan. 4 Pediatrics report (Table 7)

If admitted were they admitted for Covid or is Covid an incidental finding? These data would seem to say most were “For”. But the data does not answer the question whether kids with another primary admitting diagnosis were “tipped over the edge” by their Covid infection or whether their PCR test was only picking up an “old” Covid infection.

PEDIATRIC HOSPITALIZATIONS

**ADMISSION REASON, BY REGION**

REGION	ADMISSION REASON	DEC. 19 – DEC. 25 (EXCL. DEC. 25)		DEC. 26 – JAN. 1 (INCL. DEC. 25)	
		n	%	n	%
		NEW YORK CITY	For COVID-19	88	64%
For other reason, but with COVID-19	49		36%	158	41%
MID-HUDSON/ LONG ISLAND	For COVID-19	24	53%	66	59%
	For other reason, but with COVID-19	21	47%	46	41%
STATEWIDE	For COVID-19	137	60%	339	59%
	For other reason, but with COVID-19	91	40%	232	41%

- About 60% of admissions indicated as “for COVID-19”, consistently over time. The number of these admissions have rapidly grown.
- Admissions have also increased among those admitted for other reasons, but with COVID-19.
- It is unclear from these real-time admissions data whether COVID-19 was a contributing cause to the medical issue that necessitated hospitalization. This often requires in-depth medical chart review by clinical staff, after patients are discharged.
- If an individual was seen at the emergency department but was not admitted to the hospital they would not be included in these data.

Source: HERDS new COVID-19 hospital admissions by admission reason, region, and week, Jan. 4 Pediatrics report (Table 5)



“Statewide” =the total for NYC, Mid-Hudson/Long Island, and the rest of the state.



PEDIATRIC HOSPITALIZATIONS

## CHILDREN WITH AND WITHOUT COMORBIDITIES ARE BEING HOSPITALIZED WITH COVID-19

REGION	COMORBIDITIES	WEEK OF DEC. 26 – JAN. 1 (INCLUDES DEC. 25TH)	
		n	%
NEW YORK CITY	NO	204	53%
	YES	181	47%
MID-HUDSON/LONG ISLAND	NO	71	63%
	YES	41	37%
OTHER REGIONS	NO	32	43%
	YES	42	57%
STATEWIDE	NO	307	54%
	YES	264	46%

Source: New COVID-19 hospital admissions by comorbidities, region, and week; Jan. 4 Pediatrics report (Table 8)



The data that follow are only for unvaccinated children and raise the question whether there is something different about children 0-11 regarding the severity of omicron. As a proportion of cases hospitalizations have gone down for every age group except in kids and for them, they are up about 3x what they were in delta. The explanation may be partly the vaccination rate in these age groups and eligibility.

PEDIATRIC HOSPITALIZATIONS

## ADMISSIONS PER 100 CASES INCREASING FOR CHILDREN 0 – 11, A POSSIBLE SIGNAL OF SEVERITY

	TWO-WEEK PERIOD OF: NOV. 15 – 26 (PREDOMINANTLY DELTA VARIANT)			ONE-WEEK PERIOD OF: DEC. 20 – 26 (PREDOMINANTLY OMICRON VARIANT)			CHANGE IN ADMISSIONS PER 100 CASES
	CASES	NEW ADMISSIONS	ADMISSIONS PER 100 CASES	CASES	NEW ADMISSIONS	ADMISSIONS PER 100 CASES	
0 - 4 YEARS, UNVACCINATED	3,776	47	1.24	8,130	150	1.85	+ 48.2%
5 – 11 YEARS, UNVACCINATED	8,508	15	0.18	16,205	49	0.30	+ 71.5%
12 – 17 YEARS, UNVACCINATED	5,013	35	0.70	11,736	45	0.38	- 45.1%
18+ YEARS, UNVACCINATED	38,447	3,241	8.43	104,854	3,345	3.19	- 62.2%

Source: ECLRS Positive test results by age and week linked to NYSIIS/CIR vaccine records;  
HERDS New COVID-19 hospital admissions by age and week linked to NYSIIS/CIR vaccine records;  
Jan. 4 Pediatrics report (Table 12)



Fortunately, vaccine effectiveness data (column “VE”) from “real-world” experience remains high and reassuring

PEDIATRIC ADMISSIONS BY VACCINE STATUS

## WEEKLY NEW ADMISSIONS, BY VACCINE STATUS

WEEK BEGINNING	DISTRIBUTION OF NEW HOSPITALIZATIONS BY VACCINE STATUS						RATES AND VACCINE EFFECTIVENESS			FULL- VACCINE COVERAGE
	VACCINATED		PARTIALLY- VACCINATED		UNVACCINATED		VACCINATED RATE PER 100K	UNVACCINATED RATE PER 100K	VE	
	HOSP	% OF HOSP	HOSP	% OF HOSP	HOSP	% OF HOSP				
<b>5 – 11 YEARS</b>										
12/13/2021	0	0%	1	5%	19	95%	0	0.28	100%	5.4%
12/20/2021	2	4%	3	6%	49	91%	0.17	0.73	76%	12.0%
<b>12 – 17 YEARS</b>										
11/29/2021	2	9%	0	0%	20	91%	0.03	0.65	95%	60.7%
12/6/2021	1	8%	1	8%	11	74%	0.02	0.36	95%	61.1%
12/13/2021	7	23%	1	3%	22	62%	0.12	0.74	84%	61.6%
12/20/2021	18	26%	6	9%	45	65%	0.31	1.56	81%	62.1%

Source(s): HERDS New COVID-19 hospital admissions by age and week linked to NYSIIS/CIR vaccine records; Jan. 4 Pediatrics report (Table 11)



## Summary conclusions from NYSDOH –

### HOW DO WE PROTECT OUR CHILDREN'S HEALTH?

These observed trends in hospital admissions for and with COVID-19 among those 18 years and younger highlight the need to redouble efforts to protect the health of our youngest New Yorkers.

Vaccination of children remains a critical, highly protective strategy and should be combined with other measures to reduce exposure, such as mask wearing.

Children four years of age and younger are not currently eligible for vaccination. Therefore, additional protective measures remain important to safeguard their health during the current winter wave, including vaccinating, boosting and masking by those around them.



#### EXECUTIVE SUMMARY

### OVERVIEW

1

Seven out of ten children across New York State who contracted COVID-19 and were hospitalized were symptomatic and 54% had no comorbidities.

2

Hospitalizations due to COVID-19 rose across all age groups statewide, but none faster than for those 18 years and younger. Among people aged  $\leq 18$  years, admissions increased more than seven-fold statewide, while those for all age groups combined increased only 2-fold statewide. The hospitalization rate for 0 – 4-year-olds increased 791% from week of Dec. 5 – 11 to week of Dec. 26. – Jan. 1, 335% for those 5 – 11 years and 1047% for those 12 – 18 years during the same time period.

3

New pediatric hospital admissions are increasing most rapidly in New York City and the mid-Hudson Valley region, with a seventeen-fold and eight-fold increase, respectively, far surpassing the four-fold increase previously identified two weeks ago.

4

Of children newly admitted, 91% of 5 – 11-year-olds were unvaccinated and only 4% were fully vaccinated. Among 12-17-year-olds, 65% were unvaccinated while 26% were fully vaccinated. Moreover, 55% percent of hospitalizations were in children 0 – four-years-old, who comprise only 26% of the 0 – 18-year-old population and remain ineligible for vaccination.

5

In addition to foundational protection through vaccination, layered mitigation including masking is needed to keep children protected.

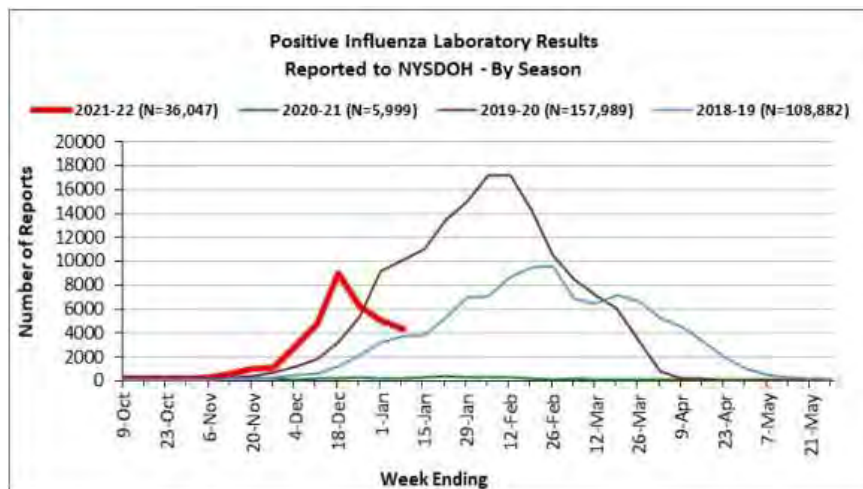


For the report's full text go to:

[https://www.health.ny.gov/press/releases/2022/docs/pediatric\\_covid-19\\_hospitalization\\_report.pdf](https://www.health.ny.gov/press/releases/2022/docs/pediatric_covid-19_hospitalization_report.pdf)

## Influenza

Widespread for the 8<sup>th</sup> consecutive week – lab cases = 14 % decrease over previous week.

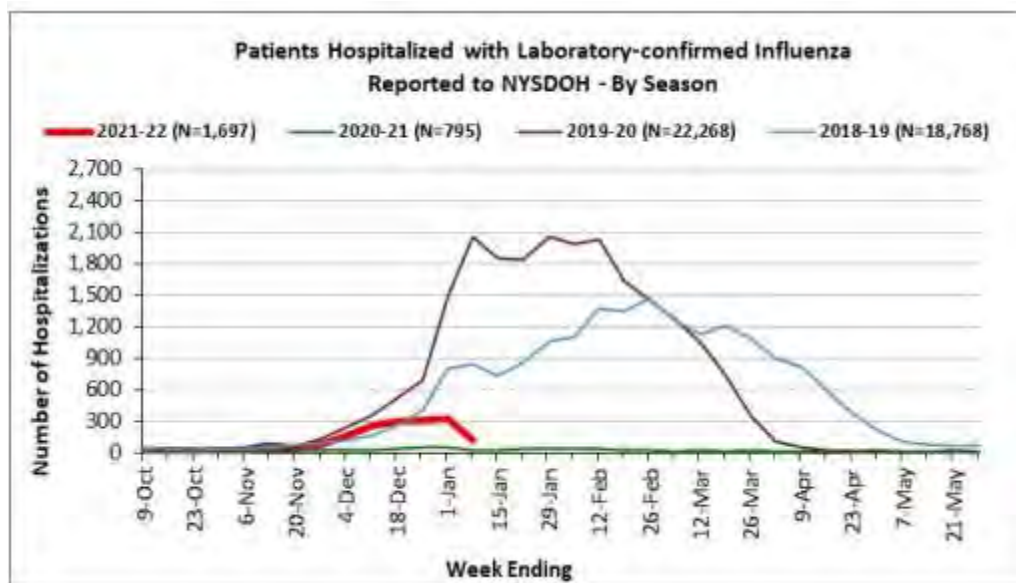
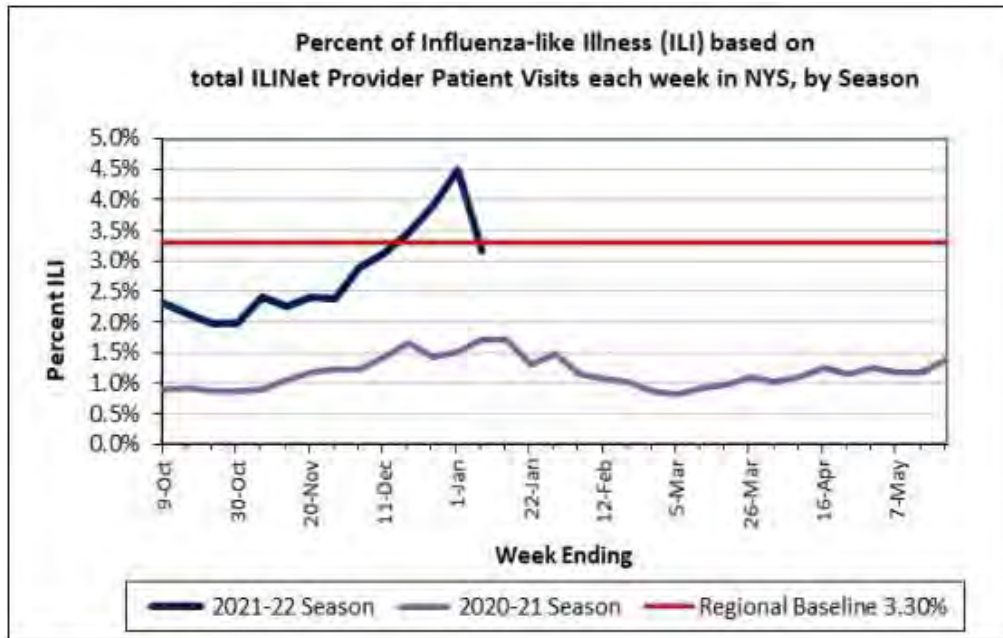


This is the 3<sup>rd</sup> consecutive week of a decrease in cases. Very atypical as I pointed out in the last bulletin (? d/t mask mandate issued by NYS??)

However, in nursing homes influenza has been on an uptick.

Could what we are seeing be due to 2021-22 influenza vaccination rates – no data at this time to address this question.

Also atypical is to see a downturn in clinical cases being reported by the ILI surveillance network of practitioners



## Rabies

This New York Times coverage highlights the continuing need to make the public aware of what animals and types of contact are a risk for rabies. Several of these deaths were related to a lack of knowledge and the ones in children point to a need for parent education of their children.

### Key points

- Bats remain an animal of concern
- Bat proof your home
- Don't touch wild animals even if seemingly injured or dead

*U.S. Records 5 Rabies Deaths in 2021, Highest Number in a Decade - Three of the deaths involved direct contact with bats*

<https://www.nytimes.com/2022/01/07/health/rabies-deaths.html?smid=em-share>

## Other Communicable Disease trends

With 2021 ended we have yearend totals for reportable communicable diseases which are in the CHS section of your packet. I copy here the data showing the two with significant increases over the past few years. Data on all the others are in your packet.

Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	100	97.3	31	30.2	11	10.7	6	5.8	16	15.6
BABESIOSIS**	20	19.5	8	7.8	3	2.9	2	1.9	4	3.9

\*\*Confirmed and Probable cases counted;

Both are tick borne diseases. Practitioners are well aware of them and include testing for them when they see someone who has symptoms similar to Lyme disease.

## Division for Community Health

January 25<sup>th</sup>, 2022 Board of Health meeting

November and December 2021 monthly report

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

### Communicable Disease:

- **COVID-19:** The months of November and December brought new record high case numbers for Covid and the arrival of the Omicron variant in Tompkins County. Higher education experienced an outbreak among students in the month of December. We reported our highest daily case number so far on December 19<sup>th</sup>: 523 new cases. The high volumes of cases necessitated a change in our approach and close partnership with higher ed partners to manage. Despite these high case numbers, hospitalizations continued to be low. Throughout the months of November and December, hospitalizations at CMC remained steady. We typically reported in the range of 1 to 20 Covid positive patients hospitalized at CMC on a daily basis. There were 2 Covid deaths reported in Tompkins County in the months of November and 9 Covid deaths reported in December. We responded to over 2425 phone calls from the public regarding Covid.
- **Influenza:** Flu numbers increased in November and were noted to be concentrated on college campuses. Flu A seems to be the prevalent strain this year. 197 Flu A cases were reported in Tompkins County in November. Flu rates decreased in December—65 cases were reported.
- **Norovirus:** A local senior living facility reported an outbreak of Norovirus in November (33 residents and 12 staff affected) which was quickly contained with infection control guidance from TCHD and NYSDOH.

