

**AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, June 25, 2019
12:00 Noon**

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 May 28, 2019 Minutes (2 mins.)

12:06 IV. Dual Department Head Update – County Administration (15 mins)

12:21 IV. Financial Summary (9 mins.)

12:30 V. Reports (15 mins.)

Administration

Health Promotion Program

Medical Director's Report

Division for Community Health

Children with Special Care Needs

County Attorney's Report

Environmental Health

CSB Report

12:45 VI. New Business

12:45 ***Environmental Health*** (25 mins.)

Administrative Action:

1. Review of Proposed 2020 Environmental Health Division Fees (10 mins)
2. Habitat for Humanity of Tompkins and Cortland Counties Request for Waiver of OWTS Permit Application Fees (5 mins)
3. Inn at Taughannock Request for Waiver of Article 6.06(f)(1) for Installation and Use of a Permanent Holding Tank (10 mins) - **DELAYED**

1:10 ***Environmental Health*** (35 mins.)

Enforcement Action:

1. Resolution #EH-ENF-19-00013 – Shahi Pakwan, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
2. Resolution #EH-ENF-19-00019 – Plum Tree Japanese Restaurant, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)

3. Resolution #EH-ENF-19-0021 – Ko Ko Restaurant, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0022 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
4. Resolution #EH-ENF-19-0022 – Country Inn and Suites, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0019 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
5. Resolution #EH-ENF-19-0023 – Corelife Eatery, C-Ithaca, Violations of BOH Orders #EH-ENF-19-0004 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
6. Resolution #EH-ENF-19-0024 – Taste of Thai Express, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0015 and of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins)
7. Resolution #EH-ENF-19-0025 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-19-0017 and of Subpart 5-1 of New York State Sanitary Code (Water) (5 mins) - **DELAYED**

1:45 **Administration** (15 mins.)

Discussion: 2020 Budget Update (15 mins.)

2:00 **Adjournment**

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MINUTES
Tompkins County Board of Health
May 28, 2019
12:00 Noon
Rice Conference Room

Present: Shawna Black; Melissa Dhundale, MD; David Evelyn, MD, MPH; Edward Koppel, MD; Michael McLaughlin, Jr.; Janet Morgan, PhD; Christina Moylan, PhD, President; Susan Merkel;

Staff: Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Samantha Hillson, Director of Health Promotion Program; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Brenda Grinnell Crosby, Public Health Administrator; Jonathan Wood, County Attorney; Shelley Comisi, Administrative Assistant; Brittni Griep, LGU Administrative Assistant

Excused: Deb Thomas, Director of Children with Special Care Needs

Guests: Jason Molino, Tompkins County Administrator; Skip Parr, Senior Public Health Sanitarian; Jodi Metcalf, Bun Appetit; Jordan Puryear, GrassRoots Festival; Elaine Springer, GrassRoots Festival; Becky Sims, TCHD; Zora Adams-Williams, TCHD

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

Privilege of the Floor: Jodi Metcalf from Bun Appetit Cafe was present. She addressed the Board, stating that she was written up on a violation of having breakfast sausage out of temperature. Ms. Metcalf detailed her history in food service then went on to state that the inspector who was at her location was not very friendly. The inspector came out again while she was on vacation, to see if they had corrected the action and she was cited again for having sausage at 51 degrees when they are supposed to be at 45 degrees or below. Ms. Metcalf explained that there is a two-hour window to get the sausage back to temperature, however, both times that the inspector found the sausage out of temperature, staff threw out the sausage. Ms. Metcalf stated that the inspector did not give them the two-hour window to get the sausage back to temperature though. Ms. Metcalf explained the set up and operation of the café. Ms. Metcalf explained that the fine could be detrimental to small businesses, especially depending on the time of year. Mr. McLaughlin asked Ms. Metcalf about their procedure for preparing sausage. Ms. Metcalf explained that she was not sure what time the sausage was taken out of the freezer. Ms. Metcalf explained that she has had minimal violations in the thirteen years they have been in business.

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Ms. Jordan Puryear from the Finger Lakes GrassRoots Festival was present to discuss the violations that the Festival was cited for. He explained the Festival's history, starting in 1991, benefitting the fight against AIDS. Mr. Puryear explained their history of Festivals in other states as well. Mr. Puryear explained that they try very hard to abide by the rules and regulations and have no problem in their attempts to do so. Mr. Puryear explained that when the Board of Health fines the GrassRoots Festival, the fines are essentially being passed onto the attendees as they do not own the Festival. Ms. Janet Morgan asked Mr. Puryear what he might hope for in terms of better communication. Mr. Puryear believes there should be meetings between the Health Department and the Festival employees. Ms. Black asked if the expectations to operate GrassRoots are clear to Mr. Puryear. Mr. Puryear stated that, yes, the expectations are clear but stated the paperwork can be a problem.

Approval of April 23, 2019 Minutes: Mr. McLaughlin moved to approve the minutes of the April 23, 2019 meeting as written; seconded by Dr. Evelyn. The vote to approve the minutes as written: Unanimous approval; motion carried.

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

County Administrator's Remarks on the Public Health/Mental Health Joint Leadership Model: Mr. Molino stated that, over the past month, he and Ms. Amie Hendrix, have met with members of the Community Services Board as well as members from the Board of Health to go over a framework of information to be gathered and reviewed by these members. This information was circulated to both Boards and the Board members provided feedback to this information. Mr. Molino stated that the next meeting is scheduled for two weeks from now and that, going forward, the meetings will be held every two weeks through September, when there is hopefully a joint meeting between the Board of Health and the Community Services Board. Mr. Molino explained that he is tasked with making the recommendation for the dual leadership role, first to the Health and Human Services committee and then to the Legislature. Mr. Molino is hopeful to have this recommendation into the Legislature by October/November and he stated that he and/or Ms. Hendrix will be at every Board of Health and Community Services Board meeting until the recommendation is made, with updates for the members.

Financial Summary: Ms. Grinnell Crosby stated that the financial report was in the packet and that this is the final 2018 report, unless something else comes up through the audit. Ms. Grinnell Crosby stated that they were behind 2-3 weeks with the filing of the final audit report and she doesn't expect any significant changes. Ms. Grinnell Crosby stated that she believes they ended in a good position. Ms. Grinnell Crosby included the April 2019 report and stated that the Article 6 State Aid Claim went in last week.

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Administration Report: Mr. Kruppa reported exciting news. NACCHO, the National Association of City and County Health Officials, have recognized two of our programs as model practices for the year. These are two out of 52 model practices awards that will be recognized at the July conference. One of the programs is the Safe Care Program that is run out of Community Health Services by Ms. Karen Bishop. The Health Department is paid through Social Services for this evidence-based parenting safety, in-home program for those in Family Treatment Court. The program becomes part of their assignment that they have to do, and the program has a +85% graduation rate and a -85% recidivism rate. The other is for the work by Ms. Nina Saeli, our Community Preparedness Coordinator and her work with Ithaca College. She has worked over the last few years to create a program working with the faculty and students at Ithaca College to provide internship opportunities as well as classes around preparedness so that they get a chance to learn about what preparedness is in the public health world. If they have an internship with Ms. Saeli, they get a chance to work on some of our plans and work with partner organizations as well as getting a chance to work at the point of dispensing at Ithaca College's Flu pod. There has been significant learning as a result of this. They will be attending the conference in July, where they will be presented with their awards. Additionally, Ms. Saeli has been selected as one of the top model practices and she will be doing a Ted-talk type of presentation about her program at NACCHO.

