

**MINUTES**  
**Tompkins County Board of Health**  
**January 25, 2022**  
**12:00 Noon**  
**Virtual Meeting via Zoom**

Approved 3.22.22

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

**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; Claire Espey, Director of Community Health; Frank Kruppa, Public Health Director; Harmony Ayers-Friedlander and Karan Palazzo, LGU Administrative Assistant

**Excused:** David Evelyn, MD; William Troy, County Attorney

**Guests:**

**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 December 7, 2021 Minutes:** The December 7, 2021 could not be approved as a quorum was not met.

**Financial Summary:** Ms. Grinnell Crosby referred to the December 2022 financial summary report included in the packet. She said they continue to juggle and balance out all COVID related expenses with potential reimbursements which will continue through the end of the year. The medical examiner program may exceed budget due to additional bills coming in; fourth quarter claims are held up due to a new payroll system, lack of payroll reports and the splitting of payrolls to post; the administration staff are busy with year-end closing and working on required grant and financial documents. Ms. Grinnell Crosby will provide an update shortly of where public health stands at the end of 2021, but a lot depends on the transfers and adjustments.

**Administration Report:**

**COVID:** Mr. Kruppa reported that contact tracing operations have been suspended and case investigations were scaled back and turned over to NYS for follow-up on positive cases. TCHD is shifting resources to be more effective in vaccines and education.

**VACCINE:** Mr. Kruppa reported that the booster clinics have vaccinated over 3,000 people since December. On-site vaccination clinics are being set up for children 5-11 year old in all school districts and will finish up second dose clinics into February. He shared that 50% of 5-11 year old's in Tompkins County have received a second dose with the state average at 22%. With fewer children being seen and the demand being met, Saturday clinics will wind down after this coming Saturday. TCHD is moving to a new website platform as we reorganize and improve upon COVID related information and updates. Test kits will be

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handed out to local food banks, some municipalities and libraries but schools will receive directly from the state.

Mr. Kruppa reported that a Nassau County judge struck down the governor's mask mandate for school children. An appeal has been filed by NYS and NYSED has sent a notice to all school districts that they must continue to implement the mask mandate while the court process continues to unfold. TCSD will continue the mask requirement as they have been directed.

Ms. Merkel asked about college students getting boosters. Mr. Kruppa said college students can get boosters either here or their permanent residences.

Merger Update: Mr. Kruppa reported that there have been promotions, new hires and recruitment in the reorganization and restructuring of the departments. In conversations with county administration discussing the chart of accounts, meetings have been scheduled with finance and the county attorney as plans need to be set for the 2023 budget and must be in place no later than May or June of this year.

The bylaws and county charter are under review for both the Board of Health and the Community Services Board.

The cross-functional team (CFT), responsible for a new identity and logo put out an RFP to get professional support from branding consultants. The CFT reviewed applications, consulted with senior leadership, and interviews are scheduled with the top four finalists in the next few weeks. The BOH, the CSB and the legislature will be engaged to participate, but ultimately the legislature will have the final say in the new name of the department as established in the charter.

**Health Promotion Program Report:** Ms. Hillson reported that the health educator position was closed but plans to reopen to attract more applicants; the position for the community health worker initiative will be posted shortly; she thanked the health and environmental health department teams for work on the website migration. The content transfer should be complete in the next few weeks to go live on the new platform.

**Medical Director's Report and Discussion:** Dr. Klepack discussed expectations for 2022:

- Other variants will arise
- Fewer case reports and less data in New York State - home tests will play a factor
- No change in breakdown of people being admitted with respect to vaccine status
- Unvaccinated are at higher risk for severe disease
- Vaccinating will continue to be an extremely important protective against infection in general
- Fundamentals will continue to include appropriate masking, prudence regarding gatherings, social distancing, travel and hand hygiene

Dr. Klepack will address the future point of transitioning from being a pandemic to an endemic illness of relatively lesser importance in his next bulletin. Getting to an endemic level is going to require global progress in vaccination and with treatments. We need treatments that will be useful in situations where one is exposed to prevent illness and to prevent serious disease.

Dr. Klepack emphasized that the five-day isolation rule only applies to healthy individuals at relatively low risk and does not apply to the immune-compromised individuals and those who have had very severe disease. TCHD continues to look at those discharged from the hospital to determine whether they need a longer isolation and review those who must often interact with their healthcare practitioners.

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Vaccine: Dr. Klepack reported that Pfizer is working on an Omicron specific vaccine. It is uncertain if it will play a significant role.

Tetrahydrocannabinol (THC)/Adult Use Cannabis: Dr. Klepack shared that the Office of Cannabis Management (OCM) and the Cannabis Control Board are conducting webinars to inform the public about the ins-and-outs of the cannabis law. Covered topics include measures to regulate the cannabis industry including protecting the health, and safety of the public. The law also attempts to foster social and economic justice to mitigate the harms of the decades-long prohibition of cannabis. Dr. Klepack recently met with OCM not in his role as Medical Director but as a family physician. He was pleased with the expertise of staff and their interest in a public education campaign. The marketing of THC raises concerns regarding the potential for overdoses, traffic issues and other problems such as children accidentally ingesting THC edible products. The rules and regulations are expected to take 18-24 months to be created and put into effect. There is still time to comment and weigh in on issues.