### Maternal Child Program:

- The Moms PLUS + program is still accepting new clients. Maternal child health nurses are still following up with referrals from Cayuga Birthplace and other community resources. Home and telehealth visits are available to any birthing parent in the county.

#### **SafeCare Program:**

- SafeCare is currently on hold. Collaboration is ongoing between DSS and TCHD regarding when to resume this program.

#### **Immunization Clinics:**

- TCHD partnered with local pediatric offices to provide Covid vaccination clinics at the mall site in November and December for the 5-11 year old population. These clinics were well received by the community and resulted in 1,953 children completing a 2 dose primary series. Per the NYSDOH Covid-vaccine dashboard, 50% of 5-11 year olds in Tompkins County are fully vaccinated compared to a statewide average of 22% for this age group.
- We are providing mobile vaccine clinics based at schools for the 5-11 year old population. In December CHS nurses provided clinics at Newfield and Lansing schools. Clinics at Dryden, Ithaca, Enfield, Groton and Trumansburg are planned for January 2022.
- We plan to start providing Covid-19 booster vaccinations to the homebound in January.
- Mass clinics for Covid-19 booster vaccination are planned for the mall site for every Saturday in January.
- Our regular weekly on-site immunization clinic is not open due to Covid response. We continue to refer children and adults in need of immunization to area providers.

#### **Lead Poisoning Prevention**

- TCHD continues to follow up on all lead cases per state guidance. There were three new admissions for Nov and Dec of 2021. No discharges. There is program policy to allow



for home visits when necessary though all investigations thus far have been successfully completed by phone along with the accompanying education.

### **Tuberculosis**

- We admitted one new TB client to our services in late December. This patient was transferred to us from out of state. She moved to Tompkins County in mid-December and will be monitored by our TB nurse as she completes treatment. She started treatment on November 4<sup>th</sup> out of state and will be on medication for a total of 9 months.

### **HIV**

- Anonymous HIV testing is available to county residents at the Health Department. There were no new tests performed for November and December 2021. Tompkins County Jail is requesting that testing be available to inmates once again. Will review internally as the Covid response shifts and priorities are reevaluated.

### **Rabies**

- Environmental Health continues to assist CHS in coordinating Rabies Post exposure Prophylaxis at CMC, as the COVID response continues. Community Health Nurses are available for treatment administration questions.

### **Staffing:**

- We currently have one open Community Health nurse position within the Health Services division, to replace Nanette Scogin who retired at the end of December, 2021. Recruitment is in process.
- In November, we launched a two part professional development series for our team on “Support & Care for Transgender and Non-binary staff & clients” facilitated by Luca Maurer.

## **WIC Program:**

### Caseload Data:

#### **October** close out caseload data:

Enrollment: 1128  
Participation: 1046  
Participation/Enrollment %: 92.73  
Participation/Caseload %: 69.73

**Total participants seen in October: 447  
468**

**Appointment show rate: 97%**

#### **Preliminary December**

Enrollment: 1119  
Participation: 1045  
Participation/Enrollment %: 93.39  
Participation/Caseload %: 69.67

**Total participants seen in December: 475  
Appointment show rate: 92%**

#### **November** close out caseload data:

Enrollment: 1138  
Participation: 1052  
Participation/Enrollment %: 92.44  
Participation/Caseload %: 70.13

**Total participants seen in November:**

**Appointment show rate: 95%**

### **Program Highlights**

1. Program still has a vacancy, the WIC clerk position. WIC Director is hopeful to fill the vacancy in the spring of 2022.
2. WIC RFA 2023-2027 grant was release in December and is due February 2, 2022. The Tompkins County Health Department has submitted a letter of interest to reapply for funding as the Sponsoring Agency of the WIC Program. The WIC Director is working with various staff in the agency to complete RFA.

N.Y.S. Department of Health  
 Division of Epidemiology  
 Communicable Disease Monthly Report\*, DATE: 04JAN22  
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=November

Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	10	116.7	1	11.7	0	0.0	0	0.0	0	0.0
BABESIOSIS**	3	35.0	0	0.0	0	0.0	0	0.0	0	0.0
CAMPYLOBACTERIOSIS**	5	58.4	1	11.7	2	23.3	1	11.7	1	11.7
COVID-19	724	8451.9	409	4774.6	0	0.0	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	1	11.7	1	11.7	0	0.0	2	23.3	1	11.7
ECOLI SHIGA TOXIN**	1	11.7	0	0.0	1	11.7	0	0.0	0	0.0
ENCEPHALITIS, OTHER	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
GIARDIASIS	2	23.3	0	0.0	2	23.3	2	23.3	1	11.7
HAEMOPHILUS INFLUENZAE, NOT TYPE B	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
HEPATITIS A	0	0.0	3	35.0	0	0.0	0	0.0	1	11.7
HEPATITIS B,CHRONIC**	0	0.0	0	0.0	1	11.7	1	11.7	1	11.7
HEPATITIS C,CHRONIC**	9	105.1	0	0.0	2	23.3	5	58.4	2	23.3
INFLUENZA A, LAB CONFIRMED	197	2299.8	1	11.7	1	11.7	1	11.7	1	11.7
INFLUENZA B, LAB CONFIRMED	1	11.7	0	0.0	1	11.7	0	0.0	0	0.0
LEGIONELLOSIS	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
LYME DISEASE** *****	4	46.7	0	0.0	2	23.3	4	46.7	2	23.3
MENINGITIS, ASEPTIC	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
MUMPS**	0	0.0	0	0.0	1	11.7	1	11.7	1	11.7
PERTUSSIS**	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
SALMONELLOSIS**	2	23.3	1	11.7	0	0.0	0	0.0	0	0.0

	2021		2020		2019		2018		Ave (2018-2020)	
Disease	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
SHIGELLOSIS**	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
STREP,GROUP A INVASIVE	1	11.7	0	0.0	1	11.7	0	0.0	0	0.0
STREP,GROUP B INVASIVE	6	70.0	0	0.0	2	23.3	1	11.7	1	11.7
STREP PNEUMONIAE,INVASIVE**	0	0.0	0	0.0	1	11.7	2	23.3	1	11.7
SYPHILIS TOTAL.....	1	11.7	2	23.3	3	35.0	2	23.3	2	23.3
- P&S SYPHILIS	1	11.7	0	0.0	1	11.7	0	0.0	0	0.0
- EARLY LATENT	0	0.0	0	0.0	2	23.3	1	11.7	1	11.7
- LATE LATENT	0	0.0	2	23.3	0	0.0	1	11.7	1	11.7
GONORRHEA TOTAL.....	8	93.4	8	93.4	12	140.1	14	163.4	11	128.4
- GONORRHEA	8	93.4	8	93.4	12	140.1	14	163.4	11	128.4
CHLAMYDIA	35	408.6	38	443.6	48	560.3	41	478.6	42	490.3

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

\*\*Confirmed and Probable cases counted

\*\*\*Not official number

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

N.Y.S. Department of Health  
 Division of Epidemiology  
 Communicable Disease Monthly Report\*, DATE: 04JAN22  
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=December

Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	2	23.3	7	81.7	3	35.0	0	0.0	3	35.0
BABESIOSIS**	0	0.0	1	11.7	0	0.0	1	11.7	1	11.7
CAMPYLOBACTERIOSIS**	0	0.0	1	11.7	1	11.7	2	23.3	1	11.7
COVID-19	4266	49801	911	10635	0	0.0	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	1	11.7	0	0.0	0	0.0	3	35.0	1	11.7
ECOLI SHIGA TOXIN**	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
ENCEPHALITIS, OTHER	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
GIARDIASIS	2	23.3	1	11.7	1	11.7	2	23.3	1	11.7
HAEMOPHILUS INFLUENZAE, NOT TYPE B	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
HEPATITIS A	0	0.0	2	23.3	0	0.0	0	0.0	1	11.7
HEPATITIS B,CHRONIC**	5	58.4	2	23.3	1	11.7	2	23.3	2	23.3
HEPATITIS C,ACUTE**	0	0.0	1	11.7	2	23.3	2	23.3	2	23.3
HEPATITIS C,CHRONIC**	8	93.4	6	70.0	3	35.0	6	70.0	5	58.4
INFLUENZA A, LAB CONFIRMED	65	758.8	0	0.0	26	303.5	9	105.1	12	140.1
INFLUENZA B, LAB CONFIRMED	3	35.0	0	0.0	32	373.6	6	70.0	13	151.8
LEGIONELLOSIS	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
LYME DISEASE** ****	4	46.7	1	11.7	3	35.0	7	81.7	4	46.7
MENINGITIS, ASEPTIC	0	0.0	1	11.7	0	0.0	1	11.7	1	11.7
PERTUSSIS**	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
SALMONELLOSIS**	1	11.7	1	11.7	0	0.0	1	11.7	1	11.7

	2021		2020		2019		2018		Ave (2018-2020)	
Disease	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
STREP,GROUP A INVASIVE	0	0.0	0	0.0	1	11.7	1	11.7	1	11.7
STREP,GROUP B INVASIVE	1	11.7	4	46.7	0	0.0	1	11.7	2	23.3
STREP PNEUMONIAE,INVASIVE**	1	11.7	1	11.7	0	0.0	1	11.7	1	11.7
TUBERCULOSIS***	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
SYPHILIS TOTAL.....	3	35.0	2	23.3	1	11.7	2	23.3	2	23.3
- P&S SYPHILIS	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
- EARLY LATENT	1	11.7	0	0.0	0	0.0	2	23.3	1	11.7
- LATE LATENT	2	23.3	1	11.7	1	11.7	0	0.0	1	11.7
GONORRHEA TOTAL.....	20	233.5	13	151.8	14	163.4	7	81.7	11	128.4
- GONORRHEA	20	233.5	13	151.8	13	151.8	7	81.7	11	128.4
- P.I.D.	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
CHLAMYDIA	28	326.9	53	618.7	47	548.7	50	583.7	50	583.7
CHLAMYDIA PID	0	0.0	0	0.0	2	23.3	0	0.0	1	11.7

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

\*\*Confirmed and Probable cases counted

\*\*\*Not official number

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

N.Y.S. Department of Health  
 Division of Epidemiology  
 Communicable Disease Monthly Report\*, DATE: 04JAN22  
 Through December  
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS

Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	100	97.3	31	30.2	11	10.7	6	5.8	16	15.6
BABESIOSIS**	20	19.5	8	7.8	3	2.9	2	1.9	4	3.9
CAMPYLOBACTERIOSIS**	19	18.5	17	16.5	27	26.3	26	25.3	23	22.4
CHIKUNGUNYA**	0	0.0	0	0.0	1	1.0	0	0.0	0	0.0
COVID-19	9498	9239.9	2378	2313.4	0	0.0	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	13	12.6	14	13.6	11	10.7	18	17.5	14	13.6
ECOLI SHIGA TOXIN**	6	5.8	5	4.9	4	3.9	4	3.9	4	3.9
EHRlichiosis (CHAFEENSIS)**	0	0.0	0	0.0	1	1.0	0	0.0	0	0.0
EHRlichiosis (UNDETERMINED)**	0	0.0	0	0.0	1	1.0	0	0.0	0	0.0
ENCEPHALITIS, OTHER	1	1.0	2	1.9	1	1.0	3	2.9	2	1.9
ENCEPHALITIS, POST	0	0.0	1	1.0	0	0.0	1	1.0	1	1.0
GIARDIASIS	13	12.6	7	6.8	26	25.3	27	26.3	20	19.5
HAEMOPHILUS INFLUENZAE, NOT TYPE B	0	0.0	2	1.9	4	3.9	3	2.9	3	2.9
HEPATITIS A	7	6.8	12	11.7	0	0.0	0	0.0	4	3.9
HEPATITIS B,CHRONIC**	15	14.6	9	8.8	7	6.8	13	12.6	10	9.7
HEPATITIS C,ACUTE**	1	1.0	5	4.9	6	5.8	6	5.8	6	5.8
HEPATITIS C,CHRONIC**	34	33.1	36	35.0	40	38.9	69	67.1	48	46.7
INFLUENZA A, LAB CONFIRMED	264	256.8	526	511.7	772	751.0	474	461.1	591	574.9
INFLUENZA B, LAB CONFIRMED	6	5.8	738	717.9	62	60.3	567	551.6	456	443.6

Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
INFLUENZA UNSPECIFIED, LAB CONFIRMED	1	1.0	0	0.0	1	1.0	0	0.0	0	0.0
LEGIONELLOSIS	3	2.9	0	0.0	3	2.9	2	1.9	2	1.9
LISTERIOSIS	0	0.0	0	0.0	0	0.0	1	1.0	0	0.0
LYME DISEASE** ****	51	49.6	37	36.0	55	53.5	58	56.4	50	48.6
MALARIA	0	0.0	2	1.9	0	0.0	0	0.0	1	1.0
MENINGITIS, ASEPTIC	0	0.0	1	1.0	1	1.0	4	3.9	2	1.9
MUMPS**	0	0.0	0	0.0	1	1.0	3	2.9	1	1.0
PERTUSSIS**	0	0.0	1	1.0	6	5.8	14	13.6	7	6.8
SALMONELLOSIS**	13	12.6	8	7.8	7	6.8	22	21.4	12	11.7
S.PARATYPHI	0	0.0	0	0.0	0	0.0	1	1.0	0	0.0
SHIGELLOSIS**	1	1.0	0	0.0	0	0.0	2	1.9	1	1.0
STREP,GROUP A INVASIVE	3	2.9	2	1.9	5	4.9	5	4.9	4	3.9
STREP,GROUP B INVASIVE	10	9.7	6	5.8	9	8.8	7	6.8	7	6.8
STREP,GROUP B INV,EARLY/LATE ONSET	0	0.0	1	1.0	0	0.0	1	1.0	1	1.0
STREP PNEUMONIAE,INVASIVE**	3	2.9	6	5.8	4	3.9	9	8.8	6	5.8
TUBERCULOSIS***	1	1.0	2	1.9	3	2.9	4	3.9	3	2.9
TYPHOID FEVER	0	0.0	0	0.0	0	0.0	1	1.0	0	0.0
VIBRIO - NON 01 CHOLERA**	1	1.0	0	0.0	0	0.0	0	0.0	0	0.0
YERSINIOSIS**	1	1.0	0	0.0	2	1.9	1	1.0	1	1.0
SYPHILIS TOTAL.....	22	21.4	20	19.5	22	21.4	15	14.6	19	18.5
- P&S SYPHILIS	7	6.8	8	7.8	8	7.8	4	3.9	7	6.8
- EARLY LATENT	10	9.7	8	7.8	9	8.8	7	6.8	8	7.8
- LATE LATENT	5	4.9	4	3.9	5	4.9	4	3.9	4	3.9
GONORRHEA TOTAL.....	140	136.2	97	94.4	118	114.8	112	109.0	109	106.0
- GONORRHEA	140	136.2	96	93.4	117	113.8	111	108.0	108	105.1



Disease	2021		2020		2019		2018		Ave (2018-2020)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
- P.I.D.	0	0.0	0	0.0	1	1.0	0	0.0	0	0.0
- GONORRHEA,DISSEMINATED	0	0.0	1	1.0	0	0.0	1	1.0	1	1.0
CHLAMYDIA	327	318.1	396	385.2	513	499.1	460	447.5	456	443.6
CHLAMYDIA PID	0	0.0	0	0.0	2	1.9	1	1.0	1	1.0
OTHER VD	0	0.0	0	0.0	1	1.0	0	0.0	0	0.0

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

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

\*\*\*Not official number

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

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

**Children with Special Care Needs Highlights**  
**November 2021**

**Staff Activities**

**General overview of COVID/Program Work**

- All CSCN nursing staff attend a weekly meeting for COVID updates. Needed for case investigation one day this month. CSCN staff helping some with vaccine clinics.