Health Promotion Program Report: Ms. Hillson had nothing to add, other than they have been moving along with the community assessments, trying to determine the focus group topic areas.

Medical Director's Report: Dr. Klepack had nothing to add to his report.

Division for Community Health Report: Ms. Bishop had a quick update regarding the measles outbreak across New York State and the United States. From the time period of January 1st through May 24th, 2019, there have been 940 confirmed cases of measles in 26 different states. NYS plays a large role in the number of cases. Ms. Bishop stated that they have been working with local providers to ensure that they are prepared if a case comes into their office. All other updates for her department is within her written report.

Children with Special Care Needs Report: Ms. Thomas was not present.

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

Environmental Health Report:

- Ms. Cameron provided additional documentation to the Board (attached).
- Ms. Cameron also stated that they included a Notice of Violation for Cornell Turkish students - there would be no fine for them and follow-up actions were coordinated with Cornell Risk Management.
- Ms. Cameron provided a print out of the fee spreadsheet that was included in the agenda packet; Public Health Directors Order PHD#19-0034, dated May 14,

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2019, for the GrassRoots water system plans; PHD #19-0036 dated May 24, 2019, for the GrassRoots Water Supply Plans and a Draft Case Summary for GrassRoots.

Report on the Community Services Board (CSB) Meeting: Mr. Kruppa provided a brief update on the May meeting. Mr. Kruppa stated that their focus has been on the 2020 Priority Plan update and stated that, once it is complete, he will provide copies to the Board for their review. Mr. Kruppa then stated that the CSB had a discussion in which he was present, discussing the dual department role, where Mr. Jason Molino and Ms. Amie Hendrix led the conversation with the Board members. Ms. Moylan asked who was on the schedule to attend the next meeting; Ms. Merkel stated that she would be attending.

Administrative Actions:

Letter of Organization regarding bill in front of NYS Legislature supporting the removal of religious exemptions for vaccinations: Ms. Moylan explained that this topic was an addition to the agenda (letter attached). This letter is an organization of those who have signed on regarding the support of removing the religious exemptions for vaccinations. Mr. Kruppa stated that there is feeling that this could be successful this year and stated that all of the heavy hitters around health have supported this. Mr. McLaughlin asked if this was specific to certain demographics around people using religious exemptions. Dr. Dhundale stated that the American Pediatrics Association made getting rid of all exemptions, except for medical exemptions, a top priority this year.

Mr. McLaughlin moved that the Board send a letter of support, etc. Dr. Evelyn seconded the motion.

The vote to accept the support was carried unanimously.

Review of Proposed 2020 Environmental Health Division Fees (excluding plan review fees) Ms. Cameron explained the proposed Health Division Fees for 2020, with the highlighted proposed fee changes. Ms. Cameron stated that this month was the permit fees for review for change, with fairly minor changes (increasing high risk food service permits and reducing a low risk food service). This was for review only. No changes were requested to the proposed permitting fees.

Tompkins County Health Department Request for Discretion to Waive OWTS Application Replacement Fees: Ms. Cameron explained that she would like to be able to waive the OWTS Application Replacement fees, in certain limited situations, at the discretion of the department.

Ms. Morgan moved to accept the request as written; seconded by Dr. Dhundale; and carried unanimously.

Camp Comstock Request for Waiver of Article 6.06(f)(1) for Installation and Use of a Permanent Holding Tank: Ms. Cameron explained that the department has discovered

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that there are more holding tanks in use in Tompkins County than they were previously aware of. Camp Comstock wants to replace a holding tank that they've had but it is currently not allowed under the Tompkins County Sanitary Code. It is believed that this is the best option for them and they would operate it responsibly with an operator on site and with alarms. This is for a seasonal operation.

Dr. Evelyn moved to accept the request as written; seconded by Ms. Black; and carried unanimously.

North Lansing Enterprise Request for Waiver of Annual Water System Operation Fee: Ms. Cameron explained that this is a public water system that has been losing service connections over time. They are requesting a waiver of their annual water system fee and the department is in favor of their request for this year but did state that they would need to develop a plan for sustainable operation in the long term.

Ms. Black moved to accept the request as written; seconded by Dr. Dhundale; and carried unanimously.

Resolution #EH-ENF-19-0009 – Bun Appetit Bakery, V-Groton, Violation of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this was a hot holding violation; first time, repeat violation. Ms. Black proposed an amendment to bring the fine down to \$200. Dr. Dhundale seconded the motion. There was discussion regarding the reduction of the fine, but this motion was ultimately denied.

Dr. Koppel moved to accept the resolution as written; seconded by Ms. Morgan. Ms. Black opposed; all else in favor. Motion carried.

Resolution #EH-ENF-19-0011 – 11 Ellis Drive, T-Dryden, Violation of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron stated that this is a public water supply violation. They have been having difficulty maintaining their chlorine residual and have had multiple boil water advisories. Their chlorine test kit was inadequate and has been corrected.

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

Resolution #EH-ENF-19-0012 – Finger Lakes Marine Service, T-Lansing, Violation of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron stated that Finger Lakes Marine Service is a public water supply that was not previously regulated. They have submitted water supply plans but the system has not been fully constructed in accordance with the established deadline. New deadline of 6/19/19 was proposed with recommendation of no additional wording regarding additional fines.

Mr. McLaughlin moved to accept the resolution with the amendment for the new deadline; Ms. Morgan seconded. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0014 – Ithaca Bakery, V-Lansing, Violations of BOH Orders #EH-ENF-18-0027 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this is a violation of Board of Health orders for out of temperature violation.

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Mr. McLaughlin moved to accept the resolution as written; Dr. Evelyn seconded. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0015 – Mix Social Dining, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0051 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this is a violation of Board of Health orders for a cold holding violation.

Ms. Morgan moved to accept the resolution as written; Dr. Dhundale seconded that motion. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0116 – CU Klarman Hall Café, C-Ithaca, Violations of BOH Orders #EH-ENF-18-0045 and of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron explained that this is a violation of Board of Health orders for sliced tomatoes being out of temperature.

Dr. Evelyn moved to accept the resolution as written; Ms. Black seconded that motion. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0017 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-18-0039 and of Subpart 5-1 of New York State Sanitary Code (Water): Ms. Cameron explained the case summary that was passed around to all in attendance (attached). She discussed corrections the Festival had made last year and explained that the Public Health Director issued additional orders to the Festival. Discussion was had regarding what is left of the water plans for the Festival to complete.

Dr. Evelyn moved to accept the resolution as written; Ms. Morgan seconded that motion. All in favor; motion carried unanimously.

Resolution #EH-ENF-19-0018 – Finger Lakes GrassRoots Festival, T-Ulysses, Violations of BOH Orders #EH-ENF-18-0038 and of Subparts 7-3 and 7-4 of New York State Sanitary Code (Mass Gathering): Ms. Cameron explained that the Festival mass gathering application is almost complete. This fine is failure to comply with deadlines and incomplete submittals.

