

AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, April 26, 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 March 22, 2022 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** (20 mins)
Enforcement Action:
1. Resolution #EH-ENF-22-0007 – Cayuga Smoke Shop, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
 2. Resolution #EH-ENF-22-0009 – Commons Market, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
 3. Resolution #EH-ENF-22-0013 – Ayra Convenience Inc., C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
 4. Resolution #EH-ENF-22-0014 – Ithaca Convenience LLC, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Sale of Prohibited Flavored Vapor Product (ATUPA) (5 mins.)
- 12:50 Administration** (10 mins)

Administrative Action:

1. Merger Update
2. DEC Support of New Hiking Trail Initiative

1:00 Adjournment

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MINUTES
Tompkins County Board of Health
March 22, 2022
12:00 Noon
Virtual Meeting via Zoom

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

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

Excused: Melissa Dhundale, MD; Brenda Grinnell-Crosby, Public Health Administrator; and William Klepack, MD, Medical Director

Guests: None

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 the December 7, 2021, January 25, 2022 and February 22, 2022 Minutes: Ms. Black moved to approve the minutes of the December 7, 2021 meeting as written; seconded by Mr. Ravinder. The vote to approve the minutes as written: Unanimous approval; motion carried. Ms. Black moved to approve the minutes of the January 25, 2022 meeting as written; seconded by Ms. Merkel. The vote to approve the minutes as written: Unanimous approval; motion carried. Ms. Black moved to approve the minutes of the February 22, 2022 meeting as written; seconded by Dr. Evelyn. The vote to approve the minutes as written: Unanimous approval; motion carried.

Financial Summary: Ms. Grinnell Crosby was not present. Mr. Kruppa was available to respond to any questions of the financial report included in the packet.

Administration Report: Mr. Kruppa reported that TCHD continues to monitor the severity of illness from COVID; no active hospitalizations; monitor variants and their evolutions; BA2 is the majority variant in Tompkins County based on Cornell data.

Mr. Kruppa met with Monalita Smiley, Director of the Community Justice Center and discussed the roles that Public Health and Mental Health will play in conversations.

Health Promotion Program Report: Ms. Hillson had nothing to add to her written report included in the packet. She reported reviewing the wide range of applications received for the community health worker position, which is a collaboration with community partners who are working on similar roles. Community health workers will work across departments.

Ms. Hillson said that the Community Health Assessment Process is in the planning stages and due December of this year. They hope to launch the community health survey in late spring or early summer,

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and they are also in the process of updating the data sources including the assistance from the QAI department at Mental Health.

Medical Director's Report and Discussion: Dr. Klepack was not present. On behalf of Dr. Klepack, Mr. Kruppa was available to answer questions from Dr. Klepack's medical report included in the packet.

Division for Community Health (DCH) Report: Ms. Espey had nothing to add to her written report. She referred to Mr. Kruppa's update on COVID as they continue to monitor the situation. She reported that the NYS virtual call center ends their contract the end of April. DCH is addressing how to move forward to support the community in their absence.

Ms. Espey shared that questions from last month's meeting regarding Syphilis and Lyme disease were addressed in this month's report.

Mr. Kruppa responded to a question regarding PCR testing. Mr. Kruppa reported that PCR testing continues at the mall but there is a lack of funding from the Federal funding for uninsured/underinsured.

Mr. Kruppa responded to a question regarding test collection data with Cornell. He said that there is no way to tell for certain with many self-reporting. He believes many are taking the results of a positive antigen test and acting accordingly.

Children with Special Care Needs Report: Ms. Thomas reported that the waitlist for speech therapy continues with 32 children waiting for therapy and now have a wait list for special instruction teachers for those children. She said that a new Public Health Law requires insurance companies to provide \$40 million to the state fiscal agent to help cover early intervention services which might bring some of the therapists back into the program.

County Attorney's Report: Mr. Kruppa reported that the State Declaration of Emergency suspended in-person until mid-April and the BOH's next meeting in April **may** be held in-person in the Rice Conference room at 55 Brown Road, Ithaca, NY.

Environmental Health Report: Ms. Cameron reported that Dillon Shults, EH Technician was promoted to EH Specialist and they will recruit for his replacement for the technician position.

Ms. Cameron said that EH drafted a memo clarifying that reusable containers are allowed under the New York State Sanitary Code for Food Service Establishments, in response to a request from the Zero Waste Initiative Program. The Zero Waste Initiative Program works with restaurants to promote customers to bring in reusable containers.

Ms. Cameron also said that EH is proposing changes to the temporary food program after reviewing the requirements for religious, charitable and fraternal organizations under food service establishment regulations. Religious, charitable, and fraternal organizations are not required to get permits from EH if they hold food service events less than once a week. Ms. Cameron said that Cornell falls under this provision and; has their own review process in place as they track these events and provide education. EH and Cornell are working together to transfer oversight of these Cornell events to Cornell and for EH to no longer issue temporary food permits for Cornell events. This will allow EH to focus on higher risk issues.

Ms. Cameron reported that EH is working with Grassroots on their festival application and water and site plans but are still dealing with issues as in the past with inconsistent information.

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Ms. Cameron reported that the Adolescent Tobacco Use Prevention Act (ATUPA) Program was deferred during COVID and EH only responded on a complaint basis. NYS issued new regulations during COVID (May 2020) prohibiting the sale of flavored vapor products that contain nicotine. The new rules are complicated as facilities are allowed internet sales of flavored products to out-of-state customers as long as the banned products are not on display for sale to in-person customers.

EH has started full compliance checks with facilities and a number of violations have been issued.

Ms. Cameron answered a question regarding the penalties (ATUPA). She said sales to minors (under age 21) carries a minimum penalty of \$300, a maximum penalty of \$1,500 and a state surcharge of \$250. The penalty for the sale of vapor products/individual package is up to a \$100.

Community Mental Health Services Board (CSB) Report: Ms. Ayers-Friedlander reported:

- CSB's March meeting agenda topic was on fentanyl-laced drugs in the community. A local family shared their story of the untimely death of their 23 y/o son and brother and concerns of the fentanyl-laced drug infiltrating our community. Local providers including CARS, ADC and REACH Medical were in representation.

Mr. Kruppa added that fentanyl was topic of conversation prior to COVID and one can assume that fentanyl will be involved in any street drug purchased (even an opioid). TCHD is working on communication and messaging about fentanyl. Ithaca Police Department recently reported a spade of overdoses related to painted street drugs.

Resolution #EH-ENF-22-0002 – Thai Basil, C-Ithaca, Violations Subpart 14-1 of New York State Sanitary Code: Dr. Evelyn moved to accept the resolutions as written; seconded by Ms. Black.

Ms. Cameron explained that this is a case where food was out of temperature. EH proposes a penalty of \$200. No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0003 -Super 8 Motel, C-Ithaca, Violations of Subpart 14-1 of the New York State Sanitary Code: Dr. Koppel moved to accept the resolutions as written; seconded by Dr. Evelyn.

Ms. Cameron explained that this is a case where fire and smoke doors were not maintained, and electrical equipment was used incorrectly. EH proposes a penalty of \$200. No discussion.

The vote to approve the resolution as written was unanimous

Resolution #EH-ENF-22-0004 – Best Western University Inn, T- Ithaca, Violations of Subpart 14-1 of the New York State Sanitary Code: Ms. Touchton moved to accept the resolutions as written; seconded by Dr. Koppel.

Ms. Cameron explained that this is a case where the level of the violation increased because it was not corrected. They failed to maintain emergency lights and exit signs and failed to maintain required exits. EH proposes a penalty of \$400.

No discussion.

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The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0005 – C&C/Chucks, C-Ithaca, Violation of Article 13-F of New York State Public Health Law for Underage Sale of Tobacco Products (ATUPA): Ms. Black moved to accept the resolutions as written; seconded by Dr. Evelyn.

Ms. Cameron explained that this is a case of the sale of tobacco products to minors. EH proposes the increased penalties of \$500 plus the \$250 NYS mandatory surcharge totaling \$750.

No discussion.

The vote to approve the resolution as written was unanimous.

Resolution #EH-ENF-22-0006 – Smiley’s Food Mart, T-Newfield, Violation of Article 13-F of New York State Public Health Law for Underage Sale of Tobacco Products (ATUPA): Dr. Evelyn moved to accept the resolutions as written; seconded by Mr. Ravinder.

No discussion.

The vote to approve the resolution as written was unanimous.

Administration: Mr. Kruppa reported that merger updates will be a monthly topic to keep the Board updated and informed in the process, take suggestions and receive feedback.

Merger Update:

- Iron Design, was selected as the company in the branding effort for the new name and logo
- The first discovery meeting will have representatives from both departments and the CSB
- The three-month process will include iterations to understand who we are and what represents us
- The legislature will give final approval of the new name and logo this summer
- A cross-functional team launches around children and youth services
- Introductory conversations with directors around a potential charter for another cross-functional team to research better integration and support for children and youth served across all programs
- Cross-functional team is working on the understanding of each other and the back of the foundation utilizing network surveys and mapping, etc.
- Charter changes and the bylaws in proposed form are due no later than October, for the self-imposed deadline for the end of the year
- Working with the county financial officer in merging the chart of accounts

Mr. Kruppa said the final step in the merger will be the legislature amending the charter. He encouraged Board members to take the opportunity to be part of the branding process.

Dr. Moylan reported that a first edit was done on the bylaws which will be forwarded to Dr. Evelyn and Ms. Merkel for their review before coming to the Board in April.

Dr. Moylan asked the Board members to anticipate an in-person meeting in April, in the Rice Conference Room at 55 Brown Road, Ithaca, NY.

The next meeting is Tuesday, April 26th, 2022 @ Noon.

Adjournment: Adjourned at 12:56 p.m.

Board of Health
April 26, 2022
Financial Report

2021 / 13th Period

Budget transfers and adjustments have been submitted and entered in the financial system. Additional grant funds and FEMA reimbursement for testing were added. Program revenues were impacted by the pandemic (unable to operate programs during COVID response activities).

Board of Health
April 26, 2022
Financial Report

March 2022 / Month 3

COVID sampling costs (\$430,800) not budgeted inflate expenditures in functional unit 4010. The County is seeking FEMA reimbursement on these expenses. Fringe expense is not current. COVID grant budget adjustments will be processed in May/June. Grant claims and first quarter state aid are in process.

Tompkins County Financial Report for Public Health

Percentage of Year 25.00%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	2,321,440	684,688	29.49%	886,062	20	0.00%	1,435,378	684,668	49.92%
4011 EMERGING LEADERS IN PH	0	788	0.00%	0	0	0.00%		788	
4012 WOMEN, INFANTS & CHILDREN	508,520	74,684	14.69%	508,520	0	0.00%		74,684	
4013 OCCUPATIONAL HLTH.& SFTY.	100,376	14,872	14.82%	0	0	0.00%	100,376	14,872	14.82%
4015 VITAL RECORDS	78,674	16,929	21.52%	108,000	25,077	23.22%	-29,326	-8,148	27.78%
4016 COMMUNITY HEALTH	1,671,038	432,745	25.90%	513,361	8,727	1.70%	1,157,677	424,018	39.65%
4018 HEALTHY NEIGHBORHOOD PROG	172,368	19,173	11.12%	172,368	0	0.00%		19,173	
4047 PLNG. & COORD. OF C.S.N.	1,429,374	218,691	15.30%	406,690	3,176	0.78%	1,022,684	215,514	21.07%
4090 ENVIRONMENTAL HEALTH	2,046,965	301,915	14.75%	625,195	68,927	11.02%	1,421,770	232,987	16.86%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,458,348	0	0.00%	-1,458,348	0	
Total Non-Mandate	8,328,755	1,764,485	21.19%	4,678,544	105,928	2.26%	3,650,211	1,658,557	45.44%
2960 PRESCHOOL SPECIAL EDUCATI	6,122,407	663,576	10.84%	3,992,177	51,735	1.30%	2,130,230	611,842	28.72%
4017 MEDICAL EXAMINER PROGRAM	329,516	49,659	15.07%	0	0	0.00%	329,516	49,659	15.07%
4054 EARLY INTERV (BIRTH-3)	578,000	96,160	16.64%	283,220	0	0.00%	294,780	96,160	32.62%
Total Mandate	7,029,923	809,395	11.51%	4,275,397	51,735	1.21%	2,754,526	757,660	27.51%
Total Public Health	15,358,678	2,573,880	16.76%	8,953,941	157,662	1.76%	6,404,737	2,416,218	37.73%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	1,604,847	886,042	2960 Preschool	5,458,831	3,940,442
4012 WIC	416,238	508,520	4054 Early Intervention	481,840	283,220
4013 Health & Safety	85,504	0	4017 Medical Examiner	125,917	0
4014 Medical Examiner	0	0		<u>6,066,588</u>	<u>4,223,662</u>
4015 Vitals	61,745	82,923			
4016 Community Health	1,203,313	504,634			
4018 Healthy Neighborhood	152,954	172,368			
4047 CSCN	1,210,683	403,514			
4048 PHCP	0	0			
4090 Environmental Health	1,738,360	556,268			
4095 State Aid	0	1,458,348			
	<u>6,473,644</u>	<u>4,572,616</u>			
Total Public Health Balances					
Available Budget		Revenues Needed			
<u>12,540,232</u>		<u>8,796,279</u>			

Public Health Director Report April 2022

- In reviewing my files, this is the first written report I have provided since December 2019. It is as if 2 years just didn't happen. I am still spending a good amount of time on COVID issues, but it feels good to be getting back to the other pressing PH/MH issues.
- I will not be attending the April BOH meeting as I will be in Niagara for the Public Health Partnership conference all week. <https://www.nyspha.org/annualmeeting>
- The cross functional team working on branding met with out consultant, Iron Designs, to complete the discovery phase. It was a great meeting and I believe we picked the right vendor. The consultant was very familiar with the county having worked with other nonprofits here and could really focus on who we are and who we want to be in the future. It is an exciting time and I look forward to the product that will be created. <https://www.irondesign.com/>
- A second cross functional team has been working on building internal relationships. A network mapping survey has been completed and the data is being analyzed. They have also developed other ideas on how to make it possible for staff to learn more about each other.
- A group of our leadership team members have been working on the framework for another cross functional team that will look at ways to integrate out services for children and youth. A likely outcome will be collocation of some services between the two buildings.
- I have been joining the efforts around public safety reform as well. I have met with the new director of the Community Justice Center, Monalita Smiley. She is housed in the MH building, and we hope that will create opportunities for us to learn from each other as the process unfolds. I am still figuring out how to best support the county efforts on this front, but continue to advocate for a comprehensive approach to meeting those needing our help where they are with the right skills.
- The recently passed NYS budget including new Article 6 core funding. We are still evaluating the actual impact, but it is good news and will add resources without requiring new work.

HEALTH PROMOTION PROGRAM – April 2022

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

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.

Highlights

- Strategic Plan implementation: branding development will begin in early April.
- Community Health Worker interview process was underway at the end of March. Two CHWs will start at the beginning of May.

Community Outreach

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

Groups, Programs, Organizations	Activity/Purpose	Date
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
Community Health and Access Committee	Sub-committee of the HPC. Focus on telehealth, maternal health, etc.	quarterly
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
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
Aging Services Network	Regular meeting	
Homeless & Housing Taskforce	Regular meeting	

COVID-19

- Outreach, promotion, and distribution of KN95 masks and self-test kits. KN95 mask video filmed and narrated by local videographer Shira Evergreen, <https://vimeo.com/693836241>
- In collaboration with COVID Communications team, develop and disseminate public information on guidance updates. Update website and social media.
- 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](#).
- Bi-weekly Communications Team meetings – planning a vaccination/booster and masking campaign with funding from NYS. Includes a KN95 video and print advertising in local weeklies and online.
- [WCNY](#) highlights Tompkins County Health Department’s COVID-19 communications work in “Two Year Anniversary” segment on March 28 2022; focus on our social media.
- Direct mail 9x6.5-inch postcard, “Thank You Tompkins County,” went out to every household at the end of March. (See images at the end of this report.)