**Staff Group Training**

LGBTQ Training for CSCN/CHS staff 11/10/21  
HIPAA training for CSCN/CHS staff 11/17/21

**Committees/Meetings**

- CSCN Staff attended the Staff meeting 11/16/21
- Michele Card and Kayla Baker attended Monday Software Meetings with iCentral and ITS staff.
- Initial Service Coordinator team meeting 11/9/21
- All Staff meeting 11/16/21

**Division Manager—Deb Thomas:**

- Senior Leadership Meetings-Debrief meetings every Thursday to review current COVID 19 work and Program work.
- Covid update meetings every Thursday morning
- Covid surveillance meeting 11/3/21
- BOH meeting -canceled for November
- Software meetings to develop reports and archiving 11/1/21, 11/8/21, 11/15/21, 11/22/21, 11/29/21
- Software report work with IT 11/1/21, 11/5/21
- Early Childhood Collaborative meeting 11/1/21
- All County Conference Call with NYSDOH BEI 11/3/21
- NYSE BEI Indicator webinar 11/17/21
- CYSHCN group meeting for survey and brochure 11/17/21, 11/30/21
- Ithaca City School District Early Childhood board 11/17/21
- CPSE Chairs meeting 11/19/21

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

**Children with Special Care Needs Highlights**  
**December 2021**

**Staff Activities**

**General overview of COVID/Program Work**

- All CSCN nursing staff attend a weekly meeting for COVID updates. CSCN staff helping some with vaccine clinics but not needed for case investigations this month.

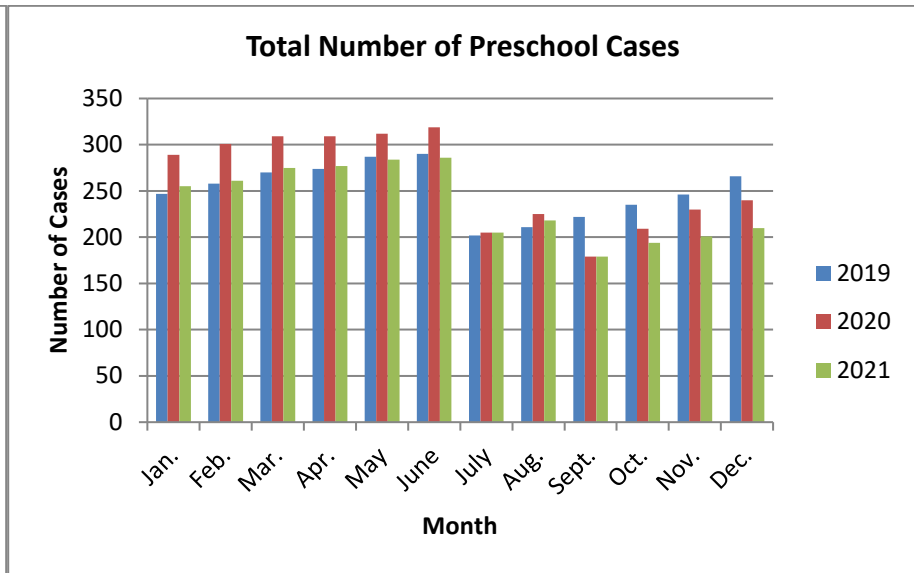
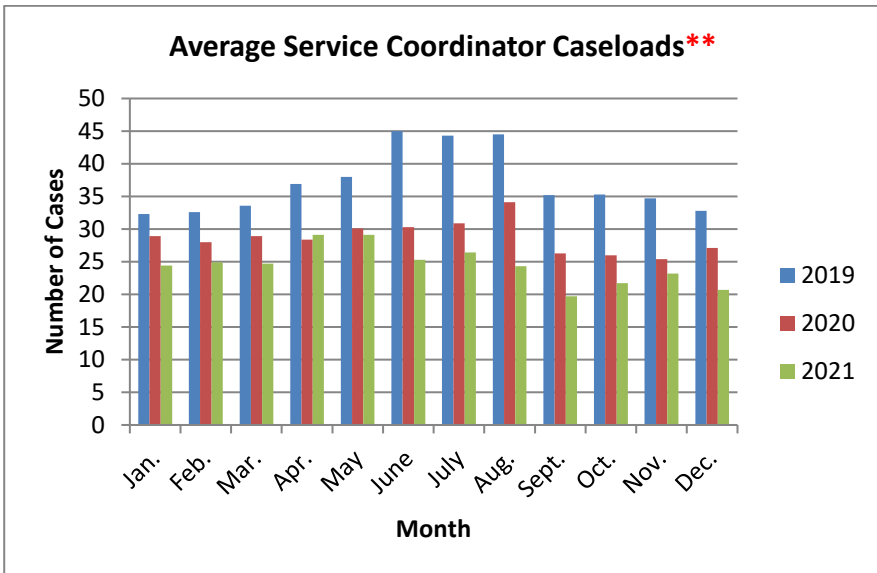
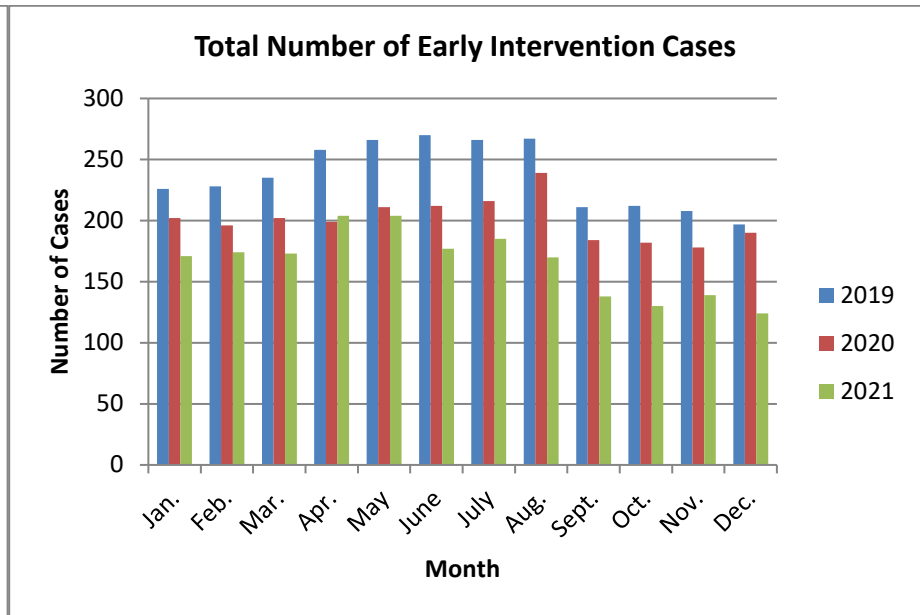
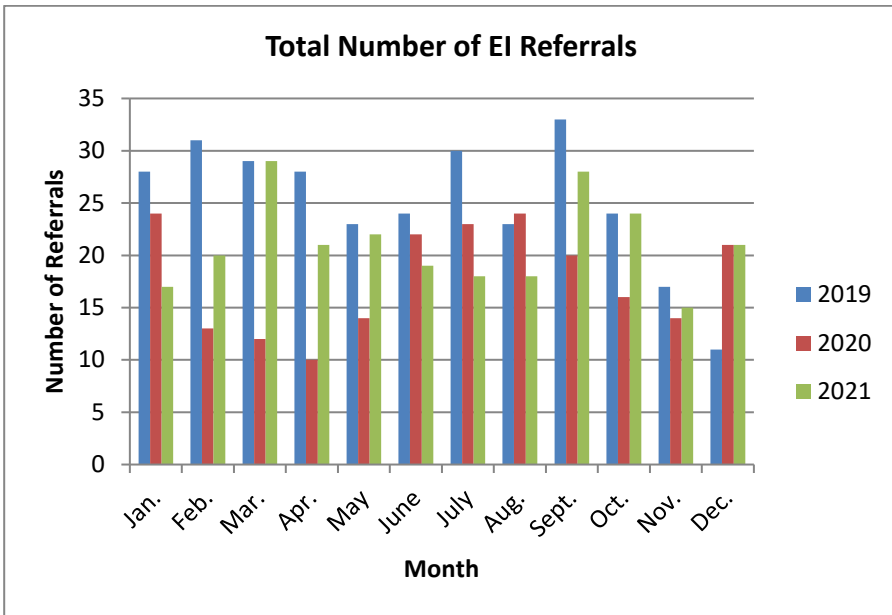
**Committees/Meetings**

- Michele Card and Barb Wright attended Monday Software Meetings with iCentral and ITS staff.
- CSCN Staff attended the Staff meeting 12/21/21

**Division Manager—Deb Thomas:**

- Senior Leadership Meetings-Debrief meetings every Thursday to review current COVID 19 work and Program work.
- Covid update meetings every Thursday morning
- Covid surveillance meeting 12/8/21, 12/22/21
- BOH meeting 12/7/21
- Software meetings to develop reports and archiving 12/6/21, 12/13/21
- Early Childhood Collaborative meeting 12/6/21
- CYSHCN group meeting for survey and brochure 12/1/21
- Provider Agency- Gorge Falls Therapy meeting 12/9/21
- Meeting with Birnie Bus 12/23/21

Statistics Based on Calendar Year



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

**Children with Special Care Needs Division  
Statistical Highlights 2021**

**EARLY INTERVENTION PROGRAM**

Number of Program Referrals	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2021 Totals	2020 Totals
<b>Initial Concern/reason for referral:</b>														
-- DSS Founded Case	1				1	1	1	1	1	2			7	8
-- Gestational Age					1			2		2	1		6	0
-- Gestational Age/Gross Motor													0	0
-- Global Delays													0	1
-- Hearing													0	0
-- Physical														
-- Feeding	1	2		2	1		2	1		2	3		14	11
-- Feeding & Gross Motor													0	0
-- Feeding & Social Emotional													0	0
-- Gross Motor	3	4	2	3	3	3	3	2	8	3		3	37	34
-- Gross Motor & Fine Motor												2	2	0
-- Gross Motor, Fine Motor & Sensory				1								1	2	0
-- Fine Motor													0	0
-- Social Emotional		1			1	3			1	2			8	5
-- Social Emotional & Adaptive													0	1
-- Speech	10	9	24	13	14	11	10	12	14	12	9	9	147	118
-- Speech & Cognitive													0	1
-- Speech & Feeding													0	1
-- Speech & Fine Motor													0	0
-- Speech & Gross Motor		1	3	1		1	1		2	2		1	12	15
-- Speech & Hearing		1											1	0
-- Speech & Sensory													0	0
-- Speech & Social Emotional									1	1	1	1	4	4
-- Speech, Feeding & Gross Motor													0	2
-- Adaptive													0	0
-- Adaptive/Sensory				1		1			1				3	1
-- Adaptive/Fine Motor													0	0
-- Qualifying Congenital / Medical Diagnosis	2	1					1		1			1	6	9
-- Other -- Birth Trauma													0	1
-- Maternal Drug Use		1			1	1				1			4	1
<b>Total Number of Early Intervention Referrals</b>	<b>17</b>	<b>20</b>	<b>29</b>	<b>21</b>	<b>22</b>	<b>19</b>	<b>18</b>	<b>18</b>	<b>28</b>	<b>24</b>	<b>15</b>	<b>21</b>	<b>252</b>	<b>213</b>

Caseloads	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec		
Total # of clients worked with during this month	171	174	173	204	204	177	185	170	138	130	139	124		
Average # of Cases per Full Time Service Coordinator	24.4	24.9	24.7	29.1	29.1	25.3	26.4	24.3	19.7	21.7	23.2	20.7		

**Children with Special Care Needs Division  
Statistical Highlights 2021**

**EARLY INTERVENTION PROGRAM**

Family/Client visits	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2021 Totals	2020 Totals
-- Intake visits	15	17	30	23	19	23	19	18	22	21	17	21	245	200
-- IFSP Meetings	24	32	47	24	31	32	18	12	23	22	17	19	301	327
-- Core Evaluations	16	16	23	21	23	20	16	7	18	22	14	11	207	171
-- Supplemental Evaluations	5	9	4	4	2	6	1	5	3	3	10	5	57	32
-- Observation Visits	29	33	43	50	48	30	35	34	23	24	24	19	392	264
-- CPSE meetings	5	5	2	2	1	6	4	11	6	0	5	6	53	52
-- Family Training/Team Meetings	2	0	0	0	0	0	4	0	1	0	3	7	17	4
-- Transition meetings	4	10	20	1	0	4	3	12	29	9	3	2	97	86

Services and Evaluations Pending & Completed	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2021 Totals	2020 Totals
<b>Children with Services Pending(Needs List)</b>														
-- Feeding	0	1	0	1	0	0	3	1	0	0	2	3	11	22
-- Nutrition	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-- Occupational Therapy	1	2	3	1	1	0	0	1	1	1	2	0	13	25
-- Physical Therapy	0	1	1	2	1	1	2	1	0	0	1	1	11	22
-- Social Work	1	1	1	0	0	0	0	0	0	0	0	0	3	5
-- Special Education	0	0	2	2	0	2	2	1	0	1	2	1	13	26
-- Speech Therapy	6	6	8	15	12	6	11	4	4	7	18	47	144	282

**EARLY INTERVENTION PROGRAM**

Early Intervention Discharges	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2021 Totals	2020 Totals
-- To CPSE	0	1	0	1	1	0	0	16	15	6	1	1	42	64
-- Aged out	1	4	1	1	0	1	2	1	2	0	0	1	14	24
-- Declined	4	2	0	2	0	4	5	2	6	0	3	3	31	34
-- Skilled out	2	0	3	1	5	7	3	5	2	4	0	4	36	8
-- Moved	2	1	0	1	0	2	2	2	0	2	2	2	16	24
-- Not Eligible/DNQ	5	5	10	6	8	6	7	5	7	8	8	3	78	69
-- Family Refused/Unable to Locate	2	1	0	2	0	1	1	0	5	1	4	4	21	18
<b>Total Number of Discharges</b>	<b>16</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>21</b>	<b>20</b>	<b>31</b>	<b>37</b>	<b>21</b>	<b>18</b>	<b>18</b>	<b>238</b>	<b>241</b>
<b>Child Find</b>														
Total # of Referrals	0	0	1	0	2	0	0	1	3	2	3	3	15	6
Total # of Children in Child Find	1	1	1	1	2	2	1	1	1	3	6	9		
Total # Transferred to Early Intervention	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total # of Discharges	0	0	0	0	1	0	0	0	1	2	0	0	4	10

**Children with Special Care Needs Division  
Statistical Highlights 2021**

**PRESCHOOL SPECIAL EDUCATION PROGRAM**

<b>Clients Qualified and Receiving Services</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>2021 Totals</b>	<b>2020 Totals</b>
<b>Children per School District</b>														
-- Ithaca	119	120	126	128	132	132	111	112	91	97	99	100		
-- Dryden	58	60	64	64	63	64	43	46	36	38	38	40		
-- Groton	37	38	38	37	38	38	18	18	25	25	29	32		
-- Homer	1	1	1	1	1	1	0	0	0	0	0	0		
-- Lansing	20	20	21	20	20	20	15	18	12	18	20	23		
-- Newfield	10	11	12	13	14	15	6	12	6	6	6	6		
-- Trumansburg	9	10	12	13	15	15	12	12	9	10	9	9		
-- Spencer VanEtten	1	1	1	1	1	1	0	0	0	0	0	0		
-- Newark Valley	0	0	0	0	0	0	0	0	0	0		0		
-- Odessa-Montour	0	0	0	0	0	0	0	0	0	0	0	0		
-- Candor	0	0	0	0	0	0	0	0	0	0	0	0		
-- Moravia	0	0	0	0	0	0	0	0	0	0	0	0		
-- Cortland	0	0	0	0	0	0	0	0	0	0	0	0		
<b>Total # of Qualified and Receiving Services</b>	<b>255</b>	<b>261</b>	<b>275</b>	<b>277</b>	<b>284</b>	<b>286</b>	<b>205</b>	<b>218</b>	<b>179</b>	<b>194</b>	<b>201</b>	<b>210</b>		