Ms. Black moved to accept the resolution as written; Dr. Koppel seconded that motion, All in favor; motion carried unanimously.

Adjournment: At 2:11 p.m. Dr. Moylan adjourned the meeting.



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CASE SUMMARY – FOR FINGER LAKES GRASSROOTS FESTIVAL

Compiled on May 28, 2019

Date		Action
12/5/2017	<i>RES #EH-ENF-17-0035: Mass Gathering</i>	<p>Closed Enforcement Actions</p> <p>Requires plans to address violations for inadequate arrangements for flammables or volatile liquids, failure to maintain access for emergency vehicles, failure to provide adequate internal security staff for enforcement of permit conditions, failure to maintain satisfactory disposal of sewage, and failure to provide services and facilities outlined in the engineering report. Plan to address above due 12/15/2017</p>
		<p>Open Enforcement Actions</p>
12/6/2018	<i>RES #EH-ENF-18-0037: Holding Tanks</i>	Requires holding tank permit applications to be submitted 45 days in advance of Culture Camp in 2019
12/6/2018	<i>RES #EH-ENF-18-0038: Campgrounds and Mass Gathering</i>	<ul style="list-style-type: none"> • Requires campsite waiver request for small campsites to be submitted by March 1, 2019. • Requires Mass Gathering permit application be submitted by April 1, 2019 that includes: <ul style="list-style-type: none"> - Engineering Report include SEQR forms - Plan changes to medical oversight to include coordination between law enforcement and onsite medical services - Plan must incorporate pertinent preparedness and security recommendations from June 2018 NYS Mass Gathering Planning Guide - Approvable procedures for Onsite and Across The Way (ATW) for ensuring campsite spacing will be enforced as campsites are being set up in 2019 • Requires complete final application by June 3, 2019 with not changes after approved. • Other requirements concerning construction and complying with permit conditions
12/6/2018	<i>RES #EH-ENF-18-0039: Water supply</i>	<ul style="list-style-type: none"> • Requires approvable plans for the drinking water systems at Onsite and ATW be submitted by February 15, 2019. • Requires an approvable distribution system disinfection plan (storage and start-up procedures) be submitted by 2/15/2019 • Implement the disinfection procedures so that samples can be collected by July 3, 2019

Inclusion Through Diversity

4/25/2019	<i>RES and PHD Orders #EH-ENF-19-0017: Water Supply</i>	Requires approvable water plans for Onsite and ATW be submitted no later than 4/30/2019 . Plans must address Order requirements and comments provided on 3/7 and 8/2019. Proposed fine \$500
4/29 and 30/2019	<i>RES and PHD Orders #EH-ENF-19-0018: Mass Gathering Application</i>	<ul style="list-style-type: none"> • Requires missing components of the application identified by TCHD on 4/12/19 to be submitted by 5/3/19. • Requires revised application addressing comments provided on 4/23/19 to be submitted by 5/8/19. • Proposed fine \$500
5/14/19	<i>PHD Orders #EH-NOV-19-0034: Water Supply</i>	Requires approvable water plans for Onsite and ATW be submitted no later than 5/16/19 .
5/24/19	<i>PHD Orders #EH-NOV-19-0036: Water Supply</i>	Requires approvable water plans for Onsite and ATW be submitted no later than 5/28/19 .
		Status of Open Enforcement – Pre-Application Meeting
1/18/2019	<i>EN-ENF-18-0038</i>	Attend a pre-application meeting (contact TCHD to arrange acceptable date) - Completed
		Status of Open Enforcement – Water Supply Plans
2/15/2019	<i>EH-ENF-18-0039</i>	<ul style="list-style-type: none"> • Approvable plans for the drinking water systems at Onsite and ATW due • Approvable distribution system disinfection plan for Onsite and ATW due.
2/19 and 20/2019	<i>EH-ENF-18-0039</i>	Grass Roots submits plans for the water systems at Onsite and ATW
3/7 and 8/2019		TCHD provides comments on unapprovable plans for Onsite and ATW. Requires revised plans be submitted by April 1, 2019 .
4/1 and 2/2019	<i>TCHD 3/7 and 8/2019 comment letter</i>	<ul style="list-style-type: none"> • Revised water plans for onsite and ATW due. • GrassRoots submits insufficient water plans
4/12/2019	<i>TCHD email</i>	TCHD notifies GrassRoots that <ul style="list-style-type: none"> • The mass gathering application is incomplete. Revised application due 4/24/19. TCHD identifies required missing documents. • The revised onsite and ATW water plans do not address the 3/7&8/19 comments on the water plans. Revised plans due 4/24/2019.
4/24/19	<i>TCHD 4/12/19 email</i>	<ul style="list-style-type: none"> • GrassRoots fails to submit the majority of missing application documents. • GrassRoots fails to submit revised water plans
4/30/2019	<i>PHD Orders #19-0017 and RES #EH-ENF-19-0017</i>	Deadline for submitting approvable water plans.
5/1/19	<i>PHD Orders #19-0017 and</i>	GrassRoots submits water plans - non-responsive to many comments

	<i>RES #EH-ENF-19-0017</i>	
5/8/2019	<i>RES and PHD Orders #EH-ENF-19-0018: Mass Gathering Application</i>	<ul style="list-style-type: none"> • Deadline for submitted revised water plans. • GrassRoots submits revised water plans – non-responsive to many comments
5/16/19	<i>PHD Orders #EH-NOV-19-0034: Water Supply</i>	Deadline for submitting approvable water plans including disinfection plans
5/17/19		GrassRoots/TCHD meeting at the Health Department to discuss application and water plans. NYSDOH also attends.
5/18/19		TCHD email documenting comments in May 17 meeting. Revised water plans due 5/22/19.
5/22/19	<i>5/17/19 meeting and 5/18/19 TCHD email</i>	<ul style="list-style-type: none"> • Deadline for submitting revised water plans • GrassRoots submits revised water plans for onsite and ATW. Revisions address some comments but fail to address some significant concerns and comments.
5/24/19	<i>TCHD comment letter</i>	TCHD comment letter on water plans attached to PHD orders
		Status of Open Enforcement – Culture Camp Campsite Waiver
3/1/2019	<i>EH-ENF-18-0038</i>	Submit a waiver request if small campsites are proposed for Culture Camp
2/6/19		Grassroots submits a waiver request for campsites smaller than 1250 ft ² during Culture Camp
3/14/19	<i>TCHD Email</i>	TCHD notified Grassroots that NYSDOH is willing to grant the waiver request with conditions, if more detailed plans are submitted.
5/13/19		Grassroots submits updated waiver request for Culture Camp. Under review by TCHD
		Status of Open Enforcement – Mass Gathering Application
4/1/2019	<i>EH-ENF-18-0038</i>	Submit initial Mass Gathering application
4/1 and 2 2019		Grassroots submits draft mass gathering application to TCHD
4/12/19	<i>TCHD Email</i>	<p>TCHD notifies GrassRoots that</p> <ul style="list-style-type: none"> • The mass gathering application is incomplete. TCHD identifies required missing documents. • Missing application documents must be submitted by 4/24/19. • The revised onsite and ATW water plans do not address the 3/7&8/19 comments on the water plans. Revised plans due 4/24/2019.
4/23/19	<i>TCHD Comment letters</i>	TCHD provides additional general and detailed comments on the mass gathering application. Revised application addressing comments must be submitted by 5/8/19
4/24/19		<ul style="list-style-type: none"> • GrassRoots fails to submit the majority of missing application items. • GrassRoots fails to submit revised water plans