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

- The CHA/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.
 - 2022 focus on collecting data for health equity and completing next round of the CHA, including redesigning and disseminating the community health survey.
 - Collaborating with Youth Services to explore an interactive dashboard for the County.
- Cancer screening intervention monthly meeting.
- Social Determinants of Health (SdoH) intervention bi-monthly meeting.
- School-based health (on hold)
- Maternal and Child Health

Healthy Neighborhoods Program

- HNP staff continues to receive calls requesting information regard indoor air quality, radon, mold and mildew, bed bug infestations, etc.
- HNP staff are continuing to assist with COVID work, including daily operations at vaccination PODs.
- Participation in field safety training, planning, and discussion to improve internal training for staff.

March 2022

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2022	March 2021	TOTAL 2021*
# of Initial Home Visits (including asthma visits)	15	43	6	100
# of Revisits	1	2	0	0
# of Asthma Homes (initial)	4	7	2	19
# of Homes Approached	3	6	1	448

- *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.
 - On Wednesday, March 16th, collaborated with TCMH, CHS, EH and CSCN units to host a webinar called [“We’re Hiring: Careers to Strengthen Our Communities’ Well-Being”](#), to highlight various career openings in our depts. Had 10 attendees live and has since had 122 views. HPP received 25 applicants for the CHW position.
 - March 18, 2022, [Ithaca Voice interview](#): “Tompkins County Health Dept. Looks to Hire New Community Health Workers”
- 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: Edits and re-organization continues on the new platform.
 - Assisting with updates and organization of the Mental Health website.
 - CHS website update
- Development of “Text-to-Sign-Up” campaign for Tompkins County WIC to increase participation in rural neighborhoods
- Ongoing participation and support of the NYS Public Health Fellows program.

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 is on hold. The position will be reposted this summer.

Media, Website, Social Media

- Health Department's [COVID-19 web pages](#) updated regularly
- COVID-19 Press Releases in March 2022:
 - [COVID-19 Update: BA.2 Variant, Hospitalizations Continue to be Low](#), Monday, March 28, 2022
 - [Op-Ed: Reflecting on the Two-Year Anniversary of COVID-19 and Looking Forward](#), Monday, March 14, 2022
 - [COVID-19 Update: School Masking Guidance Updated](#), Thursday, March 3, 2022
 - [COVID-19 Update: Clarification on Data Used to Determine CDC “Community Level,” Mask Advisory Suspension](#), Tuesday, March 1, 2022
- Other Health Department press releases
 - [Health Department Seeks Information About a Cat to Rule Out Rabies Infection](#), Monday, March 4, 2022
- Ongoing work with Mental Health to update/ upgrade the [TCMH website](#).
- Ongoing work with CHS and WIC re: social media pages

PH-MH Strategic Planning with Batiste Leadership

- Cross-Functional Integration Team – on hold as branding agency Iron Design of Ithaca develops their initial concepts based on a Branding Discovery meeting with a core group of CFT-I members, on April 6.
- Services Team restarted their meetings in January 2022. Will be meeting monthly, current plans involve working to update Staff Directory that was created end of 2019. An internal connectivity/social network survey was disseminated and is being analyzed.
- Integration of children and youth services: initial conversation about co-location of services, licensing, universal consent, etc.

Training/Professional Development

- JEDI: General Meeting and subcommittees (Shannon – Communications, Samantha – Data and Analysis, Diana – Recognition).
- RWJ County Health Rankings pre-release webinar.
- Columbia Mailman FACE Forward Speaker Series - Intersectionality in Racism and Public Health, <https://www.publichealth.columbia.edu/research/office-diversity-culture-and-inclusion/face-forward-speaker-series>.
- Vaccine Equity Cooperative: Masks, Vaccines, Testing: Staying Prepared for COVID-19 in Your Community, <https://vaccineequitycooperative.org/event/masks-vaccines-and-testing/>
- Participation in Workforce Reading and Discussion Program with City and County colleagues, The Sum of Us, by Heather McGhee.

- COVID Vaccine Ambassador Training: How to Talk to Parents (Johns Hopkins University).
- Latest Developments in Integrated Tick Management Webinar.
- Managing Bed Bugs with Limited Resources Webinar.
- Field Safety discussion.

Thank You!


TOMPKINS COUNTY

The Tompkins County Health Department would like to thank all of our residents, local businesses, and organizations for your efforts throughout the COVID-19 pandemic.

Our community is healthier and safer because you have done your best to follow the guidance, encourage vaccination and masking, and be generous with your time and kindness.

TOMPKINS COUNTY VACCINATION FACTS

- 82% of residents ages 5 and older are fully vaccinated.
- 58% of residents ages 12 and older are both fully vaccinated and have a booster dose.





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ITHACA, NY
PERMIT 750

POSTAL CUSTOMER

COVID-19 Safety Tips

Keeping You and Your Family Protected

Get tested if you have symptoms

- Make an appointment at the Cayuga Health Sampling Site, a local pharmacy, or use a self-test.
- If your test is positive, isolate at home for at least 5 days and wear a mask for days 6-10.

Get vaccinated, get boosted

- Vaccination is proven to reduce both the severity of illness and the risk of being hospitalized.
- The COVID-19 vaccine is free from your first dose to your booster, and is available at many local pharmacies and at NYS-operated sites by appointment or for walk-ins.

Stay safe in public spaces

- Many people choose to still wear a mask for added safety. Everyone must wear a mask in health care facilities, on public transit, and in other settings specified by NYS.
- Use a KN95 or N95 mask for the best protection.
- Take extra precautions when in crowded places, especially if you're indoors for an extended period.

Call 2-1-1 for assistance

- 2-1-1 will help you schedule a test, find a vaccination site, complete online forms, and with many other services. Call 2-1-1 (1-877-211-8667), Mon.-Fri., 8:30am-5:00pm.

Stay informed

- Sign up for email alerts at bit.ly/get-tompkins-updates.








Learn much more about each tip! Scan here or go to bit.ly/covid19staysafe



Your Partner for a Healthy Community
tompkinscountyny.gov/health

HPP REPORT

PG. 5

Medical Director's Report
Board of Health
April 2022

I was out of town from March 22nd through April 14. During that time, I monitored my TCHD email daily and responded to several items. As one would expect the BA2 variant has risen in prevalence and incidence during this period of time. Although it is even more contagious than the original omicron it, fortunately, does not seem to cause more severe disease and being vaccinated and boosted is still conferring significant benefit by preventing serious illness and death.

Vaccination

Pfizer is now advocating for a booster dose for its vaccine for 5-11 year olds. It is not approved under an EUA at this time. There is no new information on Pfizer's under 5 year old vaccine.

Moderna is reportedly seeking an EUA for its vaccine for those 6 months to 5 years old.
<https://www.statnews.com/2022/03/23/moderna-to-ask-fda-to-authorize-covid-19-vaccine-in-children-6-months-to-6-years/>

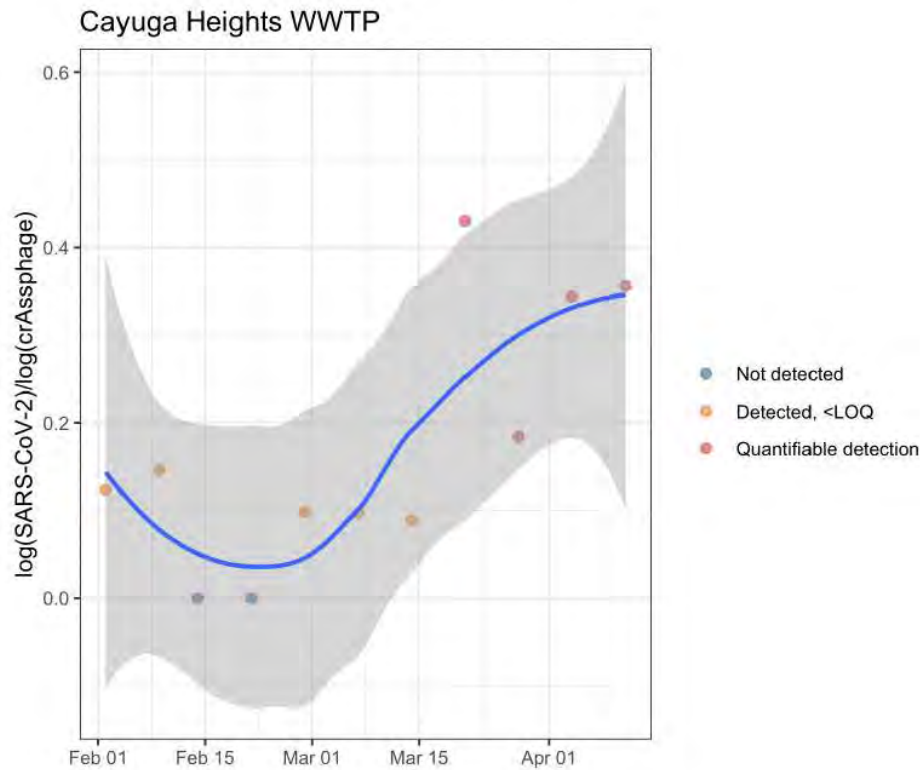
An additional booster of an mRNA vaccine is being recommended for those over 50 and with certain conditions (most notably immunocompromising ones).
https://www.cdc.gov/coronavirus/2019-ncov/vaccines/booster-shot.html?s_cid=11706:covid%2019%20vaccine%20booster:sem.ga:p:RG:GM:gen:PTN:FY22

Boosters are only available for those 12 years of age and older
<https://www.healthychildren.org/English/tips-tools/ask-the-pediatrician/Pages/when-can-children-get-the-COVID-19-vaccine.aspx>

Further vaccination of the population at this time rests in the hands of practitioners and pharmacies.

Testing – the FDA has approved an EUA for a breath based Covid test. Such tests require a skilled operator and would be available in offices, and facilities. Results are available in minutes and are highly accurate with few false negatives. <https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-fda-authorizes-first-covid-19-diagnostic-test-using-breath-samples>

With the changes that have occurred in case investigations, reporting of cases, and testing generally one of the objective measures we have is wastewater testing. Currently only one facility is testing – Cayuga Heights. Others (in particular Ithaca) may come online. The most recent data for Cayuga is:



Further detail can be obtained by genetically analyzing samples looking for new variants and by sampling not just at the plant but in lines coming from communities of interest.

Current data TC

In general, our daily cases remain plateaued, our community transmission is high, our hospitalized numbers remain in single digits and we, fortunately, have not added any new residents of the county to the death toll.

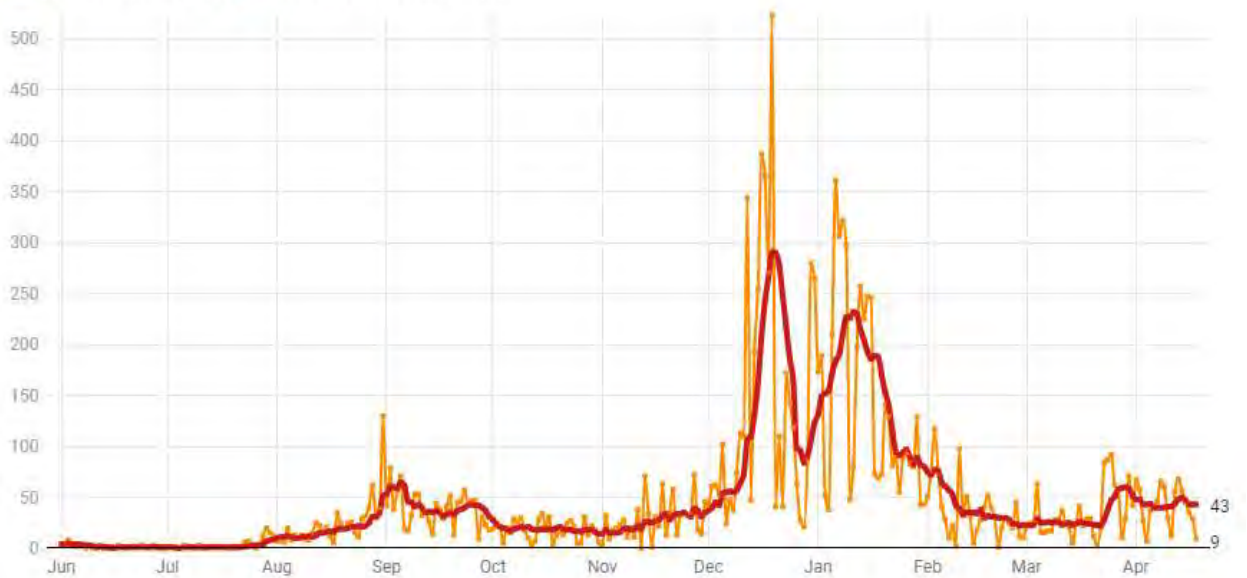
We remain in pandemic mode having not achieved endemicity yet. Last year saw significant numbers of cases in March, April, and May and then again in August and into the fall. What this spring and summer will bring is anyone's guess. Our hopes must ride with the public using prudent masking, distancing, and gathering and further vaccination being accomplished.

Date ▾	Total Tests	Daily Tests (ECLRS)	New Positive Cases (TCHD)	Total Positive Cases (TCHD)	Released from Isolation (TCHD)	Active Cases (TCHD)	Active COVID-19 Hospitalizations (CHS)	Total TC Resident Deaths (TCHD)	Vac
4/18/22	1,875,378	334	9	19,555			5	60	
4/17/22	1,875,044	113	29	19,546			5	60	
4/16/22	1,874,931	1,241	35	19,517			5	60	
4/15/22	1,873,690	1,040	45	19,482			6	60	
4/14/22	1,872,650	892	56	19,437			6	60	
4/13/22	1,871,758	955	68	19,381			4	60	
4/12/22	1,870,803	713	56	19,313			4	60	
4/11/22	1,870,090	428	12	19,257			4	60	
4/10/22	1,869,662	138	30	19,245			4	60	
4/9/22	1,869,524	1,462	60	19,215			5	60	
4/8/22	1,868,062	1,013	66	19,155			4	60	
4/7/22	1,867,049	983	46	19,089			4	60	
4/6/22	1,866,066	986	39	19,043			4	60	
4/5/22	1,865,080	551	37	19,004			4	60	
4/4/22	1,864,529	361	7	18,967			5	60	
4/3/22	1,864,168	105	27	18,960			5	60	
4/2/22	1,864,063	2,138	58	18,933			6	60	
4/1/22	1,861,925	1,335	67	18,875			7	60	

Daily New Cases + 7-Day Avg. New Cases

From June 1, 2021. COVID-19, Tompkins County, N.Y.