<b>Services Provided</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>		
<b>Services /Authorized by Discipline</b>														
-- Speech Therapy (individual)	173	182	174	183	181	180	108	118	104	120	130	130		
-- Speech Therapy (group)	5	6	6	10	6	6	1	1	2	3	6	6		
-- Occupational Therapy (individual)	55	53	62	64	66	68	45	51	34	42	46	49		
-- Occupational Therapy (group)	2	2	2	2	2	2	0	0	0	0	0	0		
-- Physical Therapy (individual)	25	23	25	28	32	33	27	28	23	27	28	29		
-- Physical Therapy (group)	0	0	0	0	0	0	0	0	0	0	0	0		
-- Transportation														
-- Birnie Bus	26	27	28	28	29	29	25	26	19	3	20	23		
-- Dryden Central School District	8	8	8	7	7	7	0	0	7	6	6	27		
-- Ithaca City School District	28	25	28	28	26	26	26	26	26	25	27	7		
-- Parent	10	9	10	10	10	10	9	7	2	3	4	6		
-- Service Coordination	32	31	35	35	38	38	25	26	21	25	27	27		
-- Counseling (individual)	45	44	50	49	54	52	41	42	18	27	32	35		
-- 1:1 (Tuition Program) Aide	2	2	2	2	3	3	6	6	3	3	4	4		
-- Special Education Itinerate Teacher	24	27	29	30	35	35	29	29	17	21	26	28		
-- Parent Counseling	32	34	37	40	46	46	31	33	25	31	33	39		
-- Program Aide	0	1	1	3	3	3	1	1	0	1	1	1		
-- Teaching Assistant	0	0	0	0	0	0	0	0	0	0	0	0		
-- Audiological Services	2	2	2	2	2	2	1	1	2	2	2	2		
-- Teacher of the Deaf	3	3	3	3	3	3	2	2	2	2	2	3		
-- Music Therapy	0	0	0	0	0	0	0	0	0	0	0	0		
-- Nutrition	5	6	8	8	9	9	9	10	9	13	15	15		
-- Skilled Nursing	0	0	0	0	0	0	0	0	0	0	0	0		
-- Interpreter	1	1	1	1	1	1	1	1	1	1	1	1		
<b>Total # of children rcvg. home based related svcs.</b>	<b>183</b>	<b>191</b>	<b>199</b>	<b>201</b>	<b>209</b>	<b>211</b>	<b>145</b>	<b>157</b>	<b>122</b>	<b>135</b>	<b>157</b>	<b>147</b>		

**Children with Special Care Needs Division  
Statistical Highlights 2021**

**PRESCHOOL SPECIAL EDUCATION PROGRAM**

<b>Number of Children Served Per School District Attending Tuition Based Programs</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>2021 Totals</b>	<b>2020 Totals</b>
-- Ithaca	31	28	33	34	32	32	29	29	26	14	27	31		
-- Dryden	22	22	22	21	21	21	12	12	14	14	14	14		
-- Groton	10	10	10	10	11	11	9	9	5	5	5	7		
-- Lansing	3	3	4	4	4	4	4	4	7	7	7	7		
-- Newfield	3	4	4	4	4	4	3	4	2	2	2	2		
-- Trumansburg	3	3	3	3	3	3	3	3	3	3	2	2		
-- Odessa-Montour	0	0	0	0	0	0	0	0	0	0	0	0		
-- Spencer VanEtten	0	0	0	0	0	0	0	0	0	0	0	0		
-- Moravia	0	0	0	0	0	0	0	0	0	0	0	0		
-- # attending Dryden Central School	8	8	8	7	7	7	0	0	7	7	7	7		
-- # attending Franziska Racker Centers	44	45	46	46	47	47	41	42	32	31	30	32		
-- # attending Ithaca City School District	20	17	22	23	21	21	19	19	18	21	7	24		
<b>Total # attending Special Ed Integrated Tuition Progr.</b>	<b>72</b>	<b>70</b>	<b>76</b>	<b>76</b>	<b>75</b>	<b>75</b>	<b>60</b>	<b>61</b>	<b>57</b>	<b>59</b>	<b>44</b>	<b>63</b>		

<b>Municipal Representation Committee on Preschool Special Education</b>	<b>Jan</b>	<b>Feb</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>2021 Totals</b>	<b>2020 Totals</b>
-- Ithaca	12	16	0	26	28	37	5	11	16	19	19	17	206	162
-- Candor	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-- Dryden	13	7	0	1	5	2	0	3	3	9	4	4	51	97
-- Groton	3	0	0	8	10	1	1	7	3	2	5	1	41	38
-- Homer	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-- Lansing	2	0	0	0	1	5	2	2	2	3	2	0	19	14
-- Newfield	3	0	0	2	2	7	0	0	0	1	0	1	16	13
-- Trumansburg	1	3	0	2	3	4	0	2	3	0	2	0	20	10



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

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## **ENVIRONMENTAL HEALTH HIGHLIGHTS**

### **November/December 2021**

#### **Outreach and Division News:**

**NYS Indoor Masking Mandate:** On December 10, NYSDOH Acting Commissioner Bassett issued a *Commissioner's Determination on Indoor Masking Pursuant to 10NYCRR 2.60*. This determination mandated face coverings be worn in healthcare settings, adult care facilities, P-12 school settings, correctional facilities and detention centers, homeless shelters, and all indoor public places and on public transportation and at transportation hubs. This requirement applies to all over the age of 2 and able to medically tolerate a face covering. Local health departments were tasked with enforcing this requirement. EH staff worked with Director Jay Franklin at assessment to set up a public complaint and business inquiry web form. EH staff were suddenly involved in logging the calls and responding to the inquiries and complaints. As in the past, our approach was educational. Emails were sent to facilities when one could be obtained. Field visits were conducted when an email was not possible and in response to repeat complaints. Kudos to all EH staff in making this abrupt transition back to COVID!

**Drought Planning and Coordination:** The Interagency Agreements Subcommittee of the Drought Planning and Coordination Committee had its initial meeting on November 17. Members include representatives from the big three surface water supplies, Tompkins County Environmental Health and Tompkins County Planning. The Subcommittee discussed interagency agreements that had been used in the past as well as the technical factors that need to be addressed or considered in the agreements (e.g., interconnections, differing treatment technologies). Plans are to meet again in January to review examples of existing or past agreements.

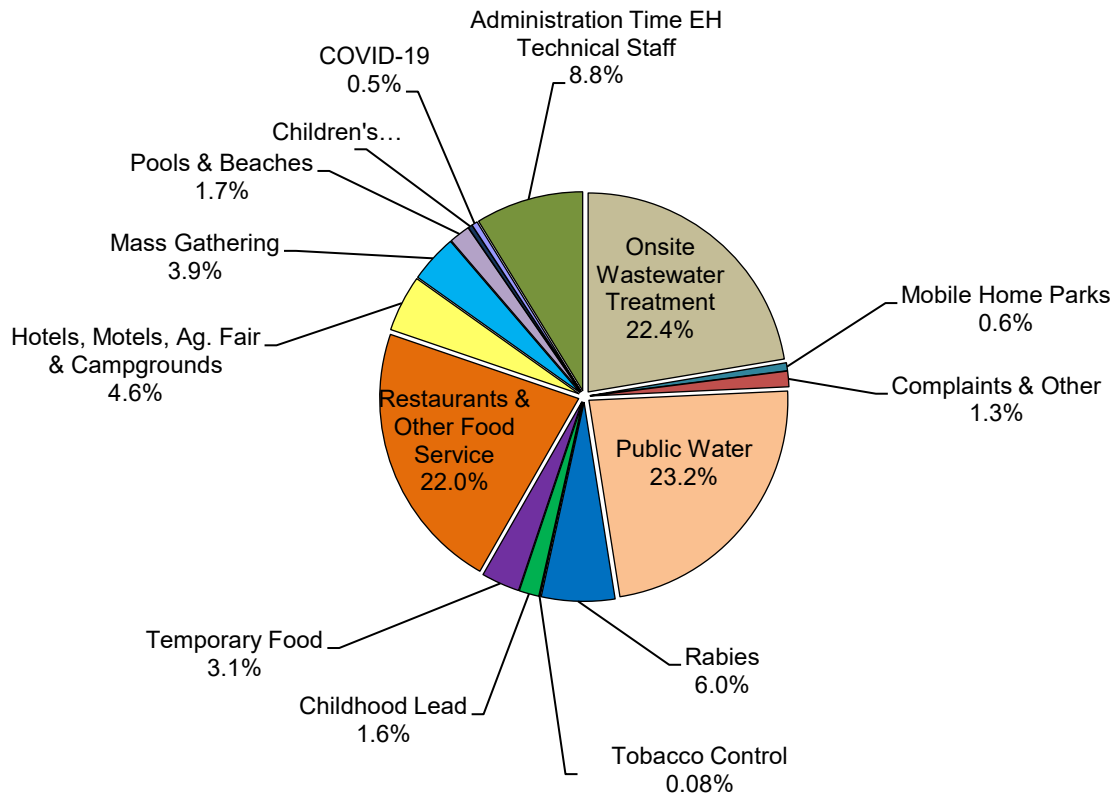
**TCHD Rabies Policy and Procedures:** Environmental Health has been covering some of the rabies prevention program responsibilities that are handled by the Division of Community Health (DCH) during non-COVID times. The goal is for DCH to be participating in the rabies prevention program again in early 2022. Some procedures have changed permanently during COVID, and there are now multiple new staff that will be involved in the rabies program in 2022. EH staff continued discussions with Community Health Services (CHS) on the options for changes in the rabies program until COVID once again consumed CHS and then also EH. We hope discussions to resume in early 2022 – contingent on COVID and staffing.

**TCHD Website Migration:** The Health Department will be migrating our website to a new platform that is currently used by most other County departments. As part of this process, EH staff reviewed all existing pages to determine what should be transferred as is and what changes need to be made. EH will be working with Health Promotion and ITS on this transition as it progresses.

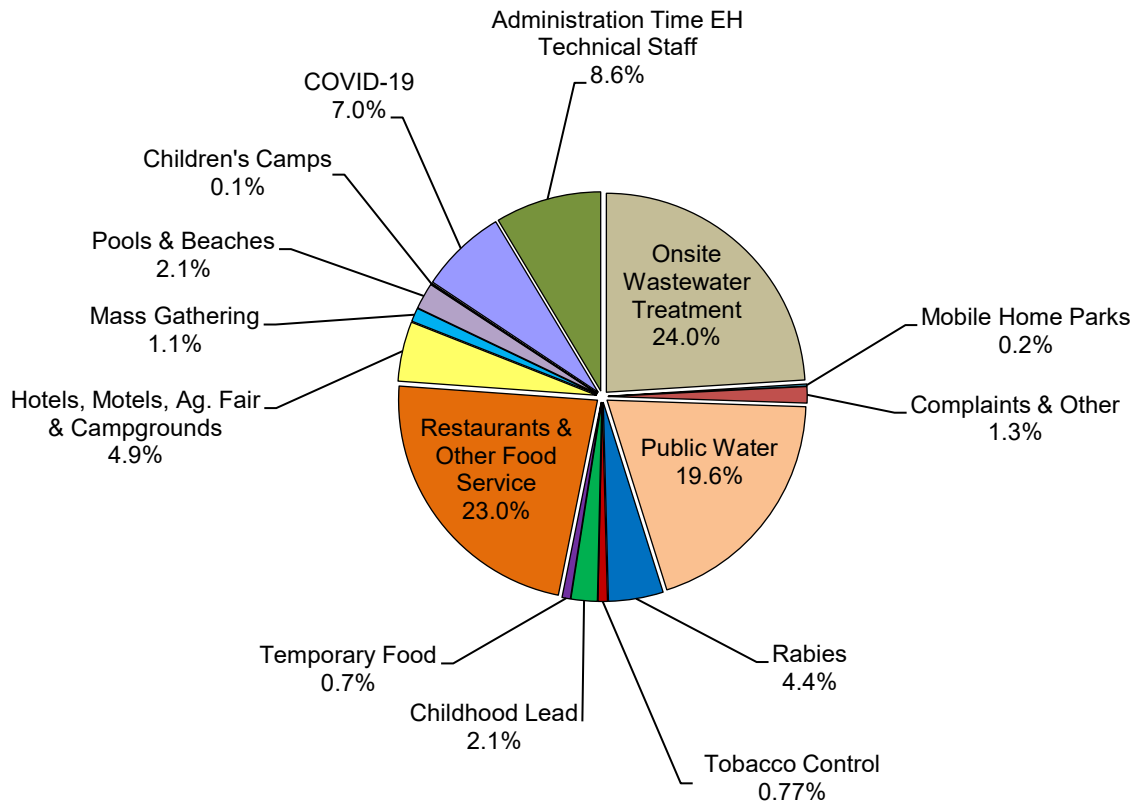
**Human Resources:** We are happy to report that AA2 Meegan Buckley transferred from Mental Health to join Environmental Health full time beginning in 2022. We appreciate the flexibility of the Mental Health Department in facilitating the full-time transfer of Meegan to EH.

**EH Programs Overview:**

**Staff Time in Environmental Health Programs -  
November 2021**



### Staff Time in Environmental Health Programs - December 2021





Division of Environmental Health  
Summary of Activity (2021), cont'd

<b>ON-SITE WASTEWATER TREATMENT SYSTEMS (OWTS)</b>														
<b>Permits Issued</b>	<b>9</b>	<b>4</b>	<b>14</b>	<b>33</b>	<b>29</b>	<b>15</b>	<b>29</b>	<b>18</b>	<b>20</b>	<b>18</b>	<b>16</b>	<b>15</b>	<b>220</b>	<b>271</b>
New Construction/Conversions	5	4	4	17	12	8	14	10	13	7	5	6	105	152
Replacements	4	0	10	16	17	7	15	8	7	11	11	9	115	119
<b>Completion Certificates Issued</b>	<b>9</b>	<b>5</b>	<b>7</b>	<b>19</b>	<b>19</b>	<b>21</b>	<b>18</b>	<b>16</b>	<b>18</b>	<b>13</b>	<b>10</b>	<b>30</b>	<b>185</b>	<b>205</b>
New Construction/Conversions	5	3	3	10	8	8	6	10	8	9	8	12	90	90
Replacements	4	2	4	9	11	13	12	6	10	4	2	18	95	115
<b>ENGINEERING PLAN REVIEWS</b>														
Realty Subdivisions	0	0	0	0	0	0	0	0	0	0	0	0	0	3
OWTS	4	0	1	2	2	0	4	4	3	7	2	0	29	27
Collector Sewer	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Public Water Systems	0	0	1	1	1	1	1	1	0	1	0	0	7	2
Water Main Extension	0	0	1	0	1	1	1	0	0	1	0	0	5	6
Cross-Connection Control Devices	0	2	0	0	1	2	0	1	1	0	0	0	7	15
Other Water System Modification	0	1	1	0	0	0	0	0	1	0	0	0	3	2
Other Engineering Reviews	0	0	0	0	0	0	0	0	0	0	0	0	0	2
<b>RABIES CONTROL PROGRAM</b>														
Potential Human Exposure Investigations	18	18	30	23	37	71	68	106	29	23	26	23	472	516
Human Post-X Treatments	4	4	4	1	9	26	21	35	5	3	2	1	115	128
Animal Specimens Tested	4	7	9	6	12	33	17	59	7	9	5	4	172	199
Animals Testing Positive	1	0	0	0	1	1	0	0	0	1	0	0	4	11
Rabies Clinics Offered	0	0	0	1	1	0	0	0	1	1	0	0	4	4
Dogs Vaccinated	0	0	0	123	103	0	0	0	109	63	0	0	398	486
Cats Vaccinated	0	0	0	82	65	0	0	0	69	42	0	0	258	295
Ferrets Vaccinated	0	0	0	0	0	0	0	0	2	0	0	0	2	4
Pet Quarantine	0	0	0	0	0	0	0	0	0	0	0	0	0	2
<b>CHILDHOOD LEAD PROGRAM</b>														
Children with Elevated Blood Lead Levels	1	0	1	1	0	1	0	2	1	0	2	1	10	18
Sites Inspected	1	0	0	1	0	0	0	0	2	0	0	2	6	19
Abatements Completed	0	0	0	0	0	0	0	0	0	0	0	1	1	0
Lead Assessments Sent	1	0	0	0	0	0	0	0	1	0	0	0	2	5
<b>FOIL REQUESTS</b>														
Total Received	10	6	1	2	1	6	3	3	2	2	1	8	45	46
<b>ADOLESCENT TOBACCO USE PREVENTION ACT (ATUPA) (55 Operations *) &amp; CLEAN INDOOR AIR ACT (CIAA)</b>														
ATUPA (Adult & Minor) Compliance Checks	5	1	1	3	14	1	0	3	0	0	0	0	28	78
Violations	1	1	0	0	0	0	0	0	0	0	0	0	2	2
CIAA Complaints	0	1	1	2	1	0	0	0	0	0	0	0	5	2
<b>COMPLAINTS - General/Nuisance</b>														
Complaint Investigations Opened	1	1	0	5	5	6	5	3	6	4	5	3	44	44
<b>ENFORCEMENT ACTIONS</b>														
Total Cases	0	0	1	1	1	0	0	0	10	1	0	3	17	14
Cases Related to FSE	0	0	1	0	0	0	0	0	1	1	0	3	6	5
BOH Penalties Assessed	\$0	\$0	\$500	\$550	\$500	\$0	\$0	\$0	\$5,900	\$400	\$0	\$600	\$8,450	\$11,300
BOH Penalties Collected	\$0	\$0	\$1,900	\$0	\$0	\$0	\$0	\$0	\$0	\$1,800	\$3,500	\$800	\$8,000	\$10,500
<b>CUSTOMER SERVICE/SUPPORT</b>														
Calls Received	1035	802	1148	1223	1052	1104	924	997	983	695	564	629	11156	12513
Walk-In Customers	15	17	25	40	30	44	51	73	30	38	42	35	440	298
TCEH Emails Received	1334	685	512	545	380	469	390	335	445	387	405	525	6412	5694
Applications Processed	58	131	169	168	137	124	108	166	119	121	96	103	1500	1363
Payment Receipts Processed	43	122	140	128	99	89	81	138	104	153	81	91	1269	1160
Renewals/Billings Sent	114	153	26	134	43	44	100	41	62	119	11	25	872	861