4/29/19	<i>PHD Orders #19-0018 and RES #EH-ENF-19-0018</i>	TCHD issues Public Health Directors Orders 19-0018 requiring: <ul style="list-style-type: none"> • Missing application documents identified in April 12 email submitted by 5/3/19 • A revised and complete application and Engineering report that addresses 4/23/19 TCHD comments by 5/8/19
5/3/19	<i>PHD Orders #19-0018 and RES #EH-ENF-19-0018</i>	<ul style="list-style-type: none"> • Deadline to submit required missing documents. • Grassroots submits the majority of required missing documents.
5/8/19	<i>PHD Orders #19-0018 and RES #EH-ENF-19-0018</i>	<ul style="list-style-type: none"> • Deadline to submit revised complete application and Engineering report addressing 4/23 comments • Grassroots submits updated application and Engineering report that addresses the majority of TCHD comments.
	<i>Email from Grassroots</i>	Grassroots acknowledges remaining missing application documents and details and states that updates will be provided by 5/14-5/16
5/9/19	<i>PHD Orders #19-0018 and RES #EH-ENF-19-0018</i>	<ul style="list-style-type: none"> • TCHD provides comments on the 5/3 and 5/8 submittals. • TCHD requests an updated and detailed security schedule be submitted by 5/14/19 • TCHD schedules a meeting with Grassroots to discuss application for 5/17/19
5/17/19		GrassRoots/TCHD meeting at the Health Department to discuss application and water plans. NYSDOH also attends.
5/18/19		TCHD email documenting comments in May 17 meeting. Revised application and maps due 5/22/19.
5/22/19		<ul style="list-style-type: none"> • Deadline to submit revised application • Grassroots submits updated security plan and revised application documents. Currently under TCHD review.
		Status of Open Enforcement – Holding Tanks
5/14/19		Grassroots submits holding tank applications and fees for Onsite and ATW greywater tanks.
		Future Deadlines
5/28/19	<i>PHD Orders #EH-NOV-19-0036: Water Supply</i>	Deadline for submitting approvable water plans
6/3/2019	<i>EH-ENF-18-0038</i>	Submit complete final Mass Gathering application
7/3/2019	<i>EH-ENF-18-0039</i>	Implement disinfection procedures and collect water samples
30 days before Culture Camp starts (6/14/19)	<i>EH-ENF-18-0037</i>	Submit all required information to obtain Holding Tank Permits for Onsite and ATW
48 hours prior to event	<i>EH-ENF-18-0038</i>	Complete construction and installation of all services and facilities



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CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 14, 2019

Elaine Springer
Fingerlakes GrassRoots Festival
PO Box 941
Trumansburg, NY 14886

**Re: Public Health Directors (PHD) Orders and Notice of Violation # EH-NOV-19-0034
Failure to Meet PHD Orders # EH-ENF-19-0017 and
Violation of Board of Health Resolution #EH-ENF-18-0039
Finger Lakes GrassRoots Festival, Mass Gathering, T-Ulysses**

Dear Ms. Springer:

On April 25, 2019, Public Health Director Orders # EH-ENF-19-0017 were issued requiring submission of approval plans for the Onsite and Across The Way water systems no later than April 30, 2019. This office has reviewed the water plans submitted on April 30, 2019, and revised on May 8, 2019, for Onsite and Across the Way and find the submittals to be non-responsive to many of our comments. This is further violation of Tompkins County Board of Health Resolution #EH-ENF-18-0039 that required GrassRoots to submit by February 15, 2019:

2. ... approvable plans for the drinking water systems at Onsite and Across the Way prepared by a design professional licensed in New York State. The plans for the water system must show that the minimum pressure of 20 psi will be present at all locations in the water supply; **and** ...
4. an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite and Across the Way....

Fingerlakes GrassRoots Festival is ordered to comply with the following Public Health Directors Orders:

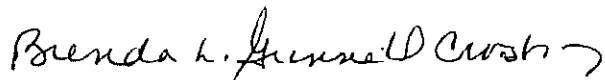
- Approvable plans for the water systems and for the distribution systems disinfection (both for storage and start-up) must be received by the Health Department **no later than 4 p.m. on May 16, 2019**. Refer to the attached document that lists previous comments, noted deficiencies, and additional comments for your reference to submit approvable plans.

The failure to submit approvable plans is endangering the ability of the TCHD to approve the water systems and the Mass Gathering permit application and issue the operating permit for the festival.

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

Please contact Scott Freyburger or Elizabeth Cameron at (607) 274-6688 if you have any questions.

Sincerely,



 Frank Kruppa
Public Health Director

Attachment – TCHD Comments Addressing Onsite and Across the Way Water System Plans

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2019\Enforcement\PHD Order 19-0034\Grass Roots PHDO 19-0034.docx
ec: GrassRoots: Elaine Spring; Lissa Farrell, Charles Guttman, Esq., Nana Monaco, Dan Walker; Tim Wiant, NYSDOH;
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott
Freyburger; Becky Sims; Kristee Morgan; Skip Parr
scan: Signed copy to the F drive



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TCHD Comments Addressing Onsite and Across the Way Water System Plans

Additional Comments 5/3/19:

1. In 2018, GrassRoots constructed water systems on the festival grounds and at Across the Way without approval from the Health Department, resulting in the enforcement action. We allowed use of the water systems for the 2018 festival with the requirement that new plans be submitted for 2019. Minimal revisions have been made to the water plans for Across the Way since the March 7, 2019, comments from our office. In addition, GrassRoots has failed to respond to our previous comment that water spigot trees may not be located in roadways or campsites at Across the Way or Onsite. In order to approve the water plans, **all proposed water trees for the 2019 festival must have a 2.5-ft walking/access path around the 3 ft x 3 ft gravel seepage pit;** must not impede traffic in or be located in the 12-ft or 20-ft emergency lanes; and must not be located in a campsite. The 8 ft x 8 ft area needed for each water spigot must be clearly shown on the plans and must also be clearly marked in the field. Affected campsites must be clearly designated as no camping in the field.

*This was partially addressed. Modified plans for Across the Way were provided addressing most of this comment except some of the trees are currently located in campsites. **These campsites must be labelled as not available for camping. Modified plans were not submitted for onsite (5/13/2019).***

2. Grassroots has verbally stated that they plan on attempting to form a new water district with the Village of Trumansburg for supplying water to Across the Way. They have shown no evidence of this. It is our opinion that the formation of a new water district or developing an onsite water source is not expected to be viable for the 2019 festival. The plans must detail how Grassroots will be temporarily obtaining water for 2019.

*We were provided with email communications between Grassroots and the Town about this issue. **Additionally, provide a plan in writing that details what Grassroots will us as a source of water Across the Way for the 2019 festival and a schedule for either the formation of a water district or alternative options for the 2020 and future festivals (5/13/2019).***

3. Section 7-4.5 of the Mass Gathering narrative application and engineering report outlines regulatory requirements for water and sewage plans and notes that *this information is provided in the plans* submitted by the engineer for GrassRoots. Insufficient information has been submitted for Section 7-4.5(b) addressing treatment and disposal of sewage. This information must be included in the revised submittal.