— Daily New Positive Cases — 7-day Avg. New Positive Cases

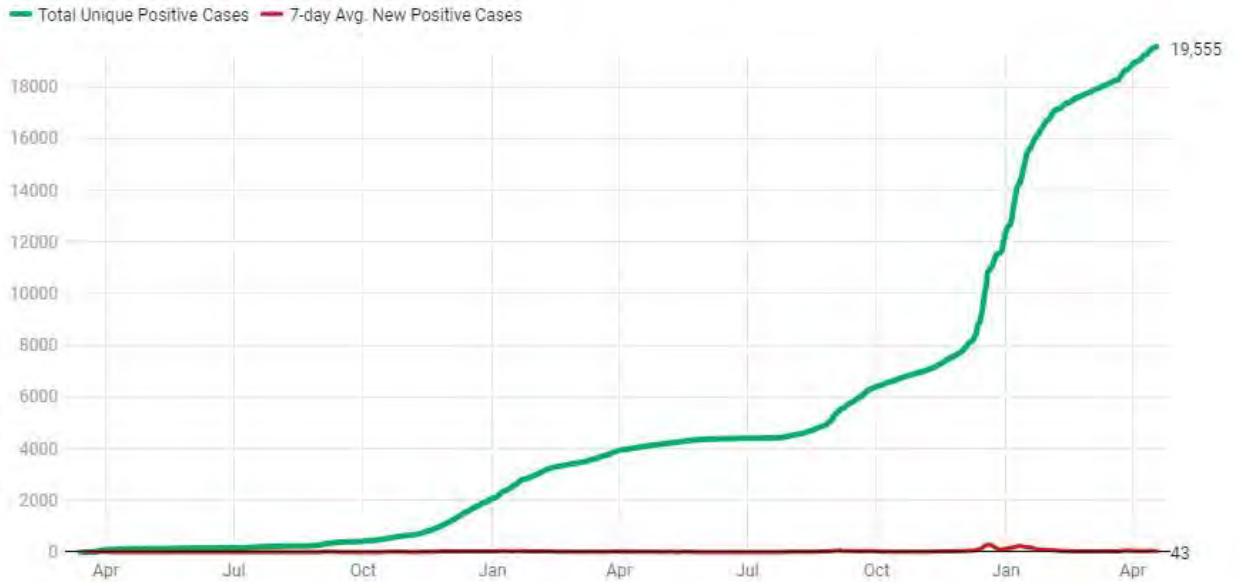


Updates may lag. See <http://bit.ly/dwgraphsref> for data prior to 6/1/21.

Chart: TCHD • Source: TCHD • [Get the data](#) • Created with [Datawrapper](#)

Total Cases

COVID-19, Tompkins County, N.Y. Data from 3/14/20 to the present. Active cases are calculated as total positive cases minus the totals of both released cases and deaths.



(These graphs may not update every day)

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

Total Cases + Daily Active Cases + Daily Positive Cases

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.

— Percent Positive of Avg cases/Avg tests



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

Percent Positive Tests (avg. cases /avg. tests; from 6/1/21)

Transmission Level

COVID-19, Tompkins County, N.Y. 7-day total cases per 100,000 population. (6/1/21 to the present.)

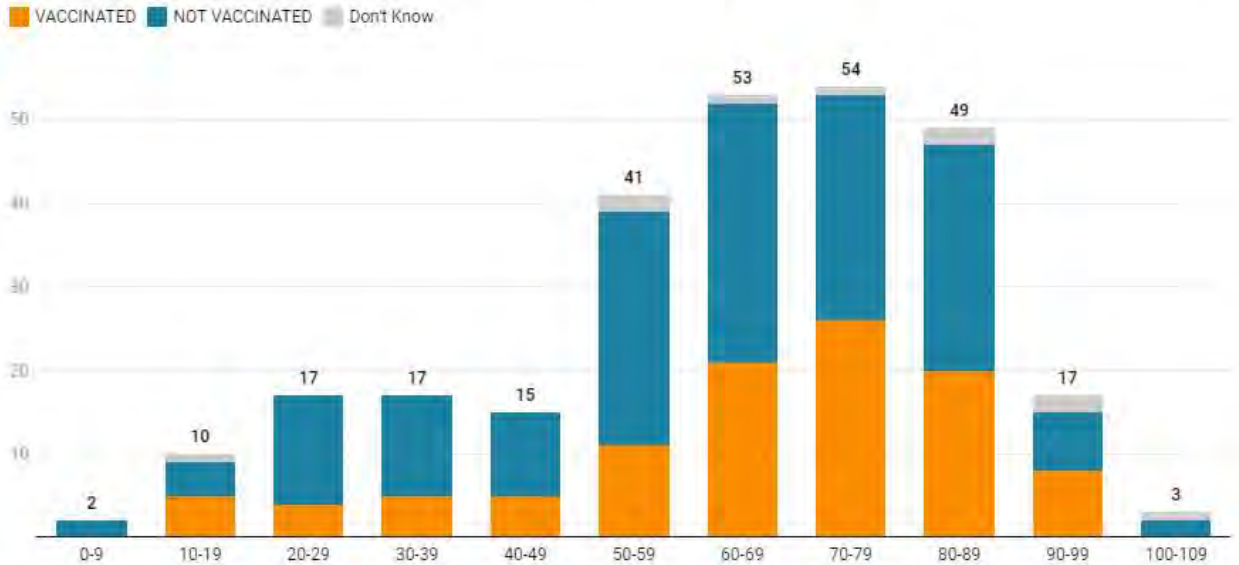
— Level of Community Transmission



TRANSMISSION LEVEL (Level of Community Transmission): defined by the CDC as the "total number of new cases per 100,000 persons within the last 7 days." County pop. 102,180 (2019 US Census pop. estimate)
Chart: Tompkins County Health Department, Ithaca, N.Y. • Source: TCHD • [Get the data](#) • Created with [Datawrapper](#)

COVID-19-Positive Hospitalizations: Age and Vaccination Status

Tompkins County residents who tested positive for COVID-19 upon admission to Cayuga Medical Center. Totals are for the period Aug. 1, 2021 to April 13, 2022. N=278.



Average age: Vaccinated=65.7 yrs, Unvaccinated=60.7 yrs, Don't Know=71.3. For explanation of vaccination status, go to <https://bit.ly/dwgraphsref>
 Chart: TCHD - Source: Cayuga Health System, compiled by TCHD - Created with [Datavwrapper](#)

Deaths Attributed To COVID-19, Tompkins County Residents

Resident Deaths X Age and Vaccination Status from Feb. 1, 2021

Tompkins County residents. Totals Feb. 1, 2021 through March 31, 2022. N=35.

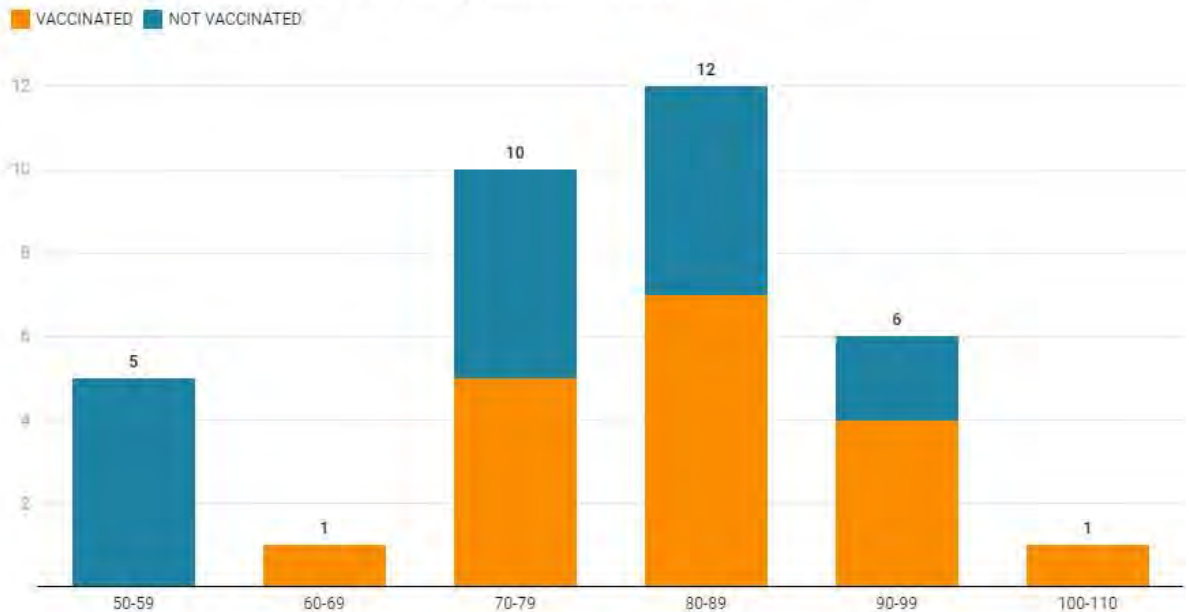


Chart: TCHD - Source: Cayuga Health System, compiled by TCHD - Created with [Datavwrapper](#)

Resident Deaths X Month and Vaccination Status from Feb. 1, 2021

Tompkins County residents. Totals Feb. 1, 2021 through March 31, 2022. N=35.

VACCINATED NOT VACCINATED

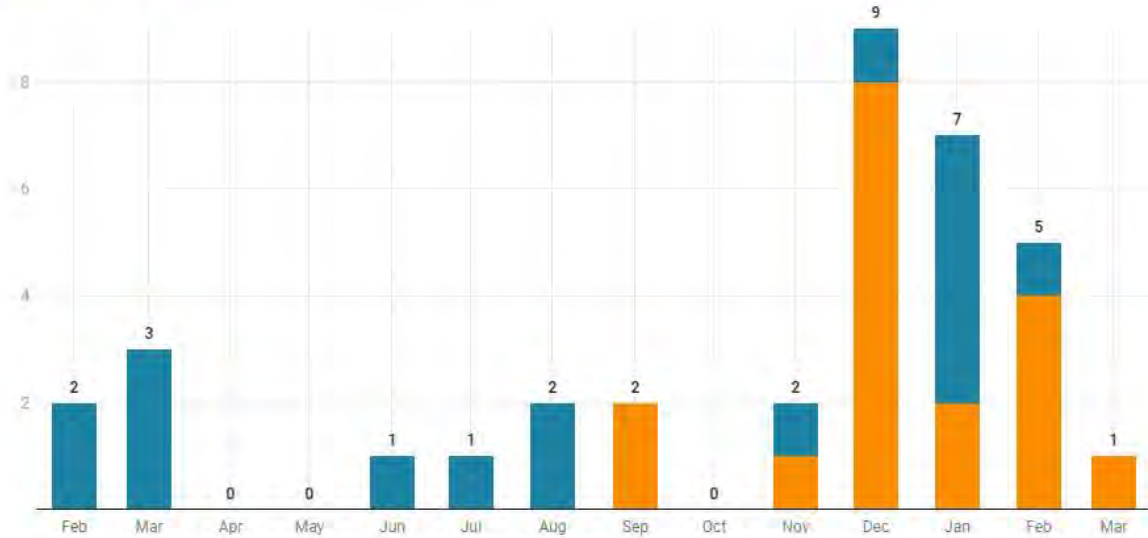


Chart: TCHD • Source: Cayuga Health System, compiled by TCHD • Created with Datawrapper

Drug Overdoses and deaths

As you know the rise in drug overdoses and deaths started before the pandemic but markedly accelerated during the pandemic and continues unabated. Experts state that consumers of drugs purchased on the street are not sufficiently aware that synthetic fentanyls are highly likely to contaminate the product that they are buying. They are also unaware that those fentanyl like drugs are highly likely to cause overdose and death. Recently I submitted a letter to the editor addressing this fact but that is not sufficient. Our department in association with our partners throughout the region must repeat this fact via all forms of media.

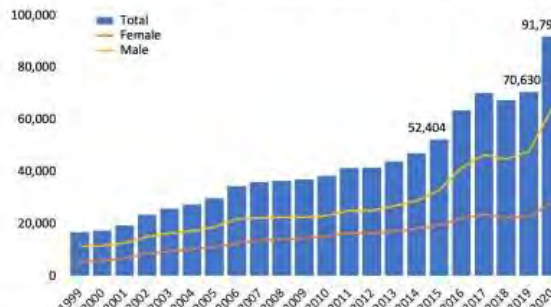
Some data:

Figure 1.
National Drug-Involved Overdose Deaths—Number Among All Ages, by Gender, 1999-2020. Nearly 92,000 persons in the U.S. died from drug-

involved overdose in 2020, including illicit drugs and prescription opioids.

The figure above is a bar and line graph showing the total number of U.S. drug overdose deaths involving any illicit or prescription opioid drug from 1999 to 2020. The bars are overlaid by lines showing the number of deaths by gender from 1999 to 2020 (Source: CDC WONDER).

**Figure 1. National Drug-Involved Overdose Deaths*
Number Among All Ages, by Gender, 1999-2020**



*Includes deaths with underlying cause of unintentional drug poisoning (E85-E88), suicide drug poisoning (X50-X54), homicide drug poisoning (X65), or drug poisoning of undetermined intent (Y10-Y14), as coded in the International Classification of Diseases, 10th Revision. Source: Centers for Disease Control and Prevention, National Center for Health Statistics, Multiple Cause of Death, 1999-2020 on CDC WONDER Online Database, released 12/2/22.

Figure 2.
National Drug-Involved Overdose Deaths by Specific Category—Number Among All Ages, 1999-2020. Overall,

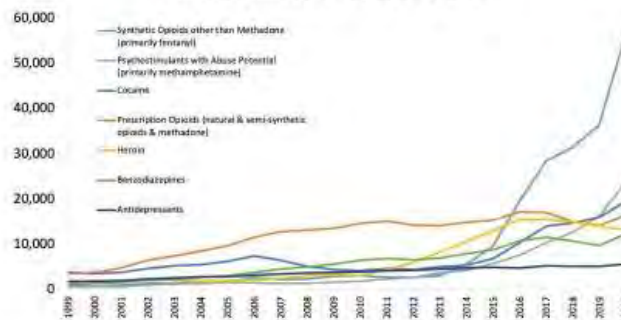
drug overdose deaths rose

from 2019 to 2020 with 91,799 drug overdose deaths reported in 2020.

Deaths involving synthetic opioids other than methadone (primarily fentanyl) continued to rise with 56,516 overdose deaths reported in 2020.

Those involving psychostimulants with abuse potential (primarily methamphetamine) also continued to increase to 23,837 (Source: CDC WONDER).

**Figure 2. National Drug-Involved Overdose Deaths*,
Number Among All Ages, 1999-2020**



*Includes deaths with underlying cause of unintentional drug poisoning (E85-E88), suicide drug poisoning (X50-X54), homicide drug poisoning (X65), or drug poisoning of undetermined intent (Y10-Y14), as coded in the International Classification of Diseases, 10th Revision. Source: Centers for Disease Control and Prevention, National Center for Health Statistics, Multiple Cause of Death, 1999-2020 on CDC WONDER Online Database, released 12/2/22.

“There were 91,799 drug-involved overdose deaths reported in the U.S. in 2020 (Figure 1); 69% of cases occurred among males (yellow line). Synthetic opioids other than methadone (primarily fentanyl) were the main driver of drug overdose deaths with a 6-fold increase from 2015 to 2020 (Figure 2).

- Drug overdose deaths involving any opioid—prescription opioids (including natural and semi-synthetic opioids and methadone), other synthetic opioids other than methadone (primarily fentanyl), and heroin—continued to rise through 2020 with 68,630 deaths. More than 70% of deaths occurred among males. From 2019 to 2020, the number of deaths involving prescription opioids rose, after remaining steady for two years, to 16,416.
- Overdose deaths involving heroin has trended down since 2016 with 13,165 deaths reported in 2020. More than 68% of overdose deaths involving heroin also involved synthetic opioids other than methadone (primarily fentanyl).
- Since 2014, the number of deaths involving psychostimulants (primarily methamphetamine) have risen significantly each year, with 23,837 deaths in 2020. Cocaine too, has increased steadily since 2014 with 19,447 deaths reported in 2020.
- Benzodiazepines were involved in 12,290 deaths in 2020—a steady decline from the 11,537 deaths in 2017. Deaths involving antidepressants have remained steady since 2014, with 5,597 fatalities reported in 2020. Deaths involving benzodiazepines or antidepressants are mainly driven by those also involving opioids.”