Regarding Kid enticing packaging – Dr. Klepack responded that it is not legal to market THC at this time. It is legal to market Hemp/CBD at this time. New regulations regarding hemp/CBD have been created and the enticing packaging and labeling should stop.

THC content limits – Dr. Klepack responded that new regulations limit the THC content to no more than .3 % in CDB products.

Questions:

Retail selling of stickers with free gifts of THC - Ms. Cameron responded that there was a report of stores selling a sticker and providing marijuana along with the sticker. NYS had reported earlier that was determined to be illegal. Mr. Kruppa added that both The Voice and Ithaca Journal had articles of lake event tickets being sold with a sampling inside; they weren't selling the product but selling the event which was their way of working around directly selling it.

**Division for Community Health (DCH) Report:** Ms. Espey reported that COVID dominated much of the department's time and resources in November and December. There was much needed and appreciated support from several other divisions within the health department as the phase winds down this month. DCH is working with the state as we address our case investigations and support people needing to safely isolate or quarantine. DCH is working more on quality control, messaging, fielding questions, inquiries from the public and developing an approach to engage stakeholders that are managing or operating in higher risk setting.

There is open position for a community health nurse to focus on communicable disease work.

**Children with Special Care Needs Report:** Ms. Thomas reported that there is a shortage of speech therapist in Tompkins County. There are more than 50 children on a waitlist for speech therapy and has reached out to agencies and the state. It seems to be a nationwide problem.

**County Attorney's Report:** NA

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

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**Community Mental Health Services Board (CSB) Report:** Ms. Ayers-Friedlander reported that Ms. Maria Morog was appointed chairperson of the CSB. They discussed how to improve the election process for subcommittees; and discussed 2022 agenda topics.

**Resolution #EH-ENF-21-0015 – Gaggle Company Inc., T-Ithaca, Violation of Article VI of the Tompkins County Sanitary Code:** Dr. Dhundale moved to accept the resolutions as written; seconded by Mr. Kingra.

Ms. Cameron explained that this is a case that went to administrative hearing. The hearing officer found that the sewage system was installed without a permit and crossed property lines. EH proposes a fine of \$500.

No discussion

The vote to approve the resolution as written was unanimous.

**Resolution #EH-ENF-21-0020 – Cactus Head, C-, Throughout Tompkins County, Violations of Subpart 14-1 of the New York State Sanitary Code:** Ms. Black moved to accept the resolutions as written; seconded by Ms. Touchton.

Ms. Cameron explained that this is a case where milk and dairy products were out of temperature during two inspections. EH proposes a penalty of \$200.

No discussion.

The vote to approve the resolution as written was unanimous.

**Resolution #EH-ENF-21-0021 – Macro Mamas, Throughout Tompkins County, Violations Subpart 14-1 of New York State Sanitary Code:** Dr. Dhundale moved to accept the resolutions as written; seconded by Ms. Black.

Ms. Cameron explained that this is a case where hot foods were out of temperature.

No discussion.

The vote to approve the resolution as written was unanimous.

**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:** Ms. Black moved to accept the resolutions as written; seconded by Dr. Dhundale.

Ms. Cameron explained that this facility had a previous case previously brought before the Board for malfunctioning equipment which was fixed. Currently a malfunctioning food preparation cooler has resulted in food out of temperature causing a higher fine. EH proposes a penalty of \$800.

No discussion.

The vote to approve the resolution as written was unanimous.

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**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:** Ms. Black moved to accept the resolutions as written; seconded by Ms. Touchton.

Ms. Cameron explained that Taste of Thai Express has been brought to the Board multiple times. There have been consultations in addition to education during inspections. Taste of Thai Express has recently requested another consultation. Interpretations services are offered by staff to address any communication issues.

Discussion of communication issues. Ms. Cameron explained that EH addresses communication issues by providing materials in various languages and providing interpretive services if needed. She does not believe it is a communication issue with Taste of Thai Express.

The vote to approve the resolution as written was unanimous.

**Administration:** Mr. Kruppa recommended reappointment of Dr. Klepack as Medical Director of the Tompkins County Health Department to the Board for another two years. Dr. Dhundale moved to reappointment of Dr. Klepack; seconded by Mr. Kingra.

All members were in favor to reappoint Dr. Klepack for another two years as Medical Director of the Tompkins County Health Department.

BOH bylaw discussion: Dr. Moylan opened a discussion to recruit interested members to work on the process, language and adjustments needed on both BOH and CSB bylaws as they work in conjunction with the CSB. Ms. Merkel volunteered. Others that might be interested, please contact Dr. Moylan.

The next meeting is Tuesday, February 22<sup>nd</sup>, 2022 @ Noon.

**Adjournment:** Adjourned at 1:03 p.m.