Not addressed by 5/13/2019.

4. Provide a Cut Sheet or other adequate detail that depicts how the Tamper Resistant Control Valves that are proposed for the water trees are not accessible to the general festival participants.

Not addressed by 5/13/2019.

5. Clearly state how Grassroots will contain all wastewater from the showers on both sites (Onsite and Across the Way). Grey water from the showers was evident on the ground surrounding the shower in 2018 and is not acceptable. The draft shower plans do not indicate how this will be avoided in 2019.

Not addressed by 5/13/2019.

6. Note that the water plans for onsite have above-ground distribution pipes that run through campsites and across roadways. This will not be an acceptable way for providing water to the 2020 festival.

Across the Way Comments (previously provided March 7th, 2019):

1. Include the campsite outlines, number of campsites per section and road widths on the water plans. *This comment was addressed except for the tent camping in the woods. Please indicate sections and number of tent sites per section.*

Not addressed 5/13/2019.

2. Add details to the plans that show the water faucet trees and generally any other water fixtures like utility sinks. *Water tree details were added. Utility sink details need to be provided. This was addressed.*

3. If showers are provided, show how they supply hot water. *This was addressed.*

4. The proposal calls for vacuum breakers. Where will they be located? *This was not addressed.*

Not addressed 5/13/2019.

5. Water faucet tree locations appear to be placed at edges of campsites or roads. These locations will either impede emergency vehicle traffic or result in water within adjacent campsites. Water spigots cannot be located within the 12' or 20' lane. Please set aside adequate space on the property for the operation of these water structures (i.e. one campsite that will not be used for camping and will instead contain the water tree structures). *This was not addressed. See additional comment #1 above.*

Not addressed 5/13/2019.

6. Your hydraulic calculations show assumed flow conditions (i.e. Manifold to 4 = 8 GPM, 4 to 2 = 4 GPM....). Please justify these conditions using industry accepted references or standards. *This was not addressed.*

Not addressed 5/13/2019.

7. Propose peak flow conditions (i.e. times during day, events happening at time and number of faucets/showers running at once at this time). Pressures in the system will need to be tested before the festival begins. ***This was not addressed.***

Not addressed 5/13/2019.

8. Explain how the campsites at the end of long runs of Across the Way water main will have 55 gallons/campsite-day of water available if the flow to the water tree in these locations is 2 GPM (i.e. West Run 2 to 3). ***This was not addressed.***

Not addressed 5/13/2019.

9. Show the calculations that you used to populate the hydraulic calculation spreadsheet. ***This was not addressed. The Hydraulic Calculations submitted are exactly the same as the Hydraulic Calculations submitted on 2/20/19. There were no significant changes to the water plans/proposal since the 2/20/19 submission.***

Not addressed 5/13/2019.

10. If Grassroots is considering future expansion of the water system, we would recommend that the size of the water mains ***not decrease*** over long runs of the line (i.e. hundreds of feet) as this will result in parts of the system being undersized and increase the cost to expand. ***This was not addressed.***

Not addressed 5/13/2019.

11. Identify the number and locations of Total Coliform and E. Coli samples that are to be performed and are to have negative results, before the water system can be placed into operation. ***Comment addressed.***

12. The proposed disinfection of the system procedure would be acceptable if the system was properly closed-off for the season and no new construction was being performed on the system. This proposal is calling for changes to be made to the system that is currently installed. As a result, the disinfection procedure for the startup of the system following these improvements should be more thorough (i.e. AWWA C651-05 Disinfecting Water Mains or the attached TCHD Annual Water System Start-Up Procedures). ***This was not addressed.***

Not addressed 5/13/2019.

13. If there are showers and utility sink faucets on the site, include these fixtures in the disinfection procedures. ***Disinfection procedures are not sufficient.***

Not addressed 5/13/2019.

14. Include in the Disinfection Procedures a timeline to start and complete construction or installation of temporary water lines, the disinfection process and the water testing. Give Grassroots enough time in this timeline to disinfect and resample if the test results coming back positive for bacteria. ***This was not addressed.***

Not addressed 5/13/2019.

15. When plans are resubmitted, include the revision date on the plans. ***Addressed.***
16. NYS Sanitary Code, Part 7, Subpart 7-3 Campgrounds, Section 7-3.14 Sewage Treatment, campgrounds that allow motor homes and truck campers must provide wastewater dump stations for the units to empty their onboard holding tanks. Please include a dump station on your plans or another way of managing this waste through a certified NYS wastewater hauler. ***This was not addressed.***

Not addressed 5/13/2019.

Onsite Comments (previously provided March 7th, 2019):

1. Label the size of each water line on the plans (i.e. 1", ¾"....). ***This comment was addressed.***
2. Identify the hydrants on the plans. ***This comment was partially addressed. Please complete the response.***

Not addressed 5/13/2019.

3. Verify that all walkway/drives that are located in between campsites and buildings are at least 12 ft (or 20' if applicable) wide for emergency vehicle access and that water spigots will not impede this traffic. Water spigots cannot be located within the 12' or 20' lane. If these lanes do not currently have 12 ft of unimpeded space, make adjustments to the campsite locations in these areas. ***This was not addressed. See additional comment #1 above.***

Not addressed 5/13/2019.

4. Add details to the plans that show the shower facility (**due April 1st 2019 per NOV EH-NOV-19-0016**), water faucet trees and generally any other water fixtures like utility sinks. ***The shower detail was mostly addressed (see additional comment #5), the water tree detail exists and the utility sink detail was not addressed. This was addressed.***
5. If showers are provided, detail how they provide hot water? ***This was addressed.***
6. The proposal calls for vacuum breakers. Where will they be located? ***This was not addressed.***

Not addressed 5/13/2019.

7. See the attached pdf of the Onsite system (*previously provided*) and pay close attention to the area hatched in red. Make sure that the campsites within this area are included within 250 ft of a water source. ***This was addressed.***
8. Your hydraulic calculations show assumed flow conditions (i.e. manifold to 4 = 8 GPM, 4 to 2 = 6 GPM, 2 to 3 = 2 GPM). Please justify these conditions using industry accepted references or standards. ***This was not addressed.***

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9. Explain how the campsites at the end of long runs of Onsite water main will have 55 gallons/campsite-day of water available if the flow to the water tree(s) in these locations is 2 GPM (i.e. Hydrant to A2). ***This was not addressed.***

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10. Show the calculations that you used to populate the hydraulic calculation spreadsheet. ***This was not addressed. The Hydraulic Calculations submitted are exactly the same as the Hydraulic Calculations submitted on 2/20/19. They do not address the changes that were made to the proposal/water plan in the past few months.***

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11. Propose peak flow conditions (i.e. times during day, events happening at time and number of faucets/showers running at once at this time). Pressures in the system will need to be tested before the festival begins. ***This was not addressed. Indicate how pressures will be tested before the festival begins.***

Not addressed 5/13/2019.