\* As of 1/1/2021

\*\* Includes Pre-op, Inspection, Re-inspection, HAACP, Field Visits, Sanitary Surveys

**Food Program Detailed Report:**

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

The following plans were approved this period:

- No plans approved in November or December.

New permits were issued for the following facilities:

November:

- McDonalds - Elmira Rd, C-Ithaca
- McDonalds - Triphammer Rd., V-Lansing
- De Tasty Hot Pot - C-Ithaca
- Cayuga Cafe, C-Ithaca
- Loumies, C-Ithaca
- Legacy by ARDM Cafe, V-Lansing
- Legacy by ARDM Bar, V-Lansing

December:

- Ania's Confections, Throughout Tompkins
- IC- Circles Center Yo-Kai Vending Machine
- IC - Texter Hall Basil St. Vending
- Ithaca Ale House, C-Ithaca

**Boil Water Orders (BWOs):**

New:

- A BWO was issued on November 22<sup>nd</sup> at Thorpe Apartment, T-Dryden due to inadequate chlorine residual. The BWO was released on November 24<sup>th</sup> after the chlorine residual was re-established and a satisfactory total coliform sample was collected.

**Summary of Open BOH Enforcement Actions:**

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
9/28/21	Brew 22 Coffee & Espresso	Riley Brewer	Public Water System - Violation of Board of Health Orders	\$600	Payment due 11/15/21	Awaiting Payment.
12/7/21	Casablanca Pizzeria	Nouman Khan	Food Service Establishment – Repeat Critical Violations	\$200	Payment due 1/15/22	Monitoring Compliance



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

ENVIRONMENTAL HEALTH DIVISION  
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**CERTIFIED, REGULAR, & ELECTRONIC MAIL**

January 5, 2022

Kim Whetzel  
Gaggle Company, Inc.  
2935 Slaterville Road  
Brooktondale, NY 14817

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-21-0015  
Modification of Onsite Wastewater Treatment System (OWTS) without a Permit  
At 1445 Trumansburg Road, T-Ithaca**

Dear Kim Whetzel:

Enclosed is the Hearing Officer's Findings of Fact and Recommendations from the December 10, 2021, hearing and a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, January 25, 2022.**

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 by Friday, January 21, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: [tceh@tompkins-co.org](mailto:tceh@tompkins-co.org) by January 21, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ>.

Sincerely,

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

Enclosure (s) – Draft Resolution, Hearing Officer's Findings of Fact, and Case Summary

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Ithaca\Trumansburg Rd\_1445\BOH Draft Res 21-0015.docx  
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)  
CEO T-Ithaca; Shawna Black, TC Legislature; CEO T-Ithaca; Anne Koreman, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of EH; Frank Kruppa, Public Health Director; Adriel Shea; Chris Laverack; Scott Freyburger, P.E.; Skip Parr; Brenda Coyle  
scan: Signed copy to Accela



**DRAFT RESOLUTION # EH-ENF-21-0015**

**Gaggle Company Inc., Contractor  
Kim Whetzel, Operator  
3935 Slaterville Road  
Brooktondale, NY 14817**

**Whereas**, it is a violation of Article VI, Section 6.03 of the Tompkins County Sanitary Code (TCSC) for a builder of an individual or non-municipal sewage system to construct, repair, alter or enlarge a sewage system to serve any building or structure unless a Health Department construction permit has been issued; **and**

**Whereas**, on September 1, 2021, the Tompkins County Health Department (TCHD) observed that alterations to the sewage system at 1445 Trumansburg Road in the Town of Ithaca had been performed. The alterations included the whole or partial replacement of an absorption trench with a pipe, which crossed the property line and discharged onto the ground of the neighboring property; **and**

**Whereas**, on October 21, 2021, TCHD issued a permit to the property owner and provided a copy to Gaggle Company Inc. to make alterations meeting NYSDOH design standards to the sewage system at 1445 Trumansburg Road in the Town of Ithaca based on engineering plans submitted on behalf of Gaggle Company Inc. by a consulting engineer; **and**

**Whereas**, on December 9, 2021, TCHD issued a Certificate of Completion for the sewage system at 1445 Trumansburg Road in the Town of Ithaca; **and**

**Whereas**, based upon review of the Findings of Fact and Recommendations of the hearing held on December 10, 2021, presented to the Tompkins County Health Department by the Hearing Officer, the Board of Health finds that Gaggle Company Inc. was in violation of Article VI, Section 6.03 of the Tompkins County Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,  
That Gaggle Company Inc., Contractor, is ordered to:**

1. Pay a penalty of \$500 for these violations, **due by March 15, 2022.** (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Ensure that an OWTS construction permit has been issued prior to any future construction, repair, alteration, or enlargement of a sewage system that serves any building or structure located in Tompkins County.

**STATE OF NEW YORK: COUNTY OF TOMPKINS  
Department of Health**

**Findings of Fact**

In the Matter of the Complaint

- against -

Kim Whetzel, President  
Gaggle Company, Inc.  
2935 Slaterville Rd.  
Brooktondale, New York 14817

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 November 12, 2021, a virtual hearing was convened on December 10, 2021 at 10:00 AM by Robert J. Spitzer, Williamsburg, Virginia, Hearing Officer for the Tompkins County Department of Public Health.

Appearances for the County were:

William J. Troy, III, Esq., Tompkins County Attorney  
Skip Parr, Senior Public Health Sanitarian

Respondent:

Kim Whetzel

**STATEMENT OF VIOLATIONS**

Violation of Article VI, Section 6.03 of the Tompkins County Sanitary Code, making alterations to a sewage system without first obtaining a Health Department construction permit.

**FINDINGS OF FACT**

Kim Whetzel is the President of the Gaggle Company, Inc.

Respondent's company made alterations to the sewage system at 1445 Trumansburg Road in the Town of Ithaca, observed on September 1, 2021 by the Tompkins County Health Department (TCHD), without first obtaining a Health Department construction permit.

On October 21, 2021, TCHD issued a permit to the property owner and provided a copy to Gaggle Company Inc. to make alterations meeting NYSDOH design standards to the sewage system based on engineering plans drawn up by a consulting engineer.

**CONCLUSION**

Respondent is in violation of Article VI, Section 6.03 of the Tompkins County Sanitary Code.

**RECOMMENDATIONS**

That Respondent sign the stipulation agreement and make or complete all stipulated modifications or changes in the system, as per the approved engineering plans, subject to TCHD verification.

That Respondent pay a penalty fee of \$500, in a manner to be determined by the Health Department, and agree to obtain proper permits prior to any future construction, repair, alteration, or enlargement of any sewage system located in the county, including accompanying payment of any appropriate fees.

DATED: December 10, 2021

\_\_\_\_ Robert J. Spitzer \_\_\_\_\_  
Robert J. Spitzer, Ph.D.  
Hearing Officer



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

ENVIRONMENTAL HEALTH DIVISION  
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**CASE SUMMARY – FOR RESOLUTION # EH-ENF-21-0015**

**Gaggle Company, Inc., Contractor  
Kim Whetzel, Operator  
3935 Slaterville Road  
Brooktondale, NY 14817**

**Compiled December 2021**

Date	Action
12/10/2021	Hearing held via Zoom. Respondent (Kim Whetzel) attended meeting virtually in the Health Department conference room.
11/12/2021	Notice of Hearing sent by TCHD. Hearing scheduled for 12/10/2021.
11/1/2021	Kim Whetzel came into the TCHD office unrelated to 1445 Trumansburg Road. TCHD staff discussed stipulation agreement with Mr. Whetzel. Mr. Whetzel indicated that he had been advised that he should not sign the stipulation without negotiating the penalty first and stated that he would not be signing the stipulation without discussing the penalty first. TCHD staff informed him that a hearing would need to be scheduled.
10/28/2021	TCHD staff left a message with Gaggle Company's office inquiring about the status of the stipulation agreement.
10/21/2021	Payment of the \$30 was received by TCHD. When Kim Whetzel dropped off the payment, TCHD staff inquired about the status of the stipulation agreement. Mr. Whetzel indicated that he would reach out to his attorney to get a response within the next couple of days. The permit to modify the sewage system at 1445 Trumansburg Road was issued in accordance with the approved engineering plans.
10/13/2021	Engineering plans received by TCHD by Gaggle Company's consulting engineer. TCHD staff spoke with Kim Whetzel on the phone to discuss the process of moving forward with engineering plans. At Mr. Whetzel's request, TCHD staff sent an email with an updated fee scheduled (an additional \$30 was needed to perform the engineering plan review and issue the permit) and a copy of the stipulation agreement.
10/12/2021	Meeting held between TCHD staff and Kim Whetzel. The enforcement process was explained to Mr. Whetzel including that the stipulation agreement was offered in lieu of a hearing and that the \$500 penalty is standard penalty recommended to the Board of Health (BOH) for this type of violation. It was also explained that he would have the opportunity to discuss the penalty with the BOH but ultimately the BOH has the authority to modify the penalty amount. The details of the stipulation were discussed, and modifications were made regarding dates and language at the request of Mr. Whetzel including

*Inclusion Through Diversity*

	language regarding submission of application and other language that was originally sent to the owner. An updated stipulation agreement was provided to Mr. Whetzel. At the end of the meeting, he declined to sign it because he wanted his attorney to review it. Mr. Whetzel indicated that he would get back to TCHD the following week. TCHD staff agreed that this was acceptable. An application for a replacement system was submitted and fee for a replacement system in the amount of \$335 was received by TCHD.
10/8/21	TCHD staff received call from Kim Whetzel stating he would not be able to make it into the office. A meeting was re-scheduled for the morning of 10/12/21. TCHD staff explained to Mr. Whetzel that he can continue to move forward with addressing the compliance of the sewage system at the property (i.e., submit application and fees so that TCHD is able to issue a permit) while continuing to negotiate the terms of the stipulation agreement. Mr. Whetzel indicated that he would bring an application and pay the fee on 10/12/21.
10/7/2021	TCHD staff notified the property owner that Gaggle Company stated that they would be taking responsibility for addressing corrective action for the sewage system. TCHD staff did caution the owner that Gaggle Company will need to follow through and it does not necessarily relieve the responsibility of the property owner. It was determined that the stipulation agreement would be placed on hold for the time being for the property owner.
10/7/2021	Kim Whetzel, owner of Gaggle Company called TCHD. Mr. Whetzel was upset about the process. Attempts by TCHD staff were made to explain TCHD's enforcement process. Mr. Whetzel insisted that he have a face-to-face meeting with his accusers, and he also indicated that he was willing to take responsibility for addressing the issue so the property owner would not need to be involved. TCHD staff agreed to meet with Mr. Whetzel to continue the discussion in person at the TCHD on either 10/7 or 10/8.
10/7/2021	The property owner called to discuss the stipulation agreement sent to her with TCHD. The property owner was very concerned that she was in the position to have to address the issues with the sewage system when she was unaware of the requirements and the contractor (Gaggle Company) assured her that the issues would be taken care of by them so that she would not need to get involved. TCHD explained to her that the property owner is ultimately responsible, but further discussions were scheduled with the contractor. TCHD emphasized that the main concern was to get the system back into compliance with the Sanitary Code. It was left with the property owner that TCHD would follow-up with her after further discussions took place with Gaggle Company and their willingness to take responsibility for corrective action.
10/6/2021	After not receiving a call from Gaggle Company, TCHD called the Gaggle office and left a message to have Kim Whetzel call to discuss the stipulation agreement.
9/24/2021	Stipulation agreement was sent to Gaggle Company citing violation and a conference call was scheduled with Gaggle Company to discuss the stipulation agreement on 10/6/21.
9/24/2021	Stipulation agreement was sent to property owner citing violation and a conference call was scheduled with the property owner to discuss the stipulation agreement on 10/7/21.
9/7/2021	TCHD spoke with Kim Whetzel, owner of Gaggle Company, about the alterations made to the sewage system at 1445 Trumansburg Road. During the conversation Mr. Whetzel acknowledged Gaggle Company performed the work and he was aware a permit was needed for the work done, but that a permit had not been issued for the work, nor had anyone filed for a permit. Mr

	Whetzel also agreed the discharge of a pipe to the ground's surface was not consistent with current NYSDOH design standards or something the TCHD would currently allow under permit.
9/3/2021	TCHD spoke with the property owner of 1445 Trumansburg Road and she indicated that Gaggle Company was already paid for the work.
9/1/2021	TCHD performed a site visit to 1445 Trumansburg Road and observed excavation work at the site of the original sand filter and observed a newly installed pipe discharging to the surface on the neighboring property. While on-site, the property owner indicated that she was unaware that a permit was required and that she stated she was having back-ups and hired Gaggle Company to repair the system. A permit application was left with the property owner.
9/1/2021	TCHD received complaint from neighboring property owner of 1445 Trumansburg Road that a contractor had installed a sewage system that extended 40 to 50 feet onto his property.



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

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

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

**CERTIFIED, REGULAR, & ELECTRONIC MAIL**

December 9, 2021

Matthew Marks  
Cactus Heads  
101 Turkey Hill Road  
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-21-0020  
Cactus Heads, Food Service Establishment, Throughout Tompkins**

Dear Matthew Marks:

Thank you for signing the Stipulation Agreement on November 30, 2021, for Cactus Heads.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its Zoom meeting on **Tuesday, January 25, 2022**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 by Friday, January 21, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: [tceh@tompkins-co.org](mailto:tceh@tompkins-co.org) by January 21, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ> .