<https://nida.nih.gov/drug-topics/trends-statistics/overdose-death-rates>

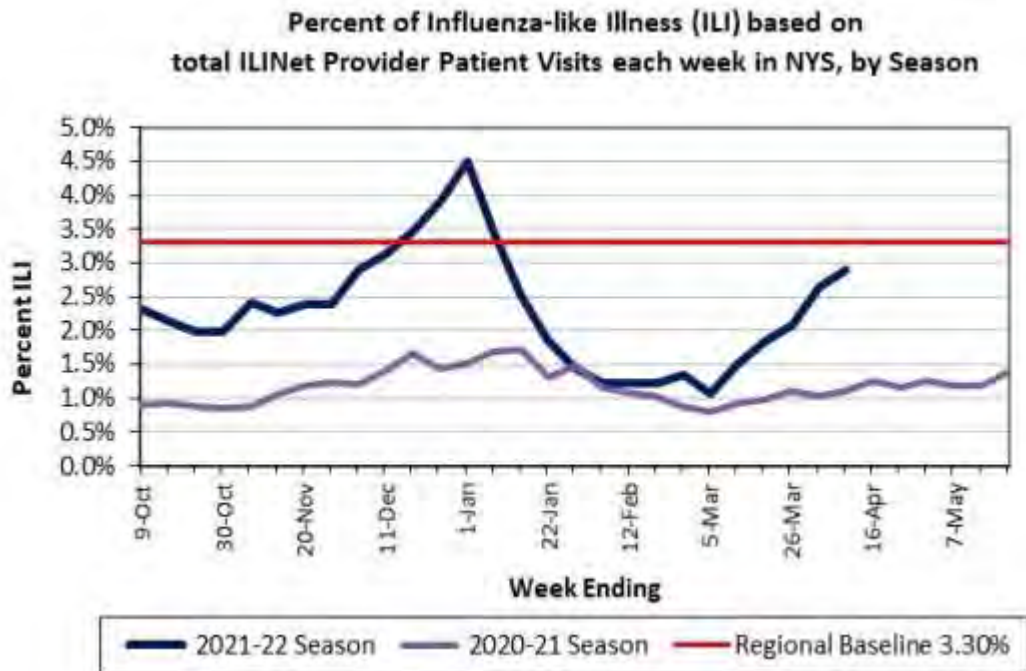
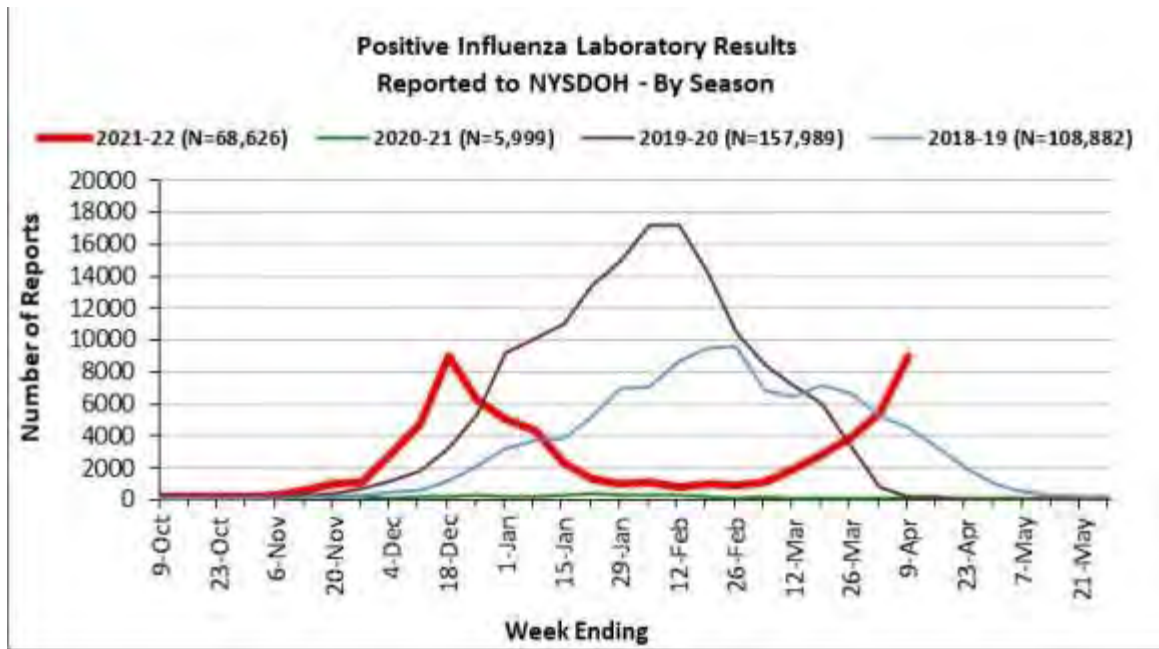
Influenza

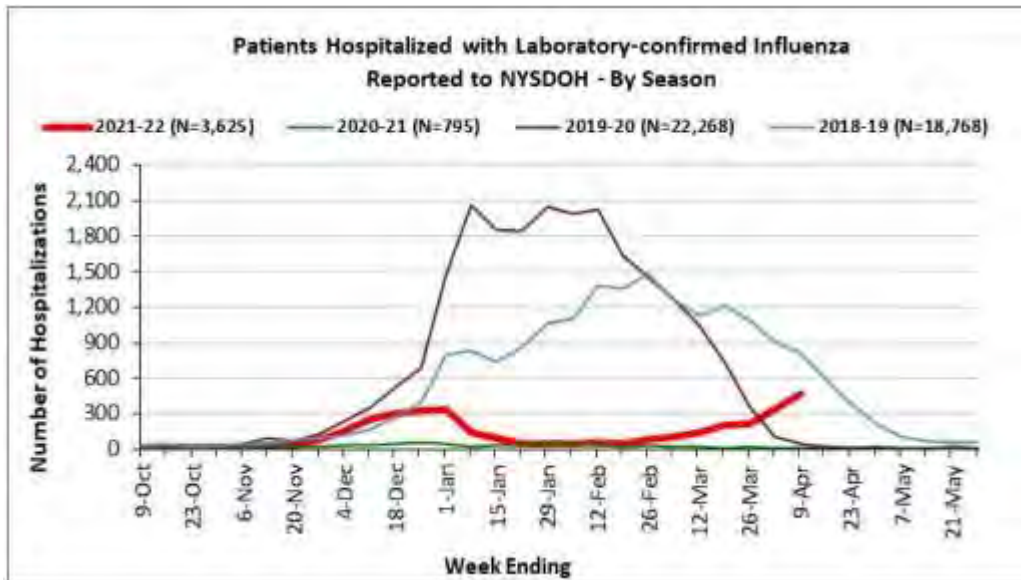
Not so good news this month. Since my last report influenza is making a comeback – quite atypically:

The New York State Department of Health (NYSDOH) collects, compiles, and analyzes information on influenza activity year round in New York State (NYS) and produces this weekly report during the influenza season (October through the following May).¹

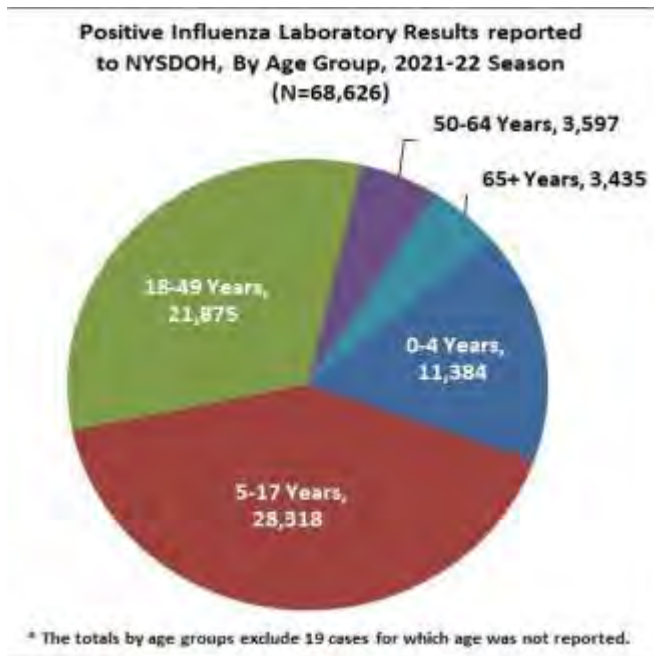
During the week ending April 09, 2022

- Influenza activity level was categorized as geographically widespread². This is the 21th consecutive week widespread activity has been reported.
- Laboratories tested 62,008 specimens for influenza, of which 8,980 (14.5%) were positive, a 63% increase over last week.
- Of the 5,586 specimens submitted to WHO/NREVSS clinical laboratories, 566 (10.13%) were positive for influenza A.
- Of the 9 specimens tested at Wadsworth Center, 8 were positive for influenza A (H3).
- The percent of patient visits for influenza-like illness (ILI³) from ILINet providers was 2.89%, below the regional baseline of 3.30%.
- The number of patients hospitalized with laboratory-confirmed influenza was 471, a 41% increase over last week.
- There were no influenza-associated pediatric deaths reported this week. There have been no influenza-associated pediatric deaths reported this season.

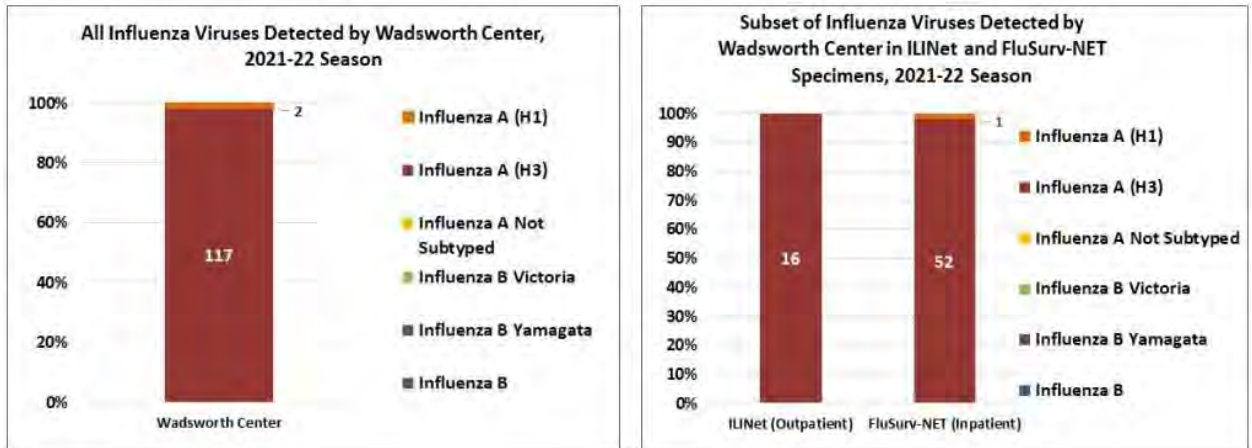




It appears that the younger age groups are predominantly getting infected:



And that the type of virus is H3 not some very deviant type



Hopefully, the progression of spring will curtail this trend in the absence of some very pathogenic strain.

THC legalization – Is the Toronto experience what we may expect?

The NY Times reports that Toronto has favored unfettered competition when it comes to licensing THC dispensaries. This has had the following outcomes:

In 2018, Canada became the [second country in the world](#) after Uruguay to legalize marijuana, in an effort to extinguish the criminal trade and keep the substance out of the hands of youth by regulating the market.

In only three years, sales of legal marijuana in Ontario have outpaced estimates of unlicensed sales and boosted the economy by \$10.6 billion.

More Canadians consume it than did before — 25 percent of people 16 and up.

Just 12 THC shops existed in the sprawling city of 2.8 million back in March 2020. Today, 430 compete for customers, with another 88 in the approval process, even as some struggle to stay open amid the stiff competition. Crowded competition has pushed some shops out of business.

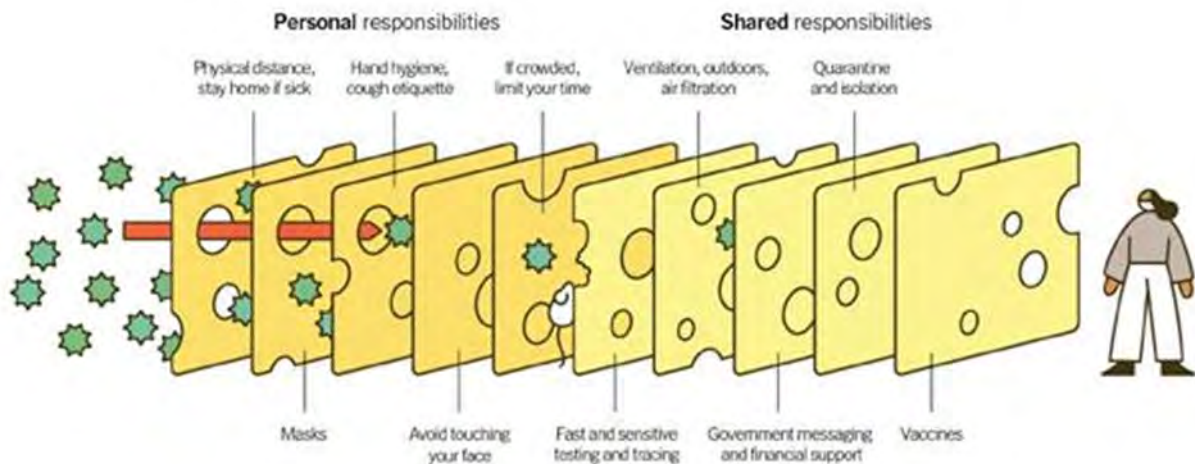
The biggest problem for store owners is an inability to differentiate their product. Every legal store is required to get their supply from the government wholesaler. That means they all sell the same things, in the same plain, sealed packages.

So, in general, legalization has helped to limit the illegal market, promote safer packaging, and produced revenues. The increase in usage in ages 16 and up is troubling since we know that the human brain is particularly susceptible at least to age 25. Corrections in Toronto are to be expected. Many shops will fail and close. Hopefully, those that remain will be fully compliant with public health law and providing quality information and counseling will be an element in

their success. The challenge is for TCHD to promote messaging that reinforces the messages of the Office of Cannabis Management in NYS, and for healthcare practitioners to wisely counsel their patients. <https://www.nytimes.com/2022/04/18/world/canada/toronto-cannabis-stores.html>

Multiple Layers Improve Success

The Swiss Cheese Respiratory Pandemic Defense recognizes that no single intervention is perfect at preventing the spread of the coronavirus. Each intervention (layer) has holes.



Source: Adapted from Ian M. Mackay (virologydownunder.com) and James T. Reason, Illustration by Rose Wong

The Communicable disease report for year to date

A couple of concerns are raised. Lyme disease and syphilis are already approaching levels of past years. Efforts through our STD program try to curb the spread of syphilis but find modern methods of individuals connecting anonymously to be a challenge. With the rise of Lyme disease, we can expect anaplasmosis and babesiosis to probably increase as well.

Division for Community Health

April 26th, 2022 Board of Health meeting

March 2022 monthly report

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

Communicable Disease:

- **Covid-19:** In early March, CDC released their new “Community Levels” system to monitor strain on hospital systems due to Covid. Tompkins County remained in the “low” community level for the month of March. The mask recommendation for public places was lifted and the school mask mandate was also lifted. Disease severity remains low. The number of Covid positive patients hospitalized at CMC during the month of March ranged from 0-7. There was one Covid death reported in March. New case numbers fluctuate and do not include the number of home test positives so this data point is becoming less useful. CHS staff continue to provide guidance to local organizations (child care, k-12, higher ed, senior living) to help navigate this new stage of pandemic response. CHS convenes a weekly Covid briefing via Zoom with community partners to discuss updates in guidance and collaborate on pandemic response. The VCC continues to call every positive case that is reported to TCHD via ECLRS to give instructions on isolation. VCC support will be ending at the end of April.
- **Salmonella:** Two cases of salmonella were reported to TCHD at the end of March and were found to be connected. These two cases both traveled to the same resort in Cancun, Mexico the week of 3/12 to 3/17. NYSDOH is aware and will be monitoring for any other cases that may be connected to this particular resort. The cases have both recovered uneventfully.

HIV

- TCHD continues to offer anonymous HIV testing at the TC Jail twice monthly. We are taking walk-ins and appointments at the Health Department as well. Plans are in motion to set up other clinic locations in the community.