12. Identify the number and locations of Total Coliform and E. Coli samples that are to be performed and are to have negative results, before the water system can be placed into operation. ***This was addressed.***

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13. The proposed disinfection of the system procedure would be acceptable if the system was properly closed-off for the season and permanently installed. This proposal is calling for reinstallation of the system on an annual basis. As a result, the disinfection procedure for the startup of the system should be more thorough (i.e. AWWA C651-05 Disinfecting Water Mains or the attached TCHD Annual Water System Start-Up Procedures). ***This was not addressed.***

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14. If there are showers and utility sink faucets on the site, include these fixtures in the disinfection procedures (**due April 1st 2019 per NOV EH-NOV-19-0016**). ***See the previous comment on the disinfection procedures. The disinfection procedures are not sufficient.***

Not addressed 5/13/2019.

15. If water lines are uninstalled/removed from the fairgrounds site seasonally explain the procedure for assembly, storage and disassembly (Stipulation Agreement and Orders EH-ENF-18-0039). Storage location and conditions need to be included. ***This was not addressed.***

Not addressed 5/13/2019.

16. Include in the Disinfection Procedures a timeline to start and complete construction or installation of temporary water lines, the disinfection process and the water testing. Give Grassroots enough time in this timeline to disinfect and resample if the test results coming back positive for bacteria. ***This was not addressed.***

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18. NYS Sanitary Code, Part 7, Subpart 7-3 Campgrounds, Section 7-3.14 Sewage Treatment, campgrounds that allow motor homes and truck campers must provide wastewater dump stations for the units to empty their onboard holding tanks. Please include a dump station on your plans or another way of managing this waste through a certified NYS wastewater hauler. ***This was not addressed.***

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CERTIFIED, REGULAR, & ELECTRONIC MAIL

May 24, 2019

Elaine Springer
Fingerlakes GrassRoots Festival
PO Box 941
Trumansburg, NY 14886

**Re: Public Health Directors (PHD) Orders #EH-NOV-19-0036
Failure to Meet PHD Orders #EH-ENF-19-0017, #EH-NOV-19-0034 and
Violation of Board of Health Resolution #EH-ENF-18-0039
Finger Lakes GrassRoots Festival Org., Mass Gathering, T-Ulysses**

Dear Ms. Springer:

The Tompkins County Board of Health adopted Resolution #EH-ENF-18-0039 in December 2018 requiring Finger Lakes GrassRoots Festival Org. to submit by February 15, 2019:

2. ... approvable plans for the drinking water systems at Onsite and Across the Way prepared by a design professional licensed in New York State. The plans for the water system must show that the minimum pressure of 20 psi will be present at all locations in the water supply; **and** ...
4. Submit an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite and Across the Way....

The Tompkins County Health Department has since issued Public Health Directors Orders #EH-ENF-19-0017 and #EH-NOV-19-0034 and additional comments requiring GrassRoots to submit approvable water plans for Onsite and Across The Way. In a meeting on May 17, 2019, and as documented in a follow-up email dated May 18, 2019, GrassRoots was to submit approvable plans addressing key issues including disinfection procedures by 4 p.m. on May 22, 2019.

This office has reviewed the water plans submitted on May 22, 2019, for Onsite and Across the Way. While the submittals do address some of the requirements noted in previous correspondence and noted at the May 17, 2019 meeting, the documents continue to fail to address some significant concerns and comments.

Fingerlakes GrassRoots Festival is ordered to comply with the following Public Health Directors Orders:

- Approvable plans for the water systems and for the distribution systems disinfection (both for storage and start-up) must be received by the Health Department **no later than 4 p.m. on May 28, 2019**. Refer to the attached document that lists previous comments, noted deficiencies, and additional comments for your reference to submit approvable plans.

The failure to submit approvable plans is endangering the ability of the TCHD to approve the water systems and the Mass Gathering permit application and issue the operating permit for the festival. In addition, this office reserves the right to seek any and all remedies available to it under Article I of Tompkins County Sanitary Code and Section 309 of Public Health Law including, but not limited to, fines and additional penalties of up to \$500 per day per violation.

Please contact Scott Freyburger or Elizabeth Cameron at (607) 274-6688 if you have any questions.

Sincerely,



Frank Kruppa
Public Health Director

Attachment – 5/24/19 TCHD Comments Addressing Onsite and Across the Way Water System Plans

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2019\Enforcement\PHD Order 19-0036- Water\Grass Roots PHDO 19-0036 - water.docx
ec: GrassRoots: Elaine Spring; Lissa Farrell, Charles Guttman, Esq., Nana Monaco, Dan Walker; NYSDOH: Tim Wiant; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger; Becky Sims; Kristee Morgan; Skip Parr
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May 24, 2019

TCHD Comments Addressing Onsite and Across the Way Water System Plans

Thank you for submitting revised plans and a report on 5/22/19. We have completed a preliminary review and have the following initial comments. Revised plans/reports addressing these comments and the deficiencies noted below **must be submitted by 4 p.m. on May 28, 2019.**

1. ATW plans: The ATW plans look generally acceptable with one exception. As discussed at the May 17 meeting, the plans do not show the connection to the water supply hydrant. The plans must be revised to show this connection. The report and plans show an upgrade from the 1.5" water piping to 2" water piping for 440' on the ATW property. Will the piping from the hydrant to ATW be increased from 1.5" to 2" when compared to the 2018 system? Include this in the plans and report.
2. ATW Plans: Plans have been submitted in black and white and color. Please only submit one copy of each. They should be identical except for color and dated with the correct revision dates. (This was not the case with the copies submitted on 5/22).
3. At the meeting on May 17, Elaine Springer mentioned additional spigots at ATW. Please make sure these are included on the plans.
4. Onsite Plans: The Onsite plans stamped by Dan Walker and submitted via link from Elaine Springer are dated 4-25-19. We also have unstamped plans – possibly the GrassRoots Onsite camping map – that are dated May 16, 2019.
 - o There are discrepancies between the two submittals that must be resolved.
 - o Neither document clearly shows that there is adequate roadway/path clearance where a water spigot is also located. Of specific concern are the water spigots located against the livestock barn and the cabaret hall. The plans need to show that there is 12' clear roadway/path plus the 3' drainage pit.
 - o The plans show a 3/4" pipes from the Fairground hydrants. The report and calculations call for 1" branch lines. The plans need to be revised to show 1" lines. See specifically line A.
5. Water System Design Report:
 - o The frequency for servicing the portable toilets and grey water tanks needs to be indicated for both Onsite and ATW.
 - o As previously noted and considering the construction involved, the disinfection procedures for ATW are not acceptable. Disinfection procedures must be revised as noted below.

Comments 5/3/19:

1. In 2018, GrassRoots constructed water systems on the festival grounds and at Across the Way without approval from the Health Department, resulting in the enforcement action. We allowed use of the water systems for the 2018 festival with the requirement that new plans be submitted for 2019. Minimal revisions have been made to the water plans for Across the Way since the March 7, 2019, comments from our office. In addition, GrassRoots has failed to respond to our previous comment that water spigot trees may not be located in roadways or campsites at Across the Way or Onsite. In order to approve the water plans, **all proposed water trees for the 2019 festival must have a 2.5-ft walking/access path around the 3 ft x 3 ft gravel seepage pit;** must not impede traffic in or be located in the 12-ft or 20-ft emergency lanes; and must not be located in a campsite. The 8 ft x 8 ft area needed for each water spigot must be clearly shown on the plans and must also be clearly marked in the field. Affected campsites must be clearly designated as no camping in the field.