Sincerely,

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

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

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Cactus Heads\Enforcement\Draft Res 21-0020.docx  
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)  
Ithaca Building Department; Leslyn McBean-Clairborne, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle  
scan: Signed copy to Accela

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

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

**DRAFT RESOLUTION # EH-ENF-21-0020 FOR**

**Cactus Heads**  
**Cactus Heads LLC, Owner; Matthew Marks, Operator**  
**101 Turkey Hill Road**  
**Ithaca, NY 14850**

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

**Whereas**, it is a critical violation of Part 14-1 of NYSSC to fail to maintain potentially hazardous foods at or below 45°F during hot holding; **and**

**Whereas**, on August 28, 2021, and October 9, 2021, the Tompkins County Health Department (TCHD) observed various milk and cream products at temperatures between 48°F and 53°F during cold holding; **and**

**Whereas**, Matthew Marks, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 30, 2021, agreeing that Cactus Heads 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 Cactus Heads LLC, Owner, is ordered to:**

1. Pay a penalty of \$200 for these violations, due **by March 15, 2022**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain potentially hazardous foods at or below 45°F in cold holding; **and**
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.





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

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

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

**STIPULATION AGREEMENT AND ORDERS # EH-ENF-21-0020**

**Cactus Heads  
Cactus Heads LLC, Owner; Matthew Marks, Operator  
101 Turkey Hill Road  
Ithaca, NY 14850**

I, Matthew Marks, as a representative for Cactus Heads LLC, agree that on August 28, 2021, and October 9, 2021, Cactus Heads was in violation of Subpart 14-1 of New York State Sanitary Code for failure to maintain potentially hazardous foods at or below 45°F in cold 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 Health Department.)

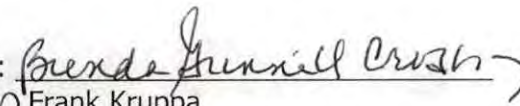
I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Maintain potentially hazardous foods at or below 45°F in cold holding; **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: 11/30/21

Cactus Heads LLC. is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 11/30/21  
for Frank Kruppa  
Public Health Director



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

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

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

**CASE SUMMARY – FOR RESOLUTION # EH-ENF-21-0020**

**Cactus Heads  
Cactus Heads LLC., Owner; Matthew Marks, Operator  
101 Turkey Hill Road  
Ithaca, NY 14850**

**December 2021**

Date	Action
11/30/2021	Signed stipulation agreement received by TCHD.
11/09/2021	Stipulation agreement sent by TCHD.
10/09/2021	Inspection by TCHD. <b>Violation:</b> See attached inspection report.
08/28/2021	Inspection by TCHD. <b>Violation:</b> See attached inspection report.
2020	Facility did not operate in 2020 due to the COVID-19 Pandemic.
08/11/2019	Inspection by TCHD. No violations observed.
11/05/2020	Complaint Investigation by TCHD. No violations observed.
08/11/2019	Inspection by TCHD. No violations observed.
2018	TCHD conducted multiple visits to Ithaca Farmers Market, did not find facility operating during those visits.
10/28/2017	Re-inspection by TCHD. Violation cited on 06/24/2017 was corrected. No violations observed.
06/24/2017	Inspection by TCHD. Violation: Potentially hazardous food was not kept at or below 45°F during cold holding.
04/01/2017	Permit to operate Cactus Heads issued.

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

**Food Service Establishment Inspection Summary Report**

Operation: CACTUS HEADS (ID: 953651 )  
Facility Name: CACTUS HEADS  
Facility Code: 54-AA42 Facility Email: matthew@fortyweightcoffee.com  
Facility Address: Throughout Tom-pkins County, Tom-pkins , NY 14850

**To the Attention of:**

Matthew Marks  
CACTUS HEADS LLC  
101 Turkey Hill Rd  
Ithaca, NY 14850  
Email: matthew@fortyweightcoffee.com

**Re-Inspection**

Date: October 9, 2021 10:10 AM  
Inspector: Mikhail Kern (mkern@tom-pkins-co.org)  
Responsible Person: Andrew Ballard

**Summary**

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

**Reinspection is Required**

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

**IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.**

**ITEM # 5A 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 below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

**Inspector Findings:** Observed half gallon of oat milk from left mini fridge at 53 degrees F.  
Correction: potentially hazardous food must be kept at or below 45 degrees F at all times.  
Oat milk was placed back in the fridge for rapid chilling and another oat milk was used until the first one drops below 45 degrees F. Other milks in fridge measured below 45 degrees F. Discussed the use of ice baths and other options for keeping milk cold.

**NO ADDITIONAL VIOLATIONS REPORTED**

**Additional Information Collected During Inspection**

**Comments:** Part 1: One critical violation of Item #5A observed.  
Part 2: No violations observed.  
Reinspection required.

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

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Received by: Andrew Ballard



10/25/21

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

**Food Service Establishment Inspection Summary Report**

Operation: CACTUS HEADS (ID: 953651 )  
Facility Name: CACTUS HEADS  
Facility Code: 54-AA42 Facility Email: matthew@fortyweightcoffee.com  
Facility Address: Throughout Tompkins County, Tompkins , NY 14850

**To the Attention of:**

Matthew Marks  
CACTUS HEADS LLC  
101 Turkey Hill Rd  
Ithaca, NY 14850  
Email: matthew@fortyweightcoffee.com

**Inspection**

Date: August 28, 2021 08:47 AM  
Inspector: Rebecca Sims (rsims@tompkins-co.org)  
Responsible Person: Matthew Marks  
Additional Email(s): kmorgan@tompkins-co.org

**Summary**

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

***Reinspection is Required***

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

**IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.**

**ITEM # 5C 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 stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

**Inspector Findings:** Multiple containers of milk and cream in the black mini fridge were observed to be 48-52°F. Staff stated that the items had been transferred to that cooler about one hour prior. Products were moved to an ice bath for rapid cooling before placing back into service.

Correction: Keep potentially hazardous foods at or below 45°F at all times.

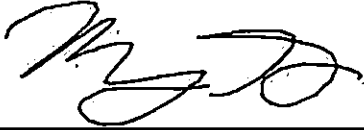
**NO ADDITIONAL VIOLATIONS REPORTED**

**Additional Information Collected During Inspection**

Comments: Part 1 - One violation observed  
Part 2 - No violations observed

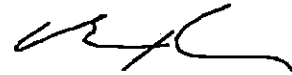
Reinspection required

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



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Received by: Matthew Marks

*Kristen Maym* 8/30/2021



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

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

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

**CERTIFIED, REGULAR, & ELECTRONIC MAIL**

December 9, 2021

Peggy Aker  
Macro Mamas  
125 Cayuga Street  
Trumansburg, NY 14886

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-21-0021  
Macro Mamas, Food Service Establishment, Throughout Tompkins**

Dear Peggy Aker:

Thank you for signing the Stipulation Agreement on November 22, 2021, for Macro Mamas.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its Zoom meeting on **Tuesday, January 25, 2022**. You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 by Friday, January 21, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: [tceh@tompkins-co.org](mailto:tceh@tompkins-co.org) by January 21, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ> .

Sincerely,

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

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

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Macro Mamas\Enforcement\2021\Draft Res 21-0021.docx  
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)  
Ithaca Building Department; Leslyn McBean-Clairborne, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle  
scan: Signed copy to Accela

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

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

**DRAFT RESOLUTION # EH-ENF-21-0021 FOR**

**Macro Mamas  
Peggy Aker, Owner  
125 Cayuga Street  
Trumansburg, NY 14886**

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

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

**Whereas**, on August 28, 2021, and October 9, 2021, the Tompkins County Health Department (TCHD) observed various potentially hazardous foods at temperatures between 106°F and 130°F during hot holding; **and**

**Whereas**, Peggy Aker, Owner/Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 22, 2021, agreeing that Macro Mamas 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 Peggy Aker, Owner/Operator, is ordered to:**

1. Pay a penalty of \$200 for these violations, due **by March 15, 2022**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain potentially hazardous foods at or above 140°F in hot holding; **and**
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.





RECEIVED

NOV 29 2021

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

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

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

**STIPULATION AGREEMENT AND ORDERS # EH-ENF-21-0021**

**Macro Mamas  
Peggy Aker, Owner  
125 Cayuga Street  
Trumansburg, NY 14886**

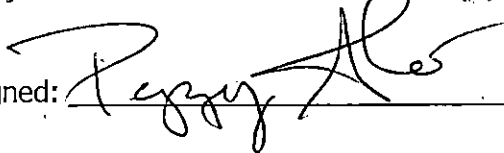
I, Peggy Aker, as a representative for Macro Mamas, agree that on August 28, 2021, and October 9, 2021, Macro Mamas was in violation of Subpart 14-1 of New York State Sanitary Code for failure to maintain potentially hazardous foods at or above 140°F in hot holding.

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 Health Department.)*

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

1. Maintain potentially hazardous foods at or above 140°F in hot holding; **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: 11.22.21

Macro-Mamas is hereby ordered to comply with these Orders of the Public Health Director.

Signed:   
Frank Kruppa  
Public Health Director

Date: 11/30/21



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

ENVIRONMENTAL HEALTH DIVISION  
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Fx: (607) 274-6695

**CASE SUMMARY – FOR RESOLUTION # EH-ENF-21-0021**

**Macro Mamas  
Peggy Aker, Operator  
125 Cayuga Street  
Trumansburg, NY 14886**

**December 2021**

<b>Date</b>	<b>Action</b>
11/29/2021	Signed stipulation agreement received by TCHD.
11/18/2021	Stipulation agreement sent by TCHD.
10/09/2021	Inspection by TCHD. <b>Violation:</b> See attached inspection report.
08/28/2021	Inspection by TCHD. <b>Violation:</b> See attached inspection report.
2020	COVID-19 restrictions effected operation and facility was not found in operation.
2019	TCHD conducted multiple visits to Ithaca Farmers Market, did not find facility operating during those visits.
07/10/2018	Re-inspection by TCHD. Violation cited on 5/12/18 corrected. No violations observed.
05/12/2018	Inspection by TCHD. <b>Violation:</b> Potentially hazardous foods were not kept at or above 140°F during hot holding.
06/24/2017	Field Visit by TCHD. No violations noted.
05/23/2017	Inspection by TCHD: No violations noted.
10/18/2016	Inspection by TCHD: No violations noted.
09/27/2016	Tompkins County Board of Health adopts Resolution #EH-ENF-16-0021.
08/09/2016	Re-inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept at or below 45°F during cold holding. Board of Health Action taken.
07/05/2016	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept at or below 45°F during cold holding.
04/20/1992	Permit to Operate Macro Mama's issued.

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

**Food Service Establishment Inspection Summary Report**

Operation: MACRO MAMAS (ID: 312735 )  
Facility Name: MACRO MAMAS  
Facility Code: 54-AE47 Facility Email: macromamas@gmail.com  
Facility Address: Throughout Tompkins County, Trumansburg, NY 14886

**To the Attention of:**

Peggy Aker  
202 Madison St  
Ithaca, NY 14850  
Email: macromamas@gmail.com

**Re-Inspection**

Date: October 9, 2021 09:05 AM  
Inspector: Mikhail Kern (mkern@tompkins-co.org)  
Responsible Person: Margaret Aker

**Summary**

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

***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.

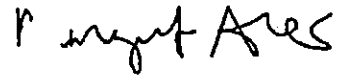
**Inspector Findings:** Observed two pans of cooked vegetables in hot box measured at 129-130 degrees F.  
Correction: Potentially hazardous food must be kept above 140 degrees F at all times.  
One tray was placed into the steam well and one tray was placed on stovetop for rapid reheating.  
Other dishes in hot box measured in temperature. Discussed using hard metal lids instead of aluminum foil lids for the cooked vegetables.

**NO ADDITIONAL VIOLATIONS REPORTED**

**Additional Information Collected During Inspection**

**Comments:** Part 1: One critical violation observed of Item #6A.  
Part 2: No violations observed.  
Reinspection required.  
Enforcement to follow.

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

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Received by: Margaret Aker

 10/12/21

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

**Food Service Establishment Inspection Summary Report**

Operation: MACRO MAMAS (ID: 312735 )  
Facility Name: MACRO MAMAS  
Facility Code: 54-AE47 Facility Email: macromamas@gmail.com  
Facility Address: Throughout Tom-pkins County, Trumansburg, NY 14886

**To the Attention of:**

Peggy Aker  
202 Madison St  
Ithaca, NY 14850  
Email: macromamas@gmail.com

**Inspection**

Date: August 28, 2021 09:14 AM  
Inspector: Rebecca Sims (rsims@tom-pkins-co.org)  
Responsible Person:  
Additional Email(s): kmorgan@tom-pkins-co.org

**Summary**

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

**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 three uncovered trays of warm mushroom noodles and two uncovered trays of cooked tofu in hotboxes at 106-130°F. Staff stated that the products had been in the hot holder for less than two hours prior to inspection. Trays were moved to heated hot plate for rapid heating before being placed back into service. Discussed the use of lids for maintaining hot holding temperatures during transport and storage.

Correction: Keep all potentially hazardous foods at or above 140°F during hot holding.

**NO ADDITIONAL VIOLATIONS REPORTED**

**Additional Information Collected During Inspection**

**Comments:** Part 1 - One critical violation observed  
Part 2 - No violations observed

Reinspection required

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



Received by: .



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

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

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

**CERTIFIED, REGULAR, & ELECTRONIC MAIL**

January 5, 2022

Fernando Aguirre  
Old Mexico  
357 Elmira Road  
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-21-0022  
Old Mexico, C-Ithaca – Violation of Board of Health Orders**

Dear Fernando Aguirre:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, January 25, 2022**. On September 28, 2021, the Tompkins County Board of Health adopted Resolution EH-ENF-21-0006 requiring you to:

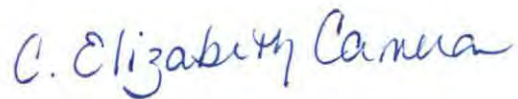
- Provide proof of repair of the existing food preparation cooler by a commercial refrigeration repair specialist or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department by September 15, 2021 (*Received by TCHD on 8/26/21*); **and**
- Provide an adequate amount of refrigeration storage to maintain Potentially Hazardous Food at or below 45°F at all times; **and**
- Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

On December 2, 2021, the TCHD observed a critical violation of Subpart 14-1 of the New York State Sanitary Code and Board of Health Orders # EH-EHF-21-0006. The violation was a failure to provide adequate amount of functioning refrigerated storage to maintain potentially hazardous food at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 65-69°F.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 by Friday, January 21, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: [tceh@tompkins-co.org](mailto:tceh@tompkins-co.org) by January 21, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEgSQ> .