SafeCare Program:

- A SafeCare trainer from NSTRC (National SafeCare Training and Resource Center) will be providing refresher training to two CHS nurses and one coach/nurse manager starting in the month of April. We are excited to be able to offer this program again once refresher training is complete.

Moms PLUS+

- The Moms PLUS+ program continues to take new clients. Our average census for March was 20-24. New MCH nurses are scheduled for lactation training in April. Survivor Moms' Companion is available to the community. TCHD and MH are coordinating to offer the SMC to shared and prospective clients. Community engagement continues as we enroll Maternal Child partners in implementing our new services.

Immunization Clinics:

- Our homebound Covid-19 booster program continues. During the month of March CHS nurses provided booster shots to 21 homebound Tompkins County residents.
- Covid-19 second boosters were recommended for certain eligible groups on March 29th by CDC. TCHD is not planning clinics to offer this additional booster and is directing community residents to their primary care physician or pharmacies to receive this booster. Homebound residents may register for an additional booster via the form on TCHD's website.

Rabies

- CHS and EH finalized new policy per the NYS updated guidance and will be sent for review and approval in April. A transition work plan is in place for CHS to take back

Rabies Post-exposure Prophylaxis for authorized county residents. New CHS staff have been trained in rabies protocol.

Lead

- CLPPP 2021-2022 grant year paperwork is being completed per the new guidelines. CHS, EH and HP are collaborating on the objectives for the Child Lead Poisoning Prevention Program in Tompkins County. TCHD Lead nurse continues to follow up on any elevated Blood Lead Level of 5 or more. TCHD is following 13 cases currently.

Tuberculosis

- CHS senior community health nurse Rachel Buckwalter is working on developing a policy for Video Observed Therapy for Tuberculosis treatment. This will be submitted to the BOH for review once it is finalized. Rachel is also taking a 4 week virtual “TB Intensive” course offered by the Global Tuberculosis Institute at Rutgers University as she is new to managing the TB program. TB nurse Caryl Silberman is continuing to provide case management for one TB case. CHS staff also completed a contact investigation for a recent confirmed TB case who passed away. Three close contacts have been identified and offered testing. CHS is also following up on two recent immigrants to Tompkins County who are completing additional TB testing required by CDC and NYSDOH.

Staffing

- New community health nurse Emme Edmunds starts on April 18th. She will be focused primarily on communicable disease surveillance and response. We are thrilled to have her join the team.

WIC Program:

Caseload Data:

February Final caseload data:

Enrollment: 1160
Participation: 1077
Participation/Enrollment %: 92.84%
93.60%
Participation/Caseload %: 71.80%
72.20%

Total participants seen in December: 476

December: 482

Appointment show rate: 96%

Preliminary March

Enrollment: 1157
Participation: 1083
Participation/Enrollment %:

Participation/Caseload %:

Total participants seen in

Appointment show rate: 93%

Program Highlights

1. WIC participation and enrollment continues to increase over the past 3 months.

Month	Target Caseload	Enrollment	Participation	% of Target	% of Enrollment	Final
OCT 2021	1,500	1,128	1,046	69.73%	92.73%	✓
NOV	1,500	1,138	1,052	70.13%	92.44%	✓
DEC	1,500	1,120	1,047	69.80%	93.48%	✓
JAN 2022	1,500	1,140	1,052	70.13%	92.28%	✓
FEB	1,500	1,160	1,077	71.80%	92.84%	✓
MAR	1,500	1,157	1,083	72.20%	93.60%	✗
YTD Average:	1,500	1,137	1,055	70.32%	92.75%	

2. No update on the next 5-year grant WIC RFA application. NYSDOH is hopeful that a new RFA will be released and a contract will be determined by the fall.
3. WIC Director is reviewing applications and will be scheduling interviews over the next two weeks for the current WIC Clerk position. The program also has an open breastfeeding peer counselor position. The WIC Director has completed interviews and will offer the position to the individual by April 15th.
4. On March 15, 2022, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act, 2022 was signed into law. This act includes an extension of the increased fruit and vegetable Cash Value Benefit (CVB) on the WIC food packages through September 30, 2022.

WIC participants will receive: \$24/month for children, \$43/month for pregnant and postpartum participants, and \$47/month for breastfeeding participants.

5. WIC staff are collaborating on several Outreach activities to help increase WIC enrollment and to reach low income families in Tompkins County.

- a. Partnering with the Health Department Community Health workers in attending local Health Fairs.
- b. Working with Tompkins County Administration to create a text to WIC Campaign.
- c. Updating social media platforms, exploring the use of Tik Tok.
- d. Partnering with Cornell Cooperative Extension and the Student Navigator program: Students that will be in the OBGYN office will help connect potentially eligible Women to WIC.

N.Y.S. Department of Health
Division of Epidemiology
Communicable Disease Monthly Report*, DATE: 05APR22
Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=March

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
CAMPYLOBACTERIOSIS**	1	11.7	0	0.0	0	0.0	1	11.7	0	0.0
COVID-19	1307	15349	425	4991.2	81	951.3	0	0.0	0	0.0
CRYPTOSPORIDIOSIS**	2	23.5	0	0.0	0	0.0	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
GIARDIASIS	0	0.0	1	11.7	0	0.0	0	0.0	0	0.0
HEPATITIS A	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
HEPATITIS B,CHRONIC**	1	11.7	2	23.5	1	11.7	0	0.0	1	11.7
HEPATITIS C,CHRONIC**	2	23.5	3	35.2	1	11.7	1	11.7	2	23.5
INFLUENZA A, LAB CONFIRMED	31	364.1	0	0.0	125	1468.0	227	2665.9	117	1374.0
INFLUENZA B, LAB CONFIRMED	0	0.0	1	11.7	51	598.9	8	94.0	20	234.9
INFLUENZA UNSPECIFIED, LAB CONFIRMED	0	0.0	0	0.0	0	0.0	1	11.7	0	0.0
LEGIONELLOSIS	1	11.7	1	11.7	0	0.0	0	0.0	0	0.0
LYME DISEASE** ****	25	293.6	0	0.0	0	0.0	1	11.7	0	0.0
MALARIA	0	0.0	0	0.0	1	11.7	0	0.0	0	0.0
SALMONELLOSIS**	1	11.7	1	11.7	0	0.0	1	11.7	1	11.7
STREP,GROUP B INVASIVE	2	23.5	1	11.7	0	0.0	0	0.0	0	0.0
STREP PNEUMONIAE,INVASIVE**	0	0.0	1	11.7	1	11.7	1	11.7	1	11.7
TUBERCULOSIS***	1	11.7	0	0.0	2	23.5	0	0.0	1	11.7
YERSINIOSIS**	1	11.7	0	0.0	0	0.0	1	11.7	0	0.0
SYPHILIS TOTAL.....	8	94.0	2	23.5	1	11.7	1	11.7	1	11.7

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
- P&S SYPHILIS	4	47.0	1	11.7	0	0.0	0	0.0	0	0.0
- EARLY LATENT	3	35.2	1	11.7	1	11.7	1	11.7	1	11.7
- LATE LATENT	1	11.7	0	0.0	0	0.0	0	0.0	0	0.0
GONORRHEA TOTAL.....	9	105.7	19	223.1	8	94.0	3	35.2	10	117.4
- GONORRHEA	9	105.7	19	223.1	8	94.0	3	35.2	10	117.4
CHLAMYDIA	49	575.5	32	375.8	40	469.8	48	563.7	40	469.8

*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: 05APR22
Through March
Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	0	0	100	0	31	0	11	0	47	0
BABESIOSIS**	0	0	19	0	8	0	3	0	10	0
CAMPYLOBACTERIOSIS**	4	0	19	0	17	0	27	0	21	0
CHIKUNGUNYA**	0	0	0	0	0	0	1	0	0	0
COVID-19	8063	0	9510	0	2451	0	0	0	0	0
CRYPTOSPORIDIOSIS**	3	0	14	0	14	0	11	0	13	0
ECOLI SHIGA TOXIN**	0	0	6	0	5	0	4	0	5	0
EHRlichiosis (CHAFEENSIS)**	0	0	0	0	0	0	1	0	0	0
EHRlichiosis (UNDETERMINED)**	0	0	0	0	0	0	1	0	0	0
ENCEPHALITIS, OTHER	0	0	1	0	2	0	1	0	1	0
ENCEPHALITIS, POST	0	0	0	0	1	0	0	0	0	0
GIARDIASIS	0	0	13	0	7	0	26	0	15	0
HAEMOPHILUS INFLUENZAE, NOT TYPE B	1	0	0	0	2	0	4	0	2	0
HEPATITIS A	0	0	7	0	12	0	0	0	6	0
HEPATITIS B,CHRONIC**	6	0	17	0	9	0	7	0	11	0
HEPATITIS C,ACUTE**	1	0	1	0	5	0	6	0	4	0
HEPATITIS C,CHRONIC**	3	0	33	0	36	0	39	0	36	0
INFLUENZA A, LAB CONFIRMED	55	0	265	0	526	0	772	0	521	0
INFLUENZA B, LAB CONFIRMED	1	0	6	0	738	0	62	0	269	0
INFLUENZA UNSPECIFIED, LAB CONFIRMED	0	0	1	0	0	0	1	0	1	0

Disease	2022		2021		2020		2019		Ave (2019-2021)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
LEGIONELLOSIS	1	0	3	0	0	0	3	0	2	0
LYME DISEASE** ****	54	0	60	0	37	0	55	0	51	0
MALARIA	0	0	0	0	2	0	0	0	1	0
MENINGITIS, ASEPTIC	0	0	0	0	1	0	1	0	1	0
MUMPS**	0	0	0	0	0	0	1	0	0	0
PERTUSSIS**	0	0	0	0	1	0	6	0	2	0
SALMONELLOSIS**	3	0	13	0	8	0	7	0	9	0
SHIGELLOSIS**	0	0	1	0	0	0	0	0	0	0
STREP,GROUP A INVASIVE	2	0	3	0	2	0	5	0	3	0
STREP,GROUP B INVASIVE	2	0	10	0	6	0	9	0	8	0
STREP,GROUP B INV,EARLY/LATE ONSET	0	0	0	0	1	0	0	0	0	0
STREP PNEUMONIAE,INVASIVE**	0	0	4	0	6	0	4	0	5	0
TUBERCULOSIS***	1	0	1	0	2	0	3	0	2	0
VIBRIO - NON 01 CHOLERA**	1	0	1	0	0	0	0	0	0	0
YERSINIOSIS**	1	0	1	0	0	0	2	0	1	0
SYPHILIS TOTAL.....	14	0	24	0	20	0	22	0	22	0
- P&S SYPHILIS	7	0	7	0	8	0	8	0	8	0
- EARLY LATENT	6	0	11	0	8	0	9	0	9	0
- LATE LATENT	1	0	6	0	4	0	5	0	5	0
GONORRHEA TOTAL.....	28	0	142	0	97	0	118	0	119	0
- GONORRHEA	28	0	142	0	96	0	117	0	118	0
- P.I.D.	0	0	0	0	0	0	1	0	0	0
- GONORRHEA,DISSEMINATED	0	0	0	0	1	0	0	0	0	0
CHLAMYDIA	106	0	337	0	396	0	513	0	415	0
CHLAMYDIA PID	0	0	0	0	0	0	2	0	1	0
OTHER VD	0	0	0	0	0	0	1	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.

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

Children with Special Care Needs Highlights
March 2022

Staff Activities

General overview of COVID/Program Work

- All CSCN nursing staff attend a weekly meeting for COVID updates. CSCN staff no longer doing Covid work

Staff Group Training

Committees/Meetings

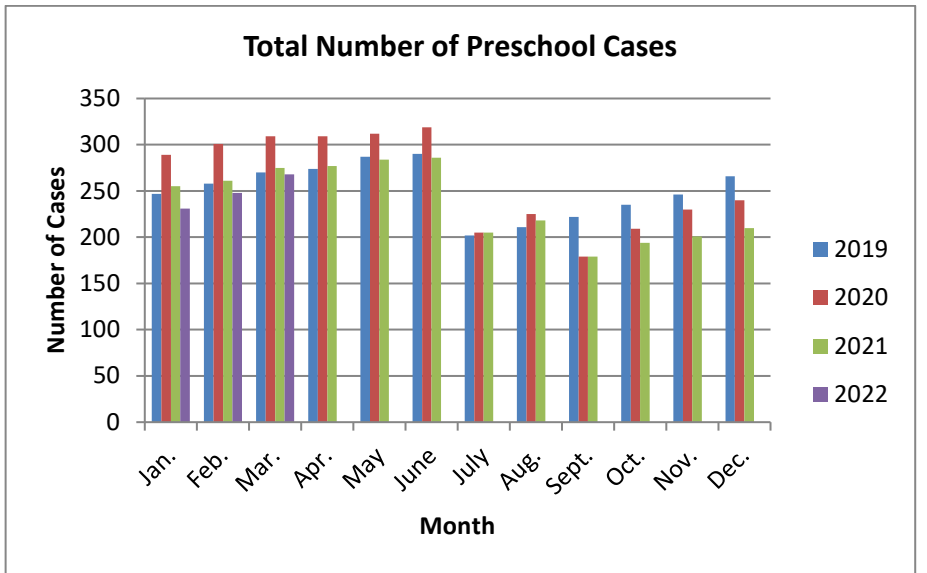
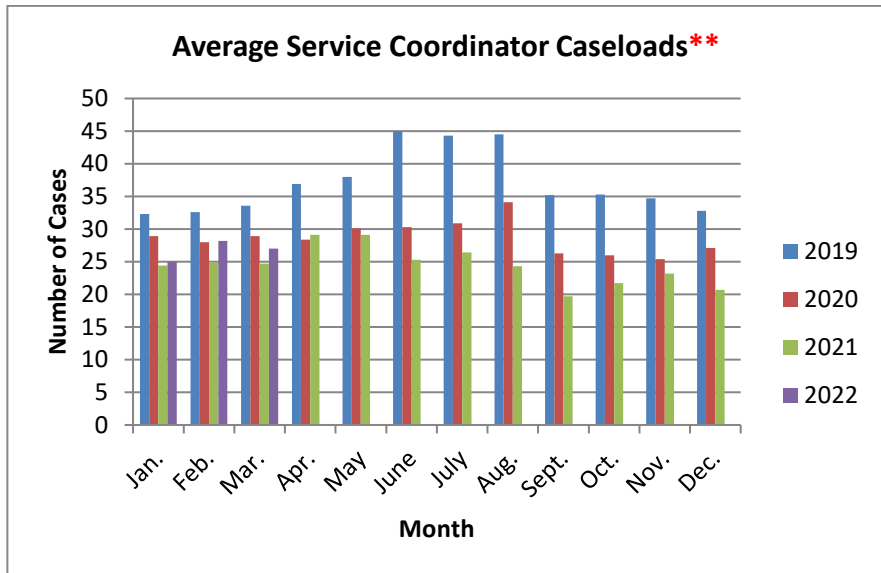
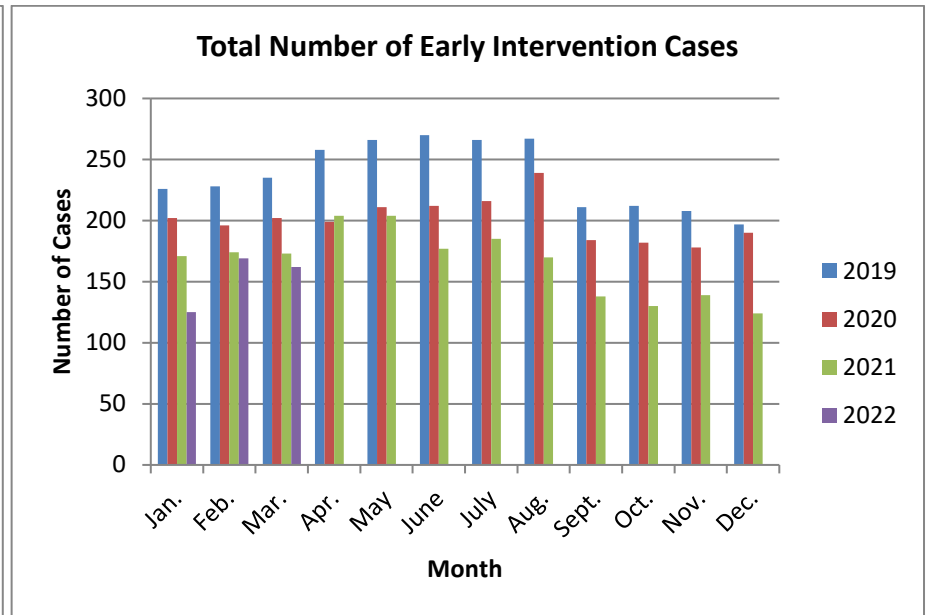
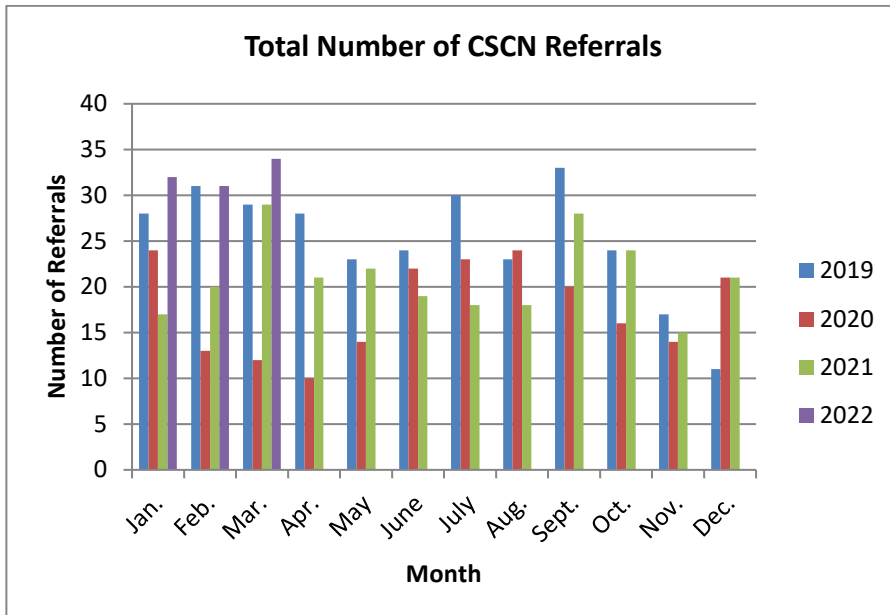
- CSCN Staff attended the Staff meeting 3/15/22