*This was partially addressed. Modified plans for Across the Way were provided addressing most of this comment except some of the trees are currently located in campsites. **These campsites must be labelled as not available for camping. Modified plans were not submitted for onsite (5/13/2019).***

5/24/19: addressed

2. Grassroots has verbally stated that they plan on attempting to form a new water district with the Village of Trumansburg for supplying water to Across the Way. They have shown no evidence of this. It is our opinion that the formation of a new water district or developing an onsite water source is not expected to be viable for the 2019 festival. The plans must detail how Grassroots will be temporarily obtaining water for 2019.

*We were provided with email communications between Grassroots and the Town about this issue. **Additionally, provide a plan in writing that details what Grassroots will use as a source of water Across the Way for the 2019 festival and a schedule for either the formation of a water district or alternative options for the 2020 and future festivals (5/13/2019).***

5/24/19: Partially addressed. See comment above.

3. Section 7-4.5 of the Mass Gathering narrative application and engineering report outlines regulatory requirements for water and sewage plans and notes that *this information is provided in the plans* submitted by the engineer for GrassRoots. Insufficient information has been submitted for Section 7-4.5(b) addressing treatment and disposal of sewage. This information must be included in the revised submittal.

Not addressed by 5/13/2019.

5/24/19: Partially addressed in the water system report. Frequency with which the facilities are patrolled needs to be included.

4. Provide a Cut Sheet or other adequate detail that depicts how the Tamper Resistant Control Valves that are proposed for the water trees are not accessible to the general festival participants.

Not addressed by 5/13/2019.

5/24/19: Under review by TCHD

5. Clearly state how Grassroots will contain all wastewater from the showers on both sites (Onsite and Across the Way). Grey water from the showers was evident on the ground surrounding the shower in 2018 and is not acceptable. The draft shower plans do not indicate how this will be avoided in 2019.

Not addressed by 5/13/2019.

5/24/19: Partially addressed. Under review by TCHD

6. Note that the water plans for onsite have above-ground distribution pipes that run through campsites and across roadways. This will not be an acceptable way for providing water to the 2020 festival.

Across the Way Comments (previously provided March 7th, 2019):

1. Include the campsite outlines, number of campsites per section and road widths on the water plans. *This comment was addressed except for the tent camping in the woods. Please indicate sections and number of tent sites per section.*

Not addressed 5/13/2019.

5/24/19: Addressed

2. Add details to the plans that show the water faucet trees and generally any other water fixtures like utility sinks. *Water tree details were added. Utility sink details need to be provided. This was addressed.*
3. If showers are provided, show how they supply hot water. *This was addressed.*
4. The proposal calls for vacuum breakers. Where will they be located? *This was not addressed.*

Not addressed 5/13/2019.

5/24/19: Under review by TCHD

5. Water faucet tree locations appear to be placed at edges of campsites or roads. These locations will either impede emergency vehicle traffic or result in water within adjacent campsites. Water spigots cannot be located within the 12' or 20' lane. Please set aside adequate space on the property for the operation of these water structures (i.e. one campsite that will not be used for camping and will instead contain the water tree structures). *This was not addressed. See additional comment #1 above.*

Not addressed 5/13/2019.

5/24/19: Addressed

6. Your hydraulic calculations show assumed flow conditions (i.e. Manifold to 4 = 8 GPM, 4 to 2 = 4 GPM.....). Please justify these conditions using industry accepted references or standards. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Partially addressed. Need to include piping from hydrant

7. Propose peak flow conditions (i.e. times during day, events happening at time and number of faucets/showers running at once at this time). Pressures in the system will need to be tested before the festival begins. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Partially addressed. Propose number of faucets/showers running at once, other events, etc.

8. Explain how the campsites at the end of long runs of Across the Way water main will have 55 gallons/campsite-day of water available if the flow to the water tree in these locations is 2 GPM (i.e. West Run 2 to 3). ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Partially addressed. Improved over 2018. May need more information in 2020.

9. Show the calculations that you used to populate the hydraulic calculation spreadsheet. ***This was not addressed.*** *The Hydraulic Calculations submitted are exactly the same as the Hydraulic Calculations submitted on 2/20/19. There were no significant changes to the water plans/proposal since the 2/20/19 submission.*

Not addressed 5/13/2019.

5/24/19: Addressed

10. If Grassroots is considering future expansion of the water system, we would recommend that the size of the water mains ***not decrease*** over long runs of the line (i.e. hundreds of feet) as this will result in parts of the system being undersized and increase the cost to expand. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Not addressed but not needed for now.

11. Identify the number and locations of Total Coliform and E. Coli samples that are to be performed and are to have negative results, before the water system can be placed into operation. ***Comment addressed.***

12. The proposed disinfection of the system procedure would be acceptable if the system was properly closed-off for the season and no new construction was being performed on the system. This proposal is calling for changes to be made to the system that is currently

installed. As a result, the disinfection procedure for the startup of the system following these improvements should be more thorough (i.e. AWWA C651-05 Disinfecting Water Mains or the attached TCHD Annual Water System Start-Up Procedures). ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Not addressed. Critical to improve disinfection procedure.

13. If there are showers and utility sink faucets on the site, include these fixtures in the disinfection procedures. ***Disinfection procedures are not sufficient.***

Not addressed 5/13/2019.

5/24/19: Not addressed in the water system engineering report. May be included in mass gathering application currently under review.

14. Include in the Disinfection Procedures a timeline to start and complete construction or installation of temporary water lines, the disinfection process and the water testing. Give Grassroots enough time in this timeline to disinfect and resample if the test results coming back positive for bacteria. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Not addressed in the water system engineering report. May be included in mass gathering application currently under review.

15. When plans are resubmitted, include the revision date on the plans. ***Addressed.***

16. NYS Sanitary Code, Part 7, Subpart 7-3 Campgrounds, Section 7-3.14 Sewage Treatment, campgrounds that allow motor homes and truck campers must provide wastewater dump stations for the units to empty their onboard holding tanks. Please include a dump station on your plans or another way of managing this waste through a certified NYS wastewater hauler. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: addressed

Onsite Comments (previously provided March 7th, 2019):

1. Label the size of each water line on the plans (i.e. 1", ¾"....). ***This comment was addressed.***
2. Identify the hydrants on the plans. ***This comment was partially addressed. Please complete the response.***

Not addressed 5/13/2019.

5/24/19: may have been addressed depending on which plans are finalized

3. Verify that all walkway/drives that are located in between campsites and buildings are at least 12 ft (or 20' if applicable) wide for emergency vehicle access and that water spigots will not impede this traffic. Water spigots cannot be located within the 12' or 20' lane. If these lanes do not

currently have 12 ft of unimpeded space, make adjustments to the campsite locations in these areas. ***This was not addressed. See additional comment #1 above.***

Not addressed 5/13/2019.