Sincerely,



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

Enclosures – Draft Resolution, Resolution EH-ENF-21-0006, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Old Mexico\Enforcement\Final Res 21-0006.docx  
ec: Ithaca Building Department; Mayor Svante Myrick; Leslyn McBean-Clairborne, TC Legislature; TCHD:  
Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip  
Parr; Brenda Coyle  
scan: Signed copy to Accela



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

Ph: (607) 274-6688  
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**DRAFT RESOLUTION # EH-ENF-21-0022 FOR**

**Old Mexico**  
**357 Elmira Road LLC., Owner; Fernando Aguirre, Operator**  
**357 Elmira Road**  
**Ithaca, NY 14850**

**Whereas**, an owner/operator of a Food Service Establishment must comply with the regulations established under Subpart 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 or operate enough refrigerated storage equipment so that all potentially hazardous foods are cooled properly and store at a temperature below 45°F; **and**

**Whereas**, on September 28, 2021, Tompkins County Board of Health (TCHD) Resolution #ENF-21-0006 ordered Fernando Aguirre to provide an adequate amount of refrigeration storage to maintain Potentially Hazardous Food at or below 45°F at all times during cold holding; **and**

**Whereas**, on December 2, 2021, the TCHD observed potentially hazardous foods stored at temperatures between 65°F and 69°F during cold storage; **and**

**Whereas**, on December 2, 2021, Old Mexico violated these provisions of the NYSSC and the provisions of Board of Health Resolution #ENF-21-0006 were not met; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,**  
**That Fernando Aguirre, Operator, is ordered to:**

- Pay a penalty of \$800 for these violations, **due by March 15, 2022.** (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
- Provide proof of repair of existing food preparation cooler by a commercial refrigeration repair specialist or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department by January 15, 2022; **and**
- Provide an adequate amount of refrigeration storage to maintain Potentially Hazardous Food at or below 45°F at all times; **and**
- Maintain temperature logs for refrigerated storage equipment as prescribed by the Tompkins County Health Department; **and**
- Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

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

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

Ph: (607) 274-6688  
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**RESOLUTION # EH-ENF-21-0006 FOR**

**Old Mexico  
357 Elmira Road LLC., Owner; Fernando Aguirre, Operator  
357 Elmira Road  
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 or operate enough refrigerated storage equipment so that all potentially hazardous foods are cooled properly and store at a temperature below 45°F; **and**


**Whereas**, on June 28, 2021, and July 26, 2021, the Tompkins County Health Department (TCHD) observed critical violations of Subpart 14-1 of the NYSSC where potentially hazardous foods were observed at temperatures between 47°F and 62°F during cold storage; **and**

**Whereas**, Fernando Aguirre, Operator, signed a Stipulation Agreement with Public Health Director's Orders on August 26, 2021, agreeing that Old Mexico 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 357 Elmira Road LLC., Owner, is ordered to:**

1. Pay a penalty of \$200 for these violations, due **by November 15, 2021; and**
2. Provide proof of repair of existing food preparation cooler by a commercial refrigeration repair specialist or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department by September 15, 2021 (*Received by TCHD on 8/26/21*); **and**
3. Provide an adequate amount of refrigeration storage to maintain Potentially Hazardous Food at or below 45°F at all times; **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 September 28, 2021.**

*for*   
Frank Kruppa  
Public Health Director

9/30/21  
Date

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

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

**CASE SUMMARY – FOR RESOLUTION # EH-ENF-21-0022**  
**Old Mexico**  
**357 Elmira Road LLC., Owner; Fernando Aguirre, Operator**  
**355 Elmira Road**  
**Ithaca, NY 14850**

**December 2021**

Date	Action
12/02/2021	Inspection by TCHD. See attached inspection report.
09/28/2021	Tompkins County Board of Health adopts resolution EH-ENF-21-0006
07/26/2021	Re-inspection by TCHD. <b>Violation:</b> Enough refrigerated storage not maintained to keep potentially hazardous foods below 45°F during cold holding. Products in cold holding were observed to be at 47-62°F.
06/28/2021	Inspection by TCHD. <b>Violation:</b> Enough refrigerated storage not maintained to keep potentially hazardous foods below 45°F during cold holding. Products in cold holding were observed to be at 47-62°F.
11/05/2019	Inspection by TCHD. No critical violations were observed.
04/10/2019	Re-inspection by TCHD. Violations cited on 3/06/2019 were corrected. No violations were observed.
03/06/2019	Inspection by TCHD. <b>Violation:</b> Potentially hazardous foods were not cooled by an approved method.
12/03/2018	Inspection by TCHD. No critical violations were observed.
08/14/2018	Re-inspection by TCHD. Violation cited on 06/13/2018 was corrected. No violations observed.
06/13/2018	Inspection by TCHD. <b>Violations:</b> Enough refrigerated storage not maintained to keep potentially hazardous foods below 45°F during cold holding. Products in cold holding were observed to be at 65-67°F. Potentially hazardous foods were not kept above 140°F during hot holding. Products in hot holding were observed to be at 105-107°F.
10/03/2017	Re-inspection by TCHD. Violation cited on 08/30/2017 was corrected. No violations observed.
08/30/2017	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept above 140°F during hot holding. Products in hot holding were observed to be at 82-86°F.
03/07/2017	Inspection by TCHD. No critical violations were observed.
10/03/2016	Re-inspection by TCHD. Violation cited on 10/03/2016 was corrected. No violations observed.
09/01/2016	Inspection by TCHD. <b>Violation:</b> Potentially hazardous foods were not kept at or below 45°F during cold holding. Products in refrigerated storage were observed to be at 50-54°F.
01/29/2016	Inspection by TCHD. No critical violations were observed.
06/25/2015	Permit to operate Old Mexico issued.

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

**Food Service Establishment Inspection Summary Report**

Operation: OLD MEXICO (ID: 898305 )  
Facility Name: OLD MEXICO  
Facility Code: 54-AB92 Facility Email: oldmexicoithaca@gmail.com  
Facility Address: 357 Elmira Road, Ithaca, NY 14850

**To the Attention of:**

Fernando Aguirre  
355 ELMIRA ROAD, LLC  
357 Elmira Rd  
Ithaca, NY 14850  
Email: oldmexicoithaca@gmail.com

**Inspection**

Date: December 2, 2021 01:24 PM  
Inspector: Rene Borgella (rborgella@tompkins-co.org)  
Responsible Person: Lucy Torres

**Summary**

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

**Reinspection is Required**

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

**IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.**

**ITEM # 5E 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:** Enough refrigerated storage equipment is not present, properly designed, maintained or operated so that all potentially hazardous foods are cooled properly and stored below 45°F as required.

**Inspector Findings:** Observed: Flip top cooler at the far end of cook line (right hand side as one looks at it from main kitchen entrance via dining area) had several temperature controlled items at measured temperatures of 65-69°F. Items were: Chicken breasts ~3-4lbs; imitation crab ~1lb; shrimp ~3-4lbs; beef in sauce ~4lbs; fish fillets ~4lbs. Refer to inspection pictures.

Interview with operator indicated items were moved from upright side-by-side refrigeration units at least 3.5 hrs before inspection. Therefore, following NYSDOH Guidance Item CEHFP 854, the operator voluntarily discarded all these items.

Correction: Temperature controlled items out of temperature were discarded

Action: Temperature controlled items must be kept at 45°F or below.

## 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: No sanitizing solution in buckets were observed being used in kitchen area. Interview with operator indicated these were in use and available in dining area, but not in kitchen.

Correction: Operator prepared sanitizing solution which was tested to indicates sufficient strength.

Action: Follow the NY Health Department Regulations regarding wiping cloth use in food service:

<https://regs.health.ny.gov/content/section-14-1117-wiping-cloths>

14-1.117 Wiping cloths.

(a) Clean, dry cloths used for wiping food spills from tableware, plates or bowls served to the consumer are to be used only for this purpose.

(b) Moist cloths used for wiping food spills on kitchenware and food-contact surfaces of equipment are to be used only for this purpose. These cloths are to be stored in a sanitizing solution between uses.

(c) Moist cloths used for cleaning non-food-contact surfaces of equipment such as counters, dining table tops and shelves are to be stored in a sanitizing solution between uses and are to be used only for this purpose.

## 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 in kitchen had dirty pots in sink and access to the hand wash sink was obstructed by items in front of sink on the floor.

Correction: Operator moved items out of the way.

Action: Frequent hand washing is important in food preparation. Hand wash sinks must be easily accessible and sinks must remain free and clear of kitchen ware and debris; they are to be used solely for hand washing.

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**Additional Information Collected During Inspection**

**Comments:** Part 1: One critical violation observed  
Part 2: Two violations observed


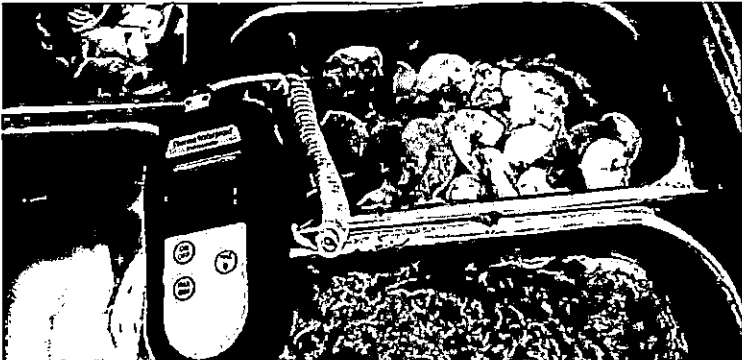
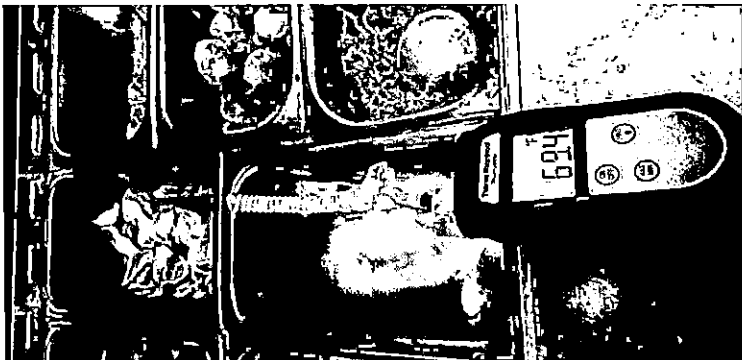
Comment: Operator called refrigeration repair service to set up a repair visit during inspection. Discussed appropriate cooling methods with operator and staff. Left copies of Spanish language food service safety information covering proper cooling and reheating methods with operator and staff. Also left Spanish language NYDOH hand washing stickers for operator.

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Received by: Lucy Torres

Photo	Caption
	<p data-bbox="857 445 1250 478">Cited Flip Top cooler and contents</p>
	<p data-bbox="857 1033 1396 1066">Temperature of shrimp in malfunctioning cooler</p>
	<p data-bbox="857 1621 1331 1654">Highest temperture observed in fish fillets</p>



Your Partner for a Healthy Community

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Public Health Director  
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Ithaca, NY 14850-1247

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**CERTIFIED, REGULAR, & ELECTRONIC MAIL**

January 13, 2022

Akhin Pancharoen  
Taste of Thai Express Inc.  
209 South Meadow Street  
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0001  
Taste of Thai Express, Food Service Establishment, C-Ithaca**

Dear Akhin Pancharoen:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, January 25, 2022**. On July 26, 2016, September 26, 2017, January 23, 2018, May 22, 2018, and June 25, 2019, the Tompkins County Board of Health adopted Resolutions #EH-ENF-16-0013, EH-ENF-17-0026, EH-ENF-18-0004, EH-ENF-18-0015 and EH-ENF-19-0024 respectively requiring you to; ensure that all food workers use proper utensils to prevent bare hand contact with ready to eat foods, ensure that all poultry is cooked to 165°F or above with no interruption in the cooking process, ensure that accurate thermometers are available at all times, and maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage.

On November 9, 2021 and December 21, 2021, Tompkins County Health Department (TCHD) staff observed multiple critical violations of Subpart 14-1 of the NYSSC. These were repeat violations, as well as violations of Board of Health Orders. In addition, a food worker was observed to not wash hands following a break and before working with food.

Please note that language included in this draft resolution may put the future renewal of your operating permit at risk should Taste of Thai Express continue to not comply with Board of Health Orders and be cited for critical violations of Subpart 14-1.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 by Friday, January 21, 2022, so that we can coordinate access to the Zoom Meeting.

In lieu of joining the Zoom Meeting, you can submit a written statement for the Board of Health to consider by sending it to: [tceh@tompkins-co.org](mailto:tceh@tompkins-co.org) by January 21, 2022. The meeting will also be broadcast through the Tompkins County YouTube Channel, which can be accessed through the following web address: <https://www.youtube.com/channel/UCkpJNVbpLLbEbhoDbTIEqSQ>.



Sincerely,



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

Enclosures – Draft Resolution, BOH Orders # EH-ENF-19-0024, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Taste of Thai Express\Enforcement\2021\Draft Resolution 22-0001.docx  
ec: Tompkins County Board of Health  
Ithaca Building Department; Mayor Myrick C-Ithaca; Leslyn McBean-Clairborne, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan, Skip Parr; Brenda Coyle  
scan: Signed copy to Accela



Your Partner for a Healthy Community

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

ENVIRONMENTAL HEALTH DIVISION  
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**DRAFT RESOLUTION # EH-ENF-22-0001 FOR**

**Taste of Thai Express  
Taste of Thai Express Inc., Akhin Pancharoen, Owner/Operator  
209 South Meadow 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 accurate thermometers to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding; **and**
- fail to store potentially hazardous foods under refrigeration except during necessary preparation or approved precooling procedures; **and**
- fail to maintain potentially hazardous foods at a temperature below 45°F during cold holding, or above 140°F during hot holding; **and**

**Whereas**, it is a critical violation of Part 14-1 of the NYSSC to not use proper utensils to eliminate bare hand contact with ready to eat foods; **and**

**Whereas**, on July 26, 2016, September 26, 2017, January 23, 2018, May 22, 2018, and June 25, 2019, the Tompkins County Board of Health adopted Resolutions #EH-ENF-16-0013, EH-ENF-17-0026, EH-ENF-18-0004, EH-ENF-18-0015 and EH-ENF-19-0024 requiring Taste of Thai Express to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage, to provide accurate probe thermometers at all times, to ensure that all poultry is cooked to 165°F without interruption in the cooking process, ensure that at least one employee is on-site during hours of operation who has successfully completed an approved food safety training course, to provide barriers to prevent employees bare hand contact with ready to eat foods, and to comply with all requirements of Subpart 14-1 of the NYSSC; **and**

**Whereas**, Akhin Pancharoen, is informed that, if any of the Orders are not met from this day forth, the TCHD may not issue a subsequent permit to operate a food service establishment in Tompkins County for a period of up to three (3) years; **and**

**Whereas**, Taste of Thai Express Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders adopted on May 22, 2018 and June 25, 2019; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,  
That Akhin Pancharoen, Operator, is ordered to:**

1. Pay a penalty of \$3,200 for these violations, **due by March 15, 2022.** (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times; **and**
3. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
4. Ensure that all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat are heated to a temperature of 165°F or above with no interruption of the cooking process; **and**
5. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
6. Maintain at least one employee on-site during hours of operation, who has successfully completed the food safety training. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
7. Verify that food workers wash hands thoroughly prior to returning to work after taking a break; **and**
8. Implement and train employees on the food safety plan provided to the Health Department following the 2019 Board of Health orders; **and**
9. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

**RESOLUTION # EH-ENF-19-0024 FOR**

**Taste of Thai Express  
Taste of Thai Express Inc., Akhin Pancharoen, Owner/Operator  
209 South Meadow 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 accurate thermometers to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding; **and**

**Whereas**, it is a critical violation of Part 14-1 of the NYSSC to fail to store potentially hazardous foods under refrigeration except during necessary preparation or approved precooling procedures; **and**

**Whereas**, on May 22, 2018, the Tompkins County Board of Health adopted Resolution #EH-ENF-18-0015 requiring Taste of Thai Express to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage and to comply with all requirements of Subpart 14-1 of the NYSSC; **and**

**Whereas**, on May 30, 2019, the Tompkins County Health Department (TCHD) observed three critical violations of Subpart 14-1 of the NYSSC including the failure to maintain an accurate thermometer and failure to store potentially hazardous foods under refrigeration except during necessary preparation or approved precooling procedures; **and**

**Whereas**, Akhin Pancharoen, is informed that, if any of the Orders are not met from this day forth, the TCHD may not issue a subsequent permit to operate a food service establishment in Tompkins County for a period of up to three (3) years; **and**

**Whereas**, Taste of Thai Express Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders adopted on May 22, 2018; **now therefore be it**

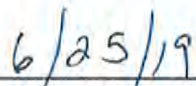
**Resolved, on recommendation of the Tompkins County Board of Health,  
That Akhin Pancharoen, Operator, is ordered to:**

1. Pay a penalty of \$1,700 for these violations, **due by August 15, 2019; and**
2. Ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times; **and**
3. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
4. Ensure that all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat are heated to a temperature of 165°F or above with no interruption of the cooking process; **and**

5. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
6. Maintain at least one employee on-site during hours of operation, who has successfully completed the food safety training. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
7. 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 June 25, 2019.**

  
\_\_\_\_\_  
Frank Kruppa  
Public Health Director

  
\_\_\_\_\_  
Date

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

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

**CASE SUMMARY – FOR RESOLUTION # EH-ENF-22-0001**

**Taste of Thai Express**  
**Taste of Thai Express Inc., Sirathorn Balakula, Operator**  
**209 South Meadow Street**  
**Ithaca, NY 14850**

**December 2021**

<b>Date</b>	<b>Action</b>
12/23/2021	Inspection by TCHD. <b>Violations:</b> See attached inspection reports.
11/09/2021	Inspection by TCHD. <b>Violations:</b> See attached inspection reports.
10/15/2020	COVID Inspection by TCHD. No violations noted.
07/17/2020	COVID Inspection by TCHD. No violations noted.
03/10/2020	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not stored under refrigeration. Potentially hazardous foods were not kept at or below 45°F during cold holding. Potentially hazardous foods were not kept at or above 140°F during hot holding. BOH action not taken due to Environmental Health involvement in COVID-19 Pandemic response.
12/26/2020	Waiver to use time as a public health control added to facility permit.
10/02/2019	Meeting held between Sirathorn Balakula, operator of Taste of Thai Express, and TCHD to discuss recent violations, corrective actions to maintain compliance and consequences should future violations occur.
09/12/2019	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not stored under refrigeration. Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Potentially hazardous foods were not kept at or above 140°F during hot holding.
06/25/2019	Resolution #EH-ENF-19-0024 adopted by BOH.
05/30/2019	Inspection by TCHD. <b>Violations:</b> An accurate probe thermometer was not available to evaluation temperatures of potentially hazardous foods. Potentially hazardous foods were found stored on a counter at 80°F and in a second location at 90°F.
08/14/2018	Inspection by TCHD. No violations noted.
05/22/2018	Resolution #EH-ENF-18-0015 adopted by BOH.
04/19/2018	Inspection by TCHD. <b>Violations:</b> A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. Poultry was not heated to 165°F or above during cooking. Product was rapidly heated to 165°F or higher.
04/05/2018	Two Serve Safe Certificates received by TCHD.