Division Manager—Deb Thomas:

- Senior Leadership Meetings-Debrief meetings every Thursday to review current COVID 19 work and Program work.
- Preschool Laserfiche demo with Cortland Co 3/29/22
- Birnie Bus meetings for contract and billing 3/21/22, 3/31/22
- Meeting with Providers, Kretz and Davis- Feeding issues 3/25/22
- BOH meeting 3/22/22
- Early Childhood Collaborative meeting 3/7/22
- Systems of Care meetings 3/3/22
- Bi-weekly strategic planning meeting with Sr Leadership 3/4/22
- Cross Functional Team meeting for Strategic Plan 3/25/22
- CYSHCN Project mtg 3/14/22, 3/17/22
- Interviews for the Sr Acct Clerk Typist position 3/2/22
- All County Conference call with Bureau of Early Intervention 3/17/22
- EICC meeting for updates 3/3/22
- NYSAC Standing Committee mtg 3/14/22
- Fellows information meeting 3/15/22 and 3/25/22
- Integrating Children's services mtg 3/15/22, 3/29/22
- TCHD programs interview live 3/16/22

** Early Intervention experiencing wait lists for speech services and Special Instruction teachers. NYSDOH BEI notified monthly.

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.**

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

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

ENVIRONMENTAL HEALTH HIGHLIGHTS

March 2022

Outreach and Division News:

New OWTS Permit Format: The Onsite Wastewater Treatment System (OWTS) team has wanted to simplify the format of the OWTS construction permits for several years. After multiple delays due to software issues and the pandemic, EH is happy to announce that the permit has now been updated. Previously, OWTS construction permits consisted of 10-12 pages that required referencing multiple pages for full site specifications. Beginning April 8, 2022, OWTS permits now consist of a two-page document that more clearly describes the details of the site design and system components with a link to the detailed specifications for the project. The specification sheets have been provided to the contractors that work on OWTS projects in Tompkins County and are available on the EH website:

<https://www.tompkinscountyny.gov/health/eh/owts/specs>.

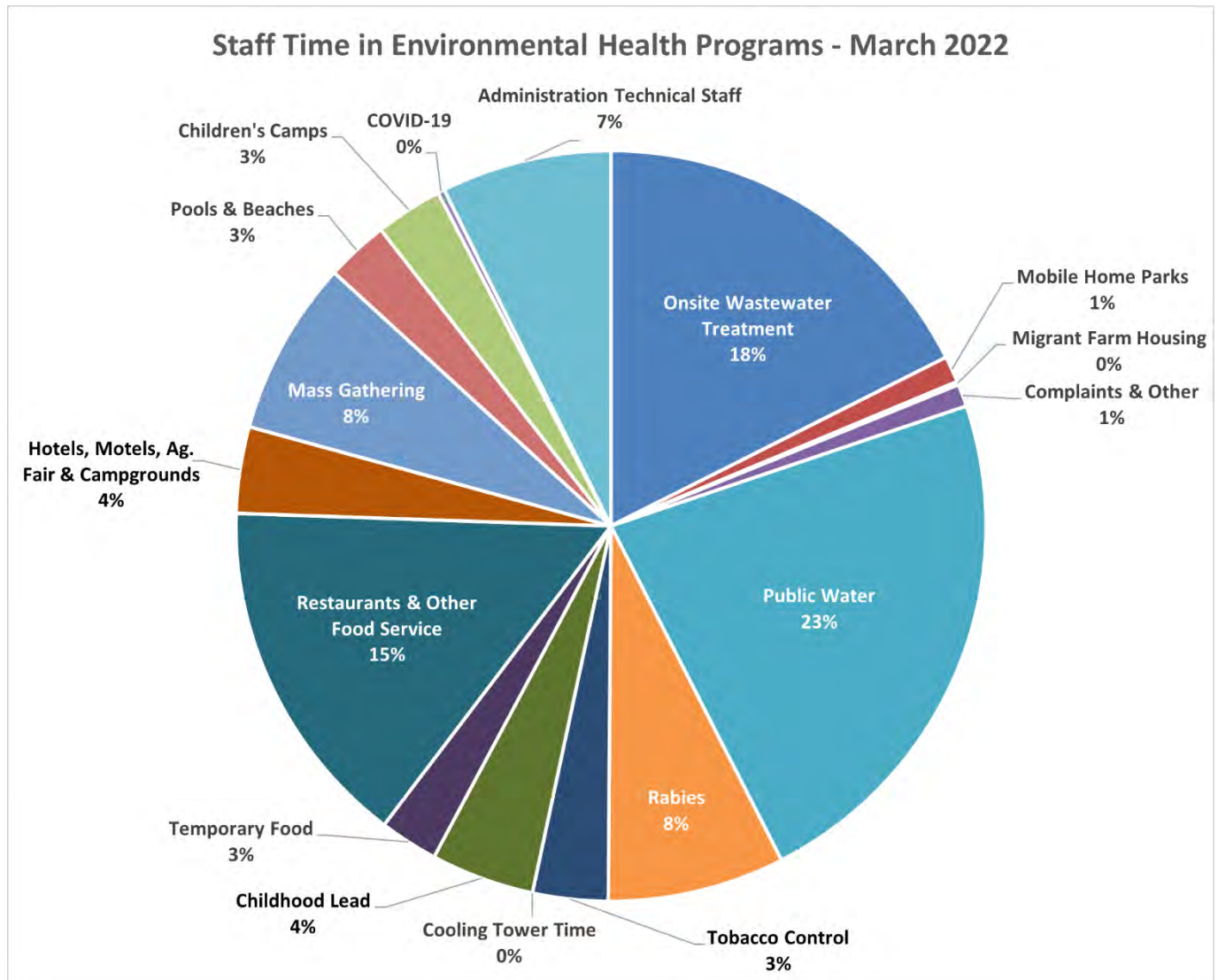
An example of the new permit is attached.

Kudos to Brenda Coyle, Katy Prince, and the entire OWTS team for the effort that went into updating the spec sheets, formatting to new permit, communicating with contractors, and revising the website to include this information!

Accela Update: ITS and our consultant sCube coordinated with EH in early April to update our permit management software Accela. With this upgrade, EH staff can now only use the new user interface. Thanks to Brenda Coyle and sCube for providing training overall and program-specific training on the new interface. We are optimistic that some of the other changes included in the upgrade will remove some long-standing issues we've had with the program and will allow us to make more modifications to Accela to better serve EH programs and activities.

NYSDOH Violation Training: Thanks to Tim Wiant from the Syracuse office of NYSDOH for coming to TCHD on March 23 and providing training to all EH technical staff on writing violations during inspections.

EH Programs Overview:



Division of Environmental Health
Summary of Activity (2022)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD	2021 Totals
ON-SITE WASTEWATER TREATMENT SYSTEMS (OWTS)														
Permits Issued	6	3	9	0	0	0	0	0	0	0	0	0	18	220
New Construction/Conversions	4	2	6										12	105
Replacements	2	1	3										6	115
Completion Certificates Issued	7	1	3	0	0	0	0	0	0	0	0	0	11	185
New Construction/Conversions	6	1	2										9	90
Replacements	1	0	1										2	95
ENGINEERING PLAN REVIEWS														
Realty Subdivisions	0	0	1										1	0
OWTS	1	2	2										5	29
Collector Sewer	0	0	1										1	0
Public Water Systems	0	0	0										0	7
Water Main Extension	0	0	1										1	5
Cross-Connection Control Devices	3	1	1										5	7
Other Water System Modification	0	0	1										1	3
Other Engineering Reviews	0	0	0										0	0
RABIES CONTROL PROGRAM														
Potential Human Exposure Investigations	22	19	29										70	472
Human Post-X Treatments	3	2	3										8	115
Animal Specimens Tested	8	9	11										28	172
Animals Testing Positive	1	1	0										2	4
Rabies Clinics Offered	0	0	1										1	4
Dogs Vaccinated	0	0	42										42	398
Cats Vaccinated	0	0	23										23	258
Ferrets Vaccinated	0	0	0										0	2
Pet Quarantine	0	0	0										0	0
CHILDHOOD LEAD PROGRAM														
Children with Elevated Blood Lead Levels	1	1	0										2	10
Sites Inspected	0	3	0										3	6
Abatement Completed	0	0	1										1	1
Lead Assessments Sent	0	0	0										0	2
FOIL REQUESTS														
Total Received	2	6	2										10	45
ADOLESCENT TOBACCO USE PREVENTION ACT (ATUPA) (65 Operations *) & CLEAN INDOOR AIR ACT (CIAA)														
ATUPA (Adult & Minor) Compliance Checks	13	47	30										90	28
Violations	0	0	0										0	2
CIAA Complaints	0	0	0										0	5
COMPLAINTS - General/Nuisance														
Complaint Investigations Opened	2	1	3										6	44
ENFORCEMENT ACTIONS														
Total Cases	5	0	5										10	17
Cases Related to FSE	4	0	1										5	6
BOH Penalties Assessed	\$4,900	\$0	\$2,500										\$7,400	\$8,450
BOH Penalties Collected	\$200	\$200	\$1,900										\$2,300	\$8,000
CUSTOMER SERVICE/SUPPORT														
Calls Received	579	462	642										1683	11156
Walk-In Customers	15	35	26										76	440
TCEH Emails Received	424	374	373										1171	6415
Applications Processed	41	167	140										348	1500
Payment Receipts Processed	18	150	137										305	1269
Renewals/Billings Sent	107	152	60										319	872

* As of 1/1/2022

** Includes Pre-op, Inspection, Re-inspection, HAACP, Sanitary Surveys (Doesn't include Co-Inspector/Field Visits)

Food Program Detailed Report:

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<https://www2.tompkinscountyny.gov/health/eh/food#fsetable>). 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:

- Tibetan Cooking Commissary, T- Ithaca
- Alcohol & Drug Council of Tompkins County, V-Lansing
- Revelry, C-Ithaca
- Hershey's Ice Cream, T-Newfield

New permits were issued for the following facilities:

- Asempe Kitchen - Throughout Tompkins
- ETA Pie - C-Ithaca
- Snow Farm Creamery - Throughout Tompkins
- Smash Bros World Foods - V-Lansing

Boil Water Orders (BWOs):

New:

- No BWOs issued in March.

Quarterly Overview of Accela/Accela Citizen Access (ACA) Records:

For the period of January 1 through March 31, 2022, 69 permit applications (23% of the 299 total applications that can be received through Accela Citizen Access) and 70 payments in the amount of \$17,690 were received electronically.

The following is a breakdown of permit records by program for the 1st quarter of 2022.

Program	Total Records Processed			Total Records Processed Electronically		
	1st Quarter	YTD 2022	Total 2021	1st Quarter	YTD 2022	Total 2021
Ag Fairground/Mass Gathering	0	0	1	0	0	0
Campground	1	1	9	1	1	5
Children's Camp	4	4	25	1	1	2
*Complaint	15	15	81	*	*	*
*Enforcement/NOV	16	16	91	*	*	*
Food Service Establishment	115	115	467	29	29	155
*Individual Water	0	0	0	*	*	*
*Information Request	23	23	230	*	*	*
Mobile Home Park	0	0	40	0	0	17
OWTS	32	32	268	12	12	60
*Other (Admin)	2	2	5	*	*	*
*Plan Review	9	9	41	*	*	*
Public Water	123	123	153	5	5	10
Swimming Pool/Beach	3	3	38	3	3	21
Temporary Food	20	20	130	18	18	119
Temporary Residence	1	1	37	0	0	17
Total	364	364	1616	69	69	406

*Not available in Accela Citizen Access (ACA)

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
1/25/22	Macro Mamas	Peggy Aker	Food Service Establishment – Repeat Critical Violations	\$200	Payment due 3/15/22	Monitoring Compliance
1/25/22	Taste of Thai Express	Taste of Thai Express Inc.	Food Service Establishment – Violation of Board of Health Orders	\$3200 (Received 4/13)	Re-inspection by TCHD to confirm compliance	Monitoring Compliance
3/22/22	Thai Basil	Sirilux Pensiri USA., LLC.	Food Service Establishment – Repeat Critical Violations	\$200	Payment due 5/13/22	Monitoring Compliance
3/22/22	Best Western University Inn	Satish Duggal	Temporary Residence – Repeat Critical Violations	\$400	Payment due 5/15/22	Monitoring Compliance
3/22/22	C&C/Chuck’s	Chuck’s Gas Mart, Inc.	ATUPA –Sale of Tobacco Product to Person Under 21	\$750	Payment due 5/13/22	Monitoring Compliance



Example

ONSITE WASTEWATER TREATMENT SYSTEM CONSTRUCTION PERMIT

Frank Kruppa, MPA
Public Health Director

Elizabeth Cameron, P.E.
Director of Environmental Health

Scott Freyburger, P.E.
Public Health Engineer

DIVISION OF ENVIRONMENTAL HEALTH - TOMPKINS COUNTY HEALTH DEPARTMENT
55 Brown Road, Ithaca, NY 14850-1386 Phone: (607) 274-6666 Fax: (607) 274-6695

Issued to:

Location:

Parcel Number:

Permit Number:

Record Type:

Maximum Design Flow:

Bedrooms (or equivalent):

Toilets:

Garbage Grinder:

Hot Tub/Spa:

Based on the application information provided and in accordance with the provisions of the Tompkins County Sanitary Code, you are hereby granted permission to construct an onsite wastewater treatment system meeting the design specifications and conditions noted herein at the above location.

No variation in location, construction, specifications, details or approved material types can be made without prior approval by the Tompkins County Health Department.

All household liquid wastes (including bathroom, kitchen, and laundry wastes) must be disposed of through this installation. Roof leaders, cellar drains and footer drains must be entirely separate from the onsite wastewater treatment system. It is recommended that water softeners discharge to a separate subsurface dispersion area.

Construction of a system in adherence with the design and conditions of this permit does not guarantee its function or durability.

Permit may be renewed once for a period of two more years or transferred to another person if a renewal/transfer application is submitted and paid for prior to its expiration.

Inspector:

CC:

Initial Issue Date: **08/30/2019**

Reissued Date:

Expiration Date: **08/30/2021**

Onsite Wastewater Treatment System Components and Specifications:

Septic Tank(s):

New 1500 Gallon Dual Chamber

Dosing/Pressure Distribution: **Pressure Dosing Required**

Minimum Pump Chamber Volume: **750 gallons**

Wastewater Treatment System Type: **Sand Filter with DMATS**

Sand Filter: **12 ft x 48 ft**

Maximum Bottom Depth: **48 in**

Top Distributor Pipes: **4**

Bottom Collector Pipes: **1**

Number of DMAT Trenches: **4**

Trench Dimensions: **2 ft x 52 ft**

Maximum Bottom Depth: **6 in**

Undisturbed Soil Footprint: **64 ft x 38 ft**

Additional required construction and material specifications are available by following the link or QR code below or by calling 274-6688 or at tceh@tompkins-co.org.

<http://www.tompkinscountyny.gov/health/eh/owts/index>

PERMIT MUST BE ON JOB SITE AT ALL TIMES DURING CONSTRUCTION AND INSPECTION

- SEE REVERSE FOR DESIGN AND CONDITIONS -



Issued to: [REDACTED]

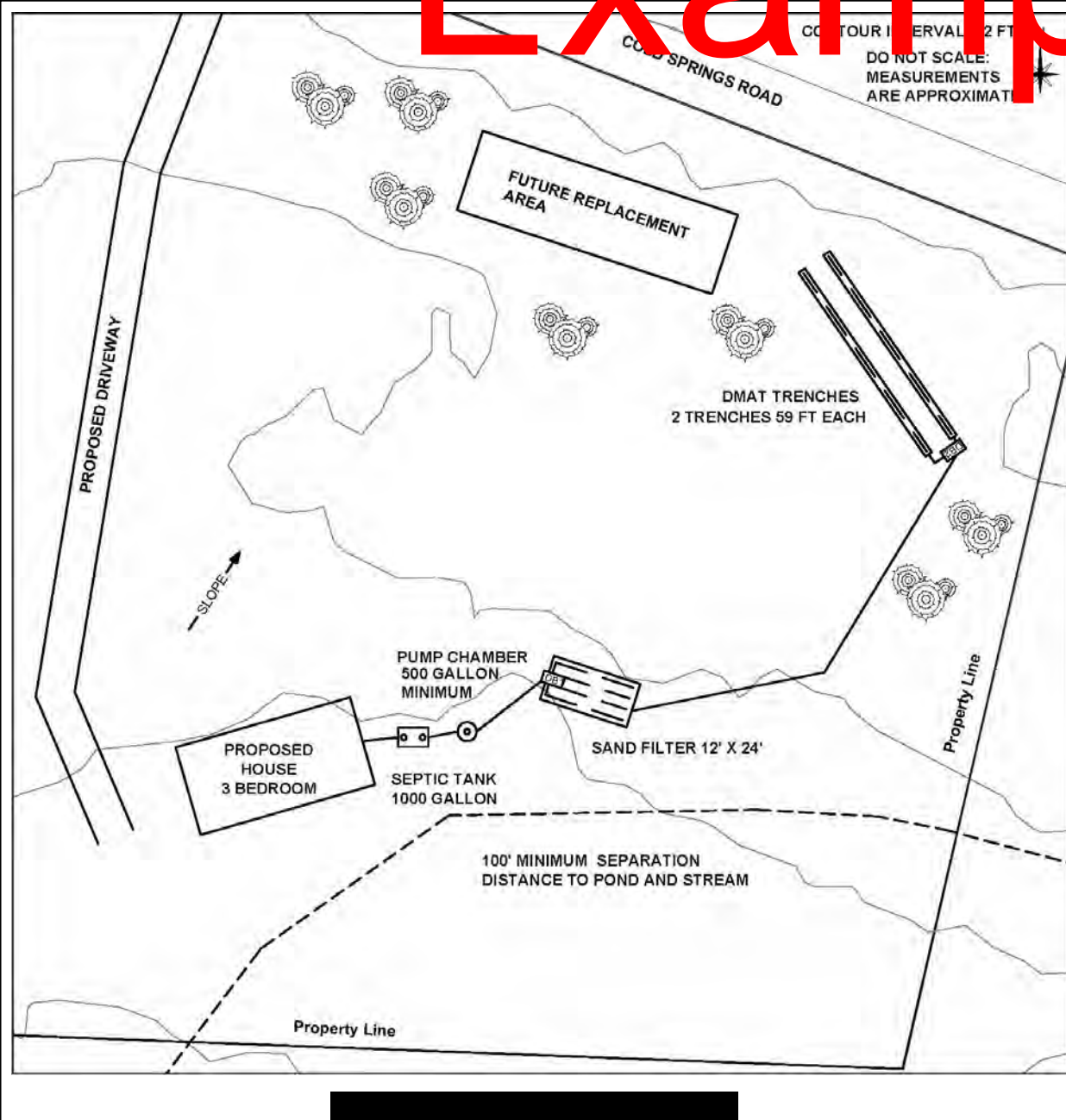
Location: [REDACTED]

Parcel Number: [REDACTED]

Permit Number: [REDACTED]

Example

Approved On-site Wastewater Treatment System Design and Construction



- This permit must be available on-site during construction and inspection.
- The system must be inspected by the Health Department before covering.
- If any of the permit condition cannot be met, call TCHD prior to construction.
- Confirm property lines before construction.
- Refer to Details and Specifications #1, 2 and 3 for Separation Distances, Piping and Distribution Box, and Septic Tank.
- Refer to Details and Specifications #4 Pumps
- Refer to Details and Specifications #7 Sand Filter and #5 Sand Suppliers
- Refer to Details and Specifications #8 DMATS
- Install system in undisturbed soils.
- Maintain minimum required horizontal and vertical separation distances (see Separation Distances table).
- Call TCHD to arrange for bottom inspection of sand filter.
- Maximum depth of sand filter is 48" below original grade.
- Berm sides of a raised sand filter with tight soil – taper sides at 1' rise over 3' run.
- Material weigh slips for approved filter sand required at time of final inspection (slips must include job name).
- TCHD recommends removing trees in close proximity to the sewage system to help prevent root infestation.





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 AND REGULAR MAIL

April 13, 2022

Cayuga Smoke Shop Inc.
Attention: Ali Hassan
207 North Aurora Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0007
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Cayuga Smoke Shop, C-Ithaca**

Dear Ali Hassan:

Thank you for signing the Stipulation Agreement on March 25, 2022, for the Cayuga Smoke Shop. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 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, April 22, 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 by April 22, 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 Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Cayuga Smoke Shop\Draft Res 22-0007.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; 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
www.tompkinscountyny.gov/health/eh

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

DRAFT RESOLUTION # EH-ENF-22-0007 FOR

**Cayuga Smoke Shop
Cayuga Smoke Shop Inc/Ali Hassan, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on February 25, 2022, Tompkins County Health Department (TCHD) staff observed more than 400 individual flavored vapor products containing nicotine offered for sale at Cayuga Smoke Shop; **and**

Whereas, Cayuga Smoke Shop Inc has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for Cayuga Smoke Shop Inc, Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 7, 2022, agreeing that Cayuga Smoke Shop violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Cayuga Smoke Shop Inc, Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To comply with all the requirements of New York State Public Health Law, Article 13F.



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
Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0007

**Cayuga Smoke Shop
Cayuga Smoke Shop Inc/Ali Hassan, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

I, Ali Hassan, as a representative for Cayuga Smoke Shop Inc., agree that on February 25, 2022, Cayuga Smoke Shop was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Cayuga Smoke Shop sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: *Ali Hassan*

Date: 3-25-22

Cayuga Smoke Shop Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed: *Brenda Annick Bush*
for Frank Kruppa
Public Health Director

Date: 3/29/2022

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: Cayuga Smoke Shop (ID: 1077709)
 Facility Name: Cayuga Smoke Shop
 Facility Code: ATUPA
 Facility Address: 207 North Aurora Street, Ithaca, NY 14850
 Facility Type: Tobacco Business

To the Attention of:

Cayuga Smoke Shop Inc
 207 N Aurora
 Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: February 25, 2022 11:27 AM
 Inspector: Dillon Shults (dshults@tompkins-co.org)
 Person in Charge of Establishment: Ali Hassan

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 85-3089559 Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Not Available ID Number: 85-3089559 Year of Registration Expiration: 2022

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
 Bidis/Gutka offered for sale? No
 Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
 Out of package sale and minimum package size requirements met? Yes

Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
 When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: During the inspection, I observed multiple flavored nicotine vapor products for sale on the shelf directly behind the counter. I took a photograph of the flavored products on my personal cell phone.

I spoke with Ali, working at the counter, and conveyed to him that the sale of flavored nicotine vapor products, at retail stores, is prohibited in New York State. I also provided Ali with relevant educational materials. Ali indicated he was willing to comply with the subject regulation.

While I was conducting the inspection, Ali removed several packages of flavored nicotine vapor products. Ali stated he would remove the remaining flavored nicotine vapor products from the shelf and that they would not be offered for sale at the store in the future.



Inspector: Dillon Shults (dshults@tompkins-co.org)



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
Fx: (607) 274-6695

CERTIFIED AND REGULAR MAIL

April 13, 2022

Commons Market
Attention: James Wells
122 North Aurora Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0009
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Commons Market, C-Ithaca**

Dear James Wells:

Thank you for signing the Stipulation Agreement on March 23, 2022, for the Commons Market. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 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, April 22, 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 by April 22, 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,

A handwritten signature in cursive script that reads "Elizabeth Cameron".

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

Enclosure (s) – Draft Resolution, Stipulation Agreement and Orders, and Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Common's Market\2022 Enforcement\Draft Res 22-0009.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Ithaca Building Department; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Brenda Coyle
scan: Signed copy to Accela



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

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

DRAFT RESOLUTION # EH-ENF-22-0009 FOR

**Common's Market
J & C Wells, Inc. /James Wells, Owner/Operator
122 North Aurora Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March 4, 2022, Tompkins County Health Department (TCHD) staff purchased a watermelon flavored nicotine vapor product and observed more than 400 individual flavored vapor products containing nicotine offered for sale at Common's Market; **and**

Whereas, on March 4, 2022, TCHD staff observed 17 boxes of hookah tobacco stored on an open ground-level shelf accessible to customers; **and**

Whereas, Common's Market has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for J & C Wells, Inc., Owner, signed a Stipulation Agreement with Public Health Director's Orders on March 23, 2022, agreeing that Common's Market violated Article 13-F, Section 1399-MM-1 of the NYSPL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That J & C Wells, Inc., Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container; **and**
4. To comply with all the requirements of New York State Public Health Law, Article 13F.



NEW!
MAR 25 2022

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-22-0009

**Common's Market
J & C Wells, Inc. /James Wells, Owner/Operator
207 North Aurora Street
Ithaca, NY 14850**

I, James Wells, as a representative for J & C Wells, Inc., agree that on March 4, 2022, Common's Market was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container.
3. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Common's Market sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: James Wells Date: 3-23-22

J & C Wells, Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Frank Kruppa Date: 3/25/2022
for Frank Kruppa
Public Health Director

Additional Information Collected During Inspection

Comments:

Multiple violations are observed:

1. TCHD staff purchased a Puff Plus watermelon flavored vapor product containing 5% nicotine for \$10 cash from the facility.
2. Following the purchase, more than 400 individual vapor products containing nicotine and flavored other than tobacco, were observed for sale behind the counter on display at the facility. Staff removed products from display at the time of inspection. Staff stated that they had stopped selling flavored vapor products with nicotine after a field visit from TCHD staff in May 2021 but after seeing other stores around town selling flavored vapor products with nicotine decided to start selling them again.
3. Observed seventeen (17) boxes of mint and blueberry flavored hookah tobacco being stored on an open shelf accessible to customers no more than 8" off of the floor. Products were moved to a shelf more than 60" off of the ground and behind the counter during inspection.

Enforcement action to follow.



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

Photo

Caption



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale



Flavored vapor products containing nicotine for sale

Photo

Caption



Flavored vapor products containing nicotine for sale



Flavored hookah tobacco products stored on shelf at floor level



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 AND REGULAR MAIL

April 13, 2022

Ayra Convenience Inc
Attention: Vijay Krumar Patel
428 Eddy Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0013
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Ayra Convenience Inc, C-Ithaca**

Dear Vijay Krumar Patel:

Thank you for signing the Stipulation Agreement on April 5, 2022, for Arya Convenience Inc. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 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, April 22, 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 by April 22, 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 Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Ayra Convenience\Enforcement\Draft Res 22-0013.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Adriel Shea; 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
www.tompkinscountyny.gov/health/eh

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

DRAFT RESOLUTION # EH-ENF-22-0013 FOR

**Ayra Convenience Inc
Ayra Convenience Inc./Vijay Krumar Patel, Owner/Operator
428 Eddy Street
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March 17, 2022, Tompkins County Health Department (TCHD) staff purchased a menthol flavored nicotine vapor product and observed more than 85 individual flavored vapor products containing nicotine at the Ayra Convenience; **and**

Whereas, Ayra Convenience Inc. has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, a representative for Ayra Convenience Inc., Owner, signed a Stipulation Agreement with Public Health Director's Orders on April 5, 2022, agreeing that Ayra violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ayra Convenience Inc., Owner, is ordered to:**

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To comply with all the requirements of New York State Public Health Law, Article 13F.



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

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Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0013

**Ayra Convenience Inc
Ayra Convenience Inc./Vijay Krumar Patel, Owner/Operator
428 Eddy Street
Ithaca, NY 14850**

I, Vijay Krumar Patel, as a representative for Ayra Convenience, agree that on March 17, 2022, Ayra Convenience Inc, was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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:

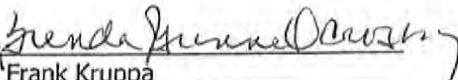

1. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Ayra Convenience sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that the Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed:  Date: 04-05-2022

Ayra Convenience Inc is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 4/6/22
 Frank Kruppa
Public Health Director

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: AYRA CONVENIENCE INC (ID: 1079772)
Facility Name: AYRA CONVENIENCE INC
Facility Code: ATUPA
Facility Address: 428 Eddy Street, Ithaca, NY 14850
Facility Type: Convenience Store

To the Attention of:

AYRA CONVENIENCE INC
428 Eddy Street
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: March 17, 2022 11:41 AM
Inspector: Rebecca Sims (rsims@tompkins-co.org)
Person in Charge of Establishment: Jay Patel

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 87-3856465 Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 87-3856465 Year of Registration Expiration: 2022

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? No
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? Yes
Out of package sale and minimum package size requirements met? Yes

Signs and Posting

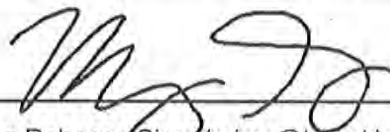
Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: TCHD staff purchased a 4-pack of menthol Juul pods containing 5% nicotine for \$20 cash from this location. ID was checked before purchase. Immediately following, an adult inspection was performed and 85 flavored vapor products containing nicotine were observed behind the counter, though only 11 were on display for sale, the remaining products were under the counter.