01/23/2018	Resolution#EH-ENF-18-0004 adopted by BOH.
12/14/2017	Inspection by TCHD. <b>Violations:</b> An accurate thermometer was not available to evaluate potentially hazardous food temperatures. The food probe thermometer available during the inspection was observed to be off by 12°F. The thermometer was properly calibrated during the inspection. Food workers did not use proper utensils to eliminate bare hand contact with prepared foods. A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 49-51°F. The product was removed from service and rapidly chilled to 45°F or less before use.
9/26/2017	Resolution #EH-ENF-17-0026 adopted by BOH.
07/27/2017	Re-inspection by TCHD. Violations for cold holding and food not stored under refrigeration that were observed on 05/30/2017 were corrected. <b>Violation:</b> Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 61-64°F.
05/30/2017	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 52-58°F. Potentially hazardous foods were not stored under refrigeration. Products on a counter were observed to be at 52-57°F. Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 52-56°F.
10/03/2016	Inspection by TCHD. No violations noted.
07/05/2016	Resolution EH-ENF-16-0013 adopted by BOH.
07/26/2016	Re-inspection by TCHD at Ithaca Festival: <b>Violations:</b> Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Food workers prepared raw and cooked or ready to eat food products without "thorough handwashing and sanitary glove changing in between."
06/03/2016	Field Visit at Ithaca Festival by TCHD: <b>Violations:</b> Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods.
06/01/2016	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not stored under refrigeration except when necessary. Product on a counter was observed to be at 89-130°F.
12/07/2015	Inspection by TCHD. No violations noted.
05/13/2015	Inspection by TCHD. No violations noted.
12/03/2014	Inspection by TCHD. No violations noted.
08/11/2014	Inspection by TCHD. No violations noted.
12/13/2013	Re-inspection by TCHD. Violations observed on 11/18/2013 were corrected.
11/18/2013	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 110-115°F.
07/03/2013	Re-inspection by TCHD. Violations observed on 06/04/2013 were corrected.
06/04/2013	Inspection by TCHD. <b>Violations:</b> Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a sandwich cooler was observed to be at 52°F, and iced product on a counter was observed to be at 57°F. Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 115°F.
11/28/2012	Inspection by TCHD. No violations noted.

05/29/2012	Re-inspection by TCHD. Violation observed on 05/08/2012 corrected.
05/08/2012	Inspection by TCHD. <b>Violations:</b> Cooked or prepared foods were subject to cross-contamination from raw foods.
11/29/2011	Re-inspection by TCHD. Violation observed on 11/9/2011 was corrected.
11/09/2011	Inspection by TCHD. <b>Violations:</b> Potentially hazardous food were not kept at or below 45°F during cold holding. Product in a sandwich unit was observed to be at 51-53°F. Potentially hazardous foods were also not stored under refrigeration except during necessary preparation. Product was observe don the counter at 70-80°F. Toxic chemicals were improperly labeled.
04/29/2011	Inspection by TCHD. No violations noted.
12/28/2009	Permit to Operate Taste of Thai Express issued.



## Food Service Establishment Inspection Summary Report

Operation: TASTE OF THAI EXPRESS (ID: 659161 )  
Facility Name: TASTE OF THAI EXPRESS  
Facility Code: 54-AH38 Facility Email: balakula@gmail.com  
Facility Address: 209 South Meadow Street, Ithaca, NY 14850

### To the Attention of:

Akhin Pancharoen  
TASTE OF THAI EXPRESS INC  
209 S. Meadow Street  
Ithaca, NY 14850  
Email: balakula@gmail.com

### Inspection

Date: December 23, 2021 11:02 AM  
Inspector: Rene Borgella (rborgella@tompkins-co.org)  
Responsible Person: Sirathorn Balakula

### Summary

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

### Reinspection is Required

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

## FOODS ADULTERATED OR RECEIVED FROM UNAPPROVED SOURCES.

### ITEM # 1G 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:** Cracked/dirty fresh eggs, liquid or frozen eggs and powdered eggs not pasteurized.

**Inspector Findings:** Observed: In flip top cooler, on the left hand side of line as one looks at the coolers (closer to the walk in), about 6 uncooked eggs had extensively cracked shells, some with the egg whites leaking out.

Correction: Eggs were removed from the line. All the eggs and other items in nearby bins are also cooked, so it was not necessary to dispose of these items.

Action: Uncooked Eggs used in food preparation must have intact shells.

## IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

### ITEM # 5A 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 below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

**Inspector Findings:** Observed: In the upright refrigerator closest to dishwasher station, two separate containers of tofu were at 60°F and 66°F respectively. Other items in cooler were at appropriate temperatures. Some items were seen being moved into cooler as inspectors arrived.

Action: Temperature controlled items in cold holding must be kept at 45°F or below.

## IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

### ITEM # 5C 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 foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

**Inspector Findings:** Observed three instances of this violation.

1) On the floor, at the end of the food preparation line by dishwasher, two containers, approx 3-5 gallons each, had hydrating rice noodles at 62-67°F. This is a repeat of the same violation at the same location during the inspection on 11/9/21.

Correction: Rice noodles were moved to the walk in cooler during the inspection.

Action: Rice noodles undergoing hydration must be kept at 45°F or below. Room temperature hydration is not allowed.

2) Cooked noodles, approximately one gallon, in bucket at end of counter closest to walk in, were at 68.6°F. This is a repeat of the same violation observed during the inspection on 11/9/21. During interview with staff, inspector was told the kitchen staff were unaware of the findings and necessary correction from previous inspection.

Correction: Item was discarded during inspection.

Action: Temperature controlled food items must be kept refrigerated at or below 45°.

3) On the counter across from cooking line, one bowl approx 3/4 lb of cooked tofu at 90°F. Interview with operator indicated item was cooked less than 30 mins before. Item was not in use for current preparation of any items nor incoming orders.

Correction: Item was discarded during the inspection.

Action: Temperature controlled items must be kept below 45°F for cold holding or above 140°F for hot holding.

## FOOD NOT PROTECTED IN GENERAL

### ITEM # 8A WAS FOUND IN VIOLATION 1 TIME(S).

*All or parts of the item are violations.*

**Code Requirements:** Food not protected during storage, preparation, display, transportation and service, from potential sources of contamination (e.g., food uncovered, mislabeled, stored on floor, missing or inadequate sneeze guards, food containers double stacked)

**Inspector Findings:** Observed food stored on the floor in the kitchen and the walk-in cooler. Food was uncovered in the walk-in cooler and in the dry storage area.

## 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: In several locations in kitchen and dry storage area, plastic containers designed for one use (take out containers) are being used to scoop cooked and uncooked food. Violations seen include a plastic container being used as a scoop for cooked rice on the line, another was a plastic container used as a scoop for uncooked rice. Photograph taken of uncooked rice with plastic container.

## 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: In floor by cooking line, a hole in floor (approx 4" diameter) with standing water; food and other debris observed in the water. This same hole in the floor has been present over the course of several inspections. This was cited and photographed during the inspection on 11/9/21.

## 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: On the second floor, rat droppings were observed in several locations. Please see attached pictures. In the same room with the rat droppings, Items of food

were in opened, uncovered containers nearby. Inspectors observed rat droppings in same location during the inspection on 11/9/21.

Action: Licensed pest controllers must be used to control vermin in Food Service Establishments.

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## MISCELLANEOUS, ECONOMIC VIOLATION, CHOKING POSTER, TRAINING.

### ITEM #16 WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

**Code Requirements:** Miscellaneous, Economic Violation, Choking Poster, Training.

**Inspector Findings:** Mask Violation:

Observed, upon entering kitchen, all personnel except the two line cooks were wearing required facial masks. Line cooks told inspector they did not think they were required to wear masks.

Correction: Staff placed masks on when asked.

Action: Under Gov Hochul's orders, all persons indoors, whether vaccinated or not, must wear facial coverings with the exception of private homes.

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### Additional Information Collected During Inspection

**Comments:** Part 1: Five violations  
Part 2: Five violations

Comments: Several of these violations are repeats of conditions observed at this facility during the last inspection on 11/9/21. These were all discussed with the operator at the end of today's inspection.

Board of Health Orders are not being fulfilled. These orders mandate that staff keep two types of logs:  
-- a daily log of operating temperatures in refrigeration equipment  
-- a daily log of food probe thermometers being calibrated.

The Refrigeration equipment log is present, but needs improvement in order to be useful and informative. As observed by the inspectors during this inspection, there were no dates listed for the entries - instead, only the days of the week were indicated. As such, one doesn't know what specific date is being recorded, nor whether entries seen are up-to-date or entries from many weeks ago. We did not observe any entries for today, the day of the inspection (i.e. no entry for "Thursday" of the current week). There was no log present indicating that thermometers were being calibrated daily as required by Board of Health Orders.

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Inspector: Rene Borgella (rborgella@tompkins-co.org)



Received by: Sirathorn Balakula

**Photo**

**Caption**



rat feces observed on floor of Taste of Thai Express dry pantry.



rat feces on floor of Taste of Thai Express dry pantry



Two points of concern here: open bag of rice was just a few feet away from rat feces; improper scoop being used.

**Photo**



**Caption**

Cooked noodles sitting out at room temperature storage

## Food Service Establishment Inspection Summary Report

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Facility Name: TASTE OF THAI EXPRESS  
Facility Code: 54-AH38 Facility Email: balakula@gmail.com  
Facility Address: 209 South Meadow Street, Ithaca, NY 14850

### To the Attention of:

Akhin Pancharoen  
TASTE OF THAI EXPRESS INC  
209 S. Meadow Street  
Ithaca, NY 14850  
Email: balakula@gmail.com

### Inspection

Date: November 9, 2021 10:48 AM  
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)  
Responsible Person: Austin Somchanhmavong  
Additional Email(s): kmorgan@tom-pkins-co.org

### Summary

Number of Public Health Hazards Found: 3  
Number of Public Health Hazards NOT Corrected: 0  
Number of Other Violations Found: 7

### Reinspection is Required

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

## FOODS NOT PROTECTED FROM CONTAMINATION BY WORKERS.

### ITEM # 3B 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 workers do not wash hands thoroughly after visiting the toilet, coughing, sneezing, smoking or otherwise contaminating their hands.

**Inspector Findings:** Observed a worker outside on a break who then entered the kitchen and proceed to the wok cooking area to prepare food without washing hands.

Action: Wash hands after smoking, using the restroom, etc.

## FOODS NOT PROTECTED FROM CONTAMINATION BY WORKERS.

### ITEM # 3C 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 workers do not use proper utensils to eliminate bare hand contact with cooked or prepared foods.

**Inspector Findings:** Observed a worker handling cooked, ready to eat noodles with their bare hands. The noodles were discarded during the inspection.

Action: Use gloves, tongs, etc. to eliminate bare hand contact.

## IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

### ITEM # 5C 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 stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

**Inspector Findings:** Observed two buckets of rice noodles on a shelf at the end of the counter, closest to the hand sink at 62 and 88 degrees F. The noodles were moved to the cooler during the inspection.

Action: Keep potentially hazardous foods at or below 45 degrees F.

## FOOD NOT PROTECTED IN GENERAL

### ITEM # 8A WAS FOUND IN VIOLATION 1 TIME(S).

*All or parts of the item are violations.*

**Code Requirements:** Food not protected during storage, preparation, display, transportation and service, from potential sources of contamination (e.g., food uncovered, mislabeled, stored on floor, missing or inadequate sneeze guards, food containers double stacked)

**Inspector Findings:**

1. Food stored on the floor in the freezer.
2. A bag of rice was observed uncovered in the dry storage area where the rat droppings were observed.

Action: Store food off the floor.

## 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:** No wiping cloths were in use in the kitchen and none were stored in sanitizer solution. We found no prepared sanitizer in the working kitchen.

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## IMPROPER CLEANING, WASHING AND SANITIZING OF EQUIPMENT AND UTENSILS.

### ITEM #11D WAS FOUND IN VIOLATION 2 TIME(S).

*All or parts of the item are violations.*

**Code Requirements:** Non food contact surfaces of equipment not clean

**Inspector Findings:** Two instances of this violation.  
1) Shelves in walk-in cooler covered in rust and debris. Photos taken.  
2) Shelves near prep area by dishwasher also had rust and debris built up on shelves. Food in uncovered containers were placed directly underneath the dirty, rusty shelving.

General build up of food debris through out facility.

Action: clean shelving and remove rust; food should be protected from potential contamination by keeping it covered

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## 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:** No paper towels at the hand wash sink or elsewhere.

Action: Provide paper towels at the hand wash sink.

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## 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 rat droppings on the floor in the upstairs dry storage area.

Action: Use an approved Pesticide Company to control vermin.

## IMPROPER CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES.

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

All or parts of the item are violations.

**Code Requirements:** Floors, walls, ceilings, not smooth, properly constructed, in disrepair, dirty surfaces

**Inspector Findings:** Missing tile and hole in floor on kitchen floor by floor drain. Gray water accumulation in this location. Photo taken.

Action: Repair the floor to prevent accumulation of water.

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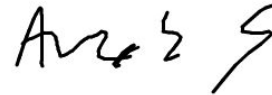
### Additional Information Collected During Inspection

**Comments:** Three Part I Critical Item Violations 3B, 3C, and 5A  
Seven Part II Blue Item Violations 8A, 11B, 11D, 12E, 14A, and 15A

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Inspector: Clayton Maybee (cmaybee@tompkins-co.org)



Received by: Austin Somchanhmavong

**Photo**

**Caption**





Water pooling around floor drain



Rusty shelves above uncovered food



Rusty shelves in walk-in cooler and flakes of rust on food containers

Photo	Caption
	Ceiling of walk-in cooler
	Debris on fans in walk-in cooler