The cashier stated that the facility had been recently purchased and was under new ownership. He stated that the inventory of the store was purchased and that he was not aware that flavored vapor products should not be offered for sale. All of the products were removed from the sale area at the time of inspection. Formal enforcement to follow.

Vijay Krumar Patel - new owner



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

Photo



Caption

Flavored nicotine vapor products offered for sale



Flavored nicotine vapor products for sale



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 AND REGULAR MAIL

April 13, 2022

Ithaca Convenience, LLC
Attention: Yasser Hassan
155 Dryden Road
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-22-0014
Alleged Violation of Adolescent Tobacco Use Prevention Act (ATUPA)
Ithaca Convenience, LLC, C-Ithaca**

Dear Yasser Hassan:

Thank you for signing the Stipulation Agreement on April 7, 2022, for the Ithaca Convenience, LLC. Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, April 26, 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, April 22, 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 by April 22, 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 Inspection Report

pc: F:\EH\TOBACCO\ATUPA\Facilities\Ithaca Convenience\Enforcement\Draft Res 22-0014.docx
ec: Tompkins County Board of Health (via; Karan Palazzo, TCHD)
Tim Wiant, NYSDOH; Mayor Laura Lewis; Richard John, TC Legislature; Shawna Black, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Skip Parr; Adriel Shea; 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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Ph: (607) 274-6688
Fx: (607) 274-6695

DRAFT RESOLUTION # EH-ENF-22-0014 FOR

**Ithaca Convenience, LLC
Ithaca Convenience, LLC/Yasser Hassan, Owner/Operator
155 Dryden Road
Ithaca, NY 14850**

Whereas, the representative of a business that sells retail tobacco products must comply with the regulations of Article 13-F, Section 1399-MM-1 of the New York State Public Health Law (NYSPHL) that prohibits the offer for sale and sale of flavored vapor products, other than tobacco flavored vapor products, that contain nicotine; **and**

Whereas, on March, 17, 2022, Tompkins County Health Department (TCHD) staff purchased a watermelon flavored nicotine vapor product and observed more than 600 individual flavored vapor products containing nicotine at the Ithaca Convenience LLC; **and**

Whereas, on March 17, 2022, TCHD staff observed more than 50 boxes of hookah tobacco on non-secured shelves accessible to customers; **and**

Whereas, on March 17, 2022, TCHD staff observed price tag signs offering discounts when two or more vapor products are purchased; **and**

Whereas, Ithaca Convenience LLC has been notified that future violations where flavored vapor products, other than tobacco flavored, containing nicotine, are sold or offered for sale will result in the Tompkins County Health Department seeking a fine amount of up to \$100 for each individual package sold or offered for sale; **and**

Whereas, Yasser Hassan, Operator, signed a Stipulation Agreement with Public Health Director's Orders on April 7, 2022, agreeing that Ithaca Convenience LLC violated Article 13-F, Section 1399-MM-1 of the NYSPHL; **now therefore be it**

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

1. Pay a penalty of \$600 for these violations, due by June 15, 2022. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone; **and**
3. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container; **and**
4. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price; **and**
5. To comply with all the requirements of New York State Public Health Law, Article 13F.



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
Fx: (607) 274-6695

STIPULATION AGREEMENT AND ORDERS # EH-ENF-22-0014

**Ithaca Convenience, LLC
Ithaca Convenience, LLC/Yasser Hassan, Owner/Operator
425 Eddy Street
Ithaca, NY 14850**

I, Yasser Hassan, as a representative for Ithaca Convenience, LLC, agree that on March 17, 2022, Ithaca Convenience, LLC, was in violation of New York State Public Health Law, Article 13F, Section 1399-MM-1 for the sale of and offering the sale of flavored vapor products with nicotine.

I agree to pay a penalty not to exceed \$350 plus a \$250 surcharge 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. To prohibit the sale or other provision of flavored vapor products containing nicotine, with the exception of tobacco flavor, to anyone.
2. To store all tobacco products, herbal cigarettes, shisha, electronic cigarettes, and liquid nicotine, and other vapor products behind a counter in an area accessible only to employees or in a locked container.
3. To prohibit the use of price reduction instruments or other means of charging less than a vapor product's listed price.
4. To comply with all the requirements of New York State Public Health Law, Article 13F.

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.

I also understand that future violations where Ithaca Convenience, LLC sells or offers for sale flavored vapor product, other than tobacco flavored vapor product, that contains nicotine, that the Tompkins County Health Department will seek a fine in the amount of up to \$100 for each individual package sold or offered for sale.

Signed: *Yasser Hassan* Date: 04-07-22

Ithaca Convenience, LLC is hereby ordered to comply with these Orders of the Public Health Director.

Signed: *Brenda Kruppa* Date: 4/7/22
for Frank Kruppa
Public Health Director

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

Retail Tobacco and Vapor Product Inspection Summary Report

Operation: Ithaca Convenience, LLC (ID: 1079771)
Facility Name: Ithaca Convenience, LLC
Facility Code: ATUPA
Facility Address: 155 Dryden Road, Ithaca, NY 14850
Facility Type: Convenience Store

To the Attention of:

ITHACA CONVENIENCE, LLC
155 Dryden Road
Ithaca, NY 14850

Adult Compliance Check - Partial Compliance Check Only

Date: March 17, 2022 12:02 PM
Inspector: Rebecca Sims (rsims@tompkins-co.org)
Person in Charge of Establishment: Zach Hassan

Registration Information

Products available for sale: Tobacco and Vapor Products

Tobacco Products	Was DTF Certificate of Registration Information Verified for Tobacco Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 87-3065245 Year of Registration Expiration: 2022
Vapor Products	Was DTF Certificate of Registration Information Verified for Vapor Products? Registered ID Type: Certificate of Registration Certificate Displayed? Certificate Displayed ID Number: 87-3065245 Year of Registration Expiration: 2022

Sales Compliance

Was tobacco or vapor products, electronic or herbal cigarettes or other restricted product purchased? N/A
Bidis/Gutka offered for sale? No
Location/Access of tobacco and vapor products, electronic or herbal cigarettes, and shisha acceptable? No
Out of package sale and minimum package size requirements met? Yes

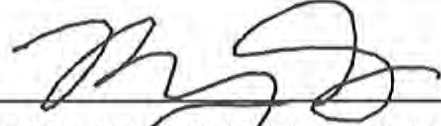
Signs and Posting

Is sign displayed prohibiting the sale of tobacco and other restricted products to persons less than 21 years-of-age? Yes
When bidis or gutka are sold in a tobacco business, is the required sign displayed? N/A

Additional Information Collected During Inspection

Comments: TCHD staff purchased an Airbar watermelon ice flavored vapor product containing 5% nicotine from this location for \$10 cash. Immediately following, an adult inspection was performed and over 600 flavored vapor products were observed to be for sale on the shelves behind the counter, in glass display cases, and on the counter itself. Observed multiple handwritten price tag signs offering discounted price for purchasing two items: (\$30 or 2 for \$50; \$18 or 2 for \$30; \$20 or 2 for \$35) At least 50 boxes of flavored hookah tobacco were on non-secured shelves in the customer area without a barrier. The cashier stated he was not aware that flavored nicotine products could not be sold. He stated he would close the store until banned products could be removed from the shelves and placed in another location. Enforcement to follow.

Owner name: Yasser Hassan



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

Photo



Flavored nicotine vapor products on display for sale with price discounts



Flavored nicotine vapor products for sale on counter



Flavored nicotine vapor products in glass display shelves

Photo

Caption



Hookah tobacco on open shelves in nonsecure customer area

From: [Karan Palazzo](#)
To: [Christina Moylan](#)
Cc: [Brenda Grinnell Crosby](#)
Subject: Letter to Support New Hiking Trail Initiative
Date: Friday, April 22, 2022 3:55:00 PM
Attachments: [TCHD BOH Lett of Supp. CCDEC Trails.docx](#)
[TCHD-Letter of Support Tim Day.AGTrails-2022.docx](#)
[DEC Proposal 2022.pdf](#)

Hi Christina,

Below is an email for support from Alexander Gonzalez proposing two new trail loops for the Board to consider. I have attached the proposal and draft letters for your review. This will be added to Tuesday's agenda.

Thank you.

From: Alexander Gonzalez <Alexander.Gonzalez@cortland.edu>
Sent: Thursday, April 21, 2022 4:56 PM
To: Public Health <publichealth@tompkins-co.org>
Subject: Re: Letter to Support New Hiking Trail Initiative

Dear Friends,

I am a retired professor at SUNY-Cortland and am a trail sponsor for the Finger Lakes Trail.

I am proposing two new hiking trail loops in Kennedy State Forest and am hoping that your office can send a letter of support for the proposal, which is attached. The Cortland County Board of Health has already submitted such a letter. Because so many (about 60%) of the hikers who register at our FLT trail-register boxes are from Dryden or Ithaca, I thought I'd ask if you'd be willing to offer your support for this health-promoting initiative in the form of a letter, which can be very brief. The Tompkins County BOH supported a similar initiative in 2008, which is attached. I'll also attach the Cortland County BOH letter in case you'd like to see what they said much more recently in supporting these new trails. If the board is amenable to supporting the new trails, *please address the letter to Mr. Timothy Day, DEC Forester, but mail the letter to me.*

I hope you'll be willing to support this increase in the hiking trails available to residents of Dryden and Ithaca. Thanks for listening.

Alex Gonzalez
Finger Lakes Trail Sponsor
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TWO NEW HIKING TRAIL PROPOSALS FOR 2020 UMP FOR KENNEDY SF

PROPOSED BY ALEX AND MICHELE GONZALEZ, FLTC AREA TRAIL SPONSORS AND LANDOWNERS

1. OVERVIEW

In proposing these two brief new trails for Kennedy State Forest, we want the DEC to know that we have tried our best to route the proposed trails with an eye toward minimizing their impact on DEC land-management operations, both now and in the future. Where possible, we have routed the trails near property lines, but not so close so as to upset local property owners. Also, some parts substantially follow water courses, most--if not all--of which are likely DEC-protected. Other parts have been routed along currently dormant forest roads; we understand that such roads will inevitably be used in the future and are quite content to close the trails temporarily when land-management operations are under way; in such cases, we would post laminated "Trail Closed" signs (with information about dates of closure and perhaps of expected reopening), notify the hiking community via all electronic and print publications available, and post additional notices in all area trail-register boxes, even those somewhat distant from the affected trails. We want these trails to pose minimal complications to the DEC as the DEC goes about its business of managing Kennedy State Forest.

Both trails would be given international names, adding to the Spanish Loop Trail and Swedish Loop Trail already long functioning in Kennedy SF. These two trails have been given international names in order to honor either the builders of the trails or the landowners who gave the original permissions for the private-land sections of the trails to be built. We feel that it is high time that some of the DEC's hardworking foresters be thus honored, so, with their knowledge and consent, we would like to name the trails The German Loop Trail, to honor Henry Dedrick, whose family is of German descent, and The Ukrainian Loop Trail, to honor Mark Zubal, whose family originated in Ukraine. We realize that Henry has moved on to another post in the DEC and that Mark has retired, but these two very modest foresters—who would never want the trails to bear their actual family names--put in so much time on the current forest trails over the years that it would be a pleasure for us to be able to give something back in honoring them this way. They are easy men to like and we greatly enjoyed working with them.

Finally, we should state our general goals in adding these two trails. Many have wondered about the purpose of naming trails after various nations, and one of the rationales is the opportunity to teach a little geography to today's youth. But the best reason is that human beings have a tendency to want to collect related things and if someone hikes one of these trails as part of a coordinated system and enjoys the experience, it is highly likely that that person will want to "collect" all of them. That is what Michele and I want: to get more people out on the trails more often. It's also about the romance of trail junctions: Who has ever arrived at a four-way trail junction and not wondered what may lie ahead on the other three paths? Trail junctions fire up the human

imagination. And they also increase the number of options for trail walkers, who can cobble together many different routes of varying lengths while only rarely if ever having to retrace their steps. This multiplicity of junctions is, of course, a formula for boredom-reduction.

2. GERMAN LOOP TRAIL

This trail would depart from the Spanish Loop Trail just below Liddington Hill Road and after about 0.2 miles of single-track trail descend to begin using a series of very old, long-dormant logging roads. After 0.8 miles the trail would cross Bell-Hilsinger Road and begin heading north to follow the big stream there until the property line, at which point it follows that line all the way to the Finger Lakes Trail, at the top of the Babcock Hollow escarpment, for a total of another 0.5 miles. Total mileage of new trail, only two-tenths of a mile of which might be affected by logging operations, is only 1.6 miles. To complete the loop, hikers would then turn left on the FLT for 1.4 miles and then left again on the SLT for 0.3 miles for a grand total of 3.3 miles. For a short distance (0.1 miles) the route actually uses a route flagged by Henry but not used for the SLT! This is even more of a reason to name the trail after Henry's original nationality. The trail will be attractive for two main reasons: Its beautiful stream walk and an enormous area of forget-me-nots that is the largest I have seen in all my 30 years of hiking in Kennedy SF.

3. UKRAINIAN LOOP TRAIL

This trail would begin in the DEC-protected hemlock forest just off Daisy Hollow Road, about one mile in, at the Two Creek Bivouac Area. It would follow the tributary stream located there and follow that water course all the way to the top of a notch, near the junction of Owego Hill Road and Liddington Hill Road, for a total of 0.6 miles. Then it would descend after crossing a logging road to run along a property line, after which it would reach a stream, whose banks would be followed all the way to Owego Hill Road for another 0.5 mile. So far only about a half a tenth of a mile would pass through an area of potential DEC operations. After crossing the road, the trail would slant uphill on single-track trail for 0.2 miles, reaching a beautiful stand of hemlocks through which it travels for another 0.1 miles before joining an old logging road for 0.1 mile and then crossing Liddington Hill Road to terminate on the Spanish Loop for a grand total of 1.6 miles, only 0.35 of which might be subject to temporary closure or reroute. Hikers would then turn left on the Spanish Loop for 0.2 miles and then left again on the FLT for 1.1 miles for a grand total for the whole loop of 2.9 miles. If approved, this will be an exceptionally beautiful trail, including the following: A beautiful stream walk up to the notch in an area so full of spring wildflowers that that alone would recommend the trail—the abundance and variety really are amazing; the second stream walk, mostly in dark hemlocks and white pines, again, unusually pretty; and, finally, the hemlocks near the end, which are also outstanding.

4. QUALIFICATIONS

In 1998 I was awarded the Clar-Willis Award by the Finger Lakes Trail Conference, for excellence in trail construction. With my wife's assistance, we have a long history of building attractive trails that adhere to sound ecological principles.

5. ENDORSEMENTS

Construction of the two proposed trails is endorsed by The Finger Lakes Trail Conference Board of Managers, the Cayuga Trails Club Board of Managers, the Tompkins County Board of Health, and the Cortland County Board of Health.

6. CONCLUSION

The two proposed trails are brief, but when cobbled together with each other, with existing international trails, and with the main FLT they would create some big loops. In fact, the combination of these two trails would provide Kennedy State Forest with what it currently does not have: long, backpacking loop options in a well-coordinated system. For instance, those camping out at the FLT's Two Creek Bivouac Area would be able to hike four different loops: 2.9 miles (Ukrainian), 3.4 miles (Swedish), 5.7 miles (Ukrainian plus Swedish), or 6.0 miles (Ukrainian plus German), all without retracing their steps.

We also hope that the DEC will bear in mind that these would be the only new trails for a long, long time: over ten years. Hikers in the area are very ready for new trails, and the combinations noted in this proposal—with their many trail junctions—would offer hikers a good deal of choices, which would keep these trails “fresh,” so to speak, for many years to come. Frequent changes in the routes chosen for each hike would ensure freshness.

Finally, we would like to thank the DEC for considering this proposal and reading all of this! We are excited about the possibilities and look forward to working with the DEC if the trails should be approved.