5/24/19: Partially addressed depending on which plans are finalized. See comment #4 above

4. Add details to the plans that show the shower facility (**due April 1st 2019 per NOV EH-NOV-19-0016**), water faucet trees and generally any other water fixtures like utility sinks. *The shower detail was mostly addressed (see additional comment #5), the water tree detail exists and the utility sink detail was not addressed. This was addressed.*
5. If showers are provided, detail how they provide hot water? ***This was addressed.***
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5/24/19: Under review by TCHD

7. See the attached pdf of the Onsite system (*previously provided*) and pay close attention to the area hatched in red. Make sure that the campsites within this area are included within 250 ft of a water source. ***This was addressed.***
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Not addressed 5/13/2019.

5/24/19: Addressed in report but report does not match plans

9. Explain how the campsites at the end of long runs of Onsite water main will have 55 gallons/campsite-day of water available if the flow to the water tree(s) in these locations is 2 GPM (i.e. Hydrant to A2). ***This was not addressed.***

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Not addressed 5/13/2019.

5/24/19: addressed

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before the festival begins. ***This was not addressed. Indicate how pressures will be tested before the festival begins.***

Not addressed 5/13/2019.

5/24/19: Partially addressed. Propose number of faucets/showers running at once, other events, etc.

12. Identify the number and locations of Total Coliform and E. Coli samples that are to be performed and are to have negative results, before the water system can be placed into operation. *This was addressed.*

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5/24/19: Addressed

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15. If water lines are uninstalled/removed from the fairgrounds site seasonally explain the procedure for assembly, storage and disassembly (Stipulation Agreement and Orders EH-ENF-18-0039). Storage location and conditions need to be included. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Sufficiently addressed for 2019. Will require more detail prior to actual storage and in plans for 2020.

16. Include in the Disinfection Procedures a timeline to start and complete construction or installation of temporary water lines, the disinfection process and the water testing. Give Grassroots enough time in this timeline to disinfect and resample if the test results coming back positive for bacteria. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: Not addressed in the water system engineering report. May be included in mass gathering application currently under review.

17. When plans are resubmitted, include the revision date on the plans. ***Addressed.***

18. NYS Sanitary Code, Part 7, Subpart 7-3 Campgrounds, Section 7-3.14 Sewage Treatment, campgrounds that allow motor homes and truck campers must provide wastewater dump stations for the units to empty their onboard holding tanks. Please include a dump station on your plans or another way of managing this waste through a certified NYS wastewater hauler. ***This was not addressed.***

Not addressed 5/13/2019.

5/24/19: addressed



The above public health advocates and organizations write in support of Assembly Bill 2371/Senate Bill 2994 which would clarify that the only permissible exception from New York's vaccination requirements is for patient medical conditions that would place patients who are immunized at risk for adverse outcomes. Immunizations protect infants, children, adolescents, and adults from preventable diseases and are considered the cornerstone of public health.

Vaccines, one of the most successful and cost-effective public health interventions, have saved countless lives and are responsible for preventing more than 2.5 million deaths each year. Without immunizations, dangerous diseases would become more rampant, the public health system would be overburdened with treatment costs, and child deaths would increase dramatically.

Universal immunization or herd immunity is an essential component of disease control throughout the world. When an individual is immunized that person contributes to universal immunization and helps to protect those individuals who are not able to be immunized, such as medically fragile patients or newborns and infants that are too young to receive immunizations.

Complacency and a reduction in vaccination can cause diseases previously thought to be eliminated from the developed world to reemerge. According to the Centers for Disease Control and Prevention, there have been over 700 confirmed cases of measles from January 1 to April 29, 2019 in 22 states. This is now the greatest number of measles cases reported in the U.S. since the CDC declared measles eliminated in 2000.

As of April 24, 2019, there are 232 confirmed measles cases in various counties in the state OUTSIDE of New York City; and the New York City Department of Health and Mental Hygiene has confirmed that 390 people, including two pregnant women, have been infected with measles. Local authorities in affected counties and in New York City have declared that they are facing a public health emergency. New York State is at the center of this outbreak. The CDC has confirmed that as of April 26, 2019 there have been 704 confirmed measles cases in 22 states. New York State is at the center of these measles cases.

Anyone can become infected with measles, but the virus is more severe in infants, pregnant women, and people whose immune systems are weak. Complications of measles include diarrhea, ear infections, pneumonia (infection of the lungs), encephalitis (swelling of the brain), premature birth or low-birth-weight in pregnancy, and death. By ensuring that there are only medical exemptions from immunizations as other states have recently mandated, New York State will be taking a significant step to ensure that all New Yorkers are protected from this disease and many other vaccine preventable diseases.

The U.S. Supreme Court has long held that a state can mandate vaccines and accompany those vaccine mandates with a criminal fine for those not in compliance. More broadly, the court ruled that the state can impose “reasonable regulations” to protect the public health, even when such regulations interfere with individual rights. The case – *Jacobson v. Massachusetts*, has since been a staple of public health law. Throughout the years, there have been challenges to this case, but the court continues to maintain this precedent.

The medical and public health organizations and patient and parent advocates listed above seek to maintain the hard-won immunization gains over the last century and to continue to improve on the successes of the past—an important step is the elimination of the religious exemption from the public health law. It must be understood that asserting religious exceptions to vaccinations impacts not only those asserting the exception, but also those who interact with them who may not have received the vaccination due to medical reasons or who are too young to even be immunized. Under proposed legislation, parents would continue to maintain the legal right to refuse immunizations for themselves and their children. However, they would not have the right to send their children to licensed infant and child care programs or to public school and expose other young children, students and staff.

We urge your support of this legislation on behalf of all New Yorkers.

Public Health Organizations Supporting Immunizations

American Academy of Pediatrics, NYS District II, Chapters 1, 2 & 3
American Nurses Association - New York (ANA-NY)
Associated Medical Schools of New York
Autism Science Foundation
Citizen Committee for Children of New York, Inc.
Children’s Defense Fund-New York
Erie County Department of Health
Ithaca Is Immunized
Kimberly Coffey Foundation
Nurses Who Vaccinate
March of Dimes
Meningitis B Action Project
Medical Society of the State of New York
Nurse Practitioner Association New York State
New York American College of Emergency Physicians
NY Chapter American College of Physicians
NYS Academy of Family Physicians
NYS Association of County Health Officials (NYSACHO)
NY Occupational and Environmental Medical Association (NYOEMA)
NY State Neurological Society
NY State Neurosurgical Society
NYS Ophthalmological Society
NYS Society of Otolaryngology-Head and Neck Surgery
NYS Public Health Association
New York State Society of Anesthesiologists, Inc.
The New York State Radiological Society
Schuyler Center For Analysis and Advocacy
The Children’s Agenda

Board of Health
June 25, 2019
Financial Report

May 2019 / Month 5

Expenditures appear low as a payroll (two weeks) from May is paid and posted in June.
Revenues are tracking lower across the board at this time; staff will continue to monitor. Public Health State Aid is at 51% due to receipt of lower revenues and up to \$650,000 is paid at 100%.

Tompkins County Financial Report for Public Health

Percentage of Year 41.67%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	1,510,496	580,970	38.46%	268,363	57,984	21.61%	1,242,133	522,986	56.94%
4011 EMERGING LEADERS IN PH	0	12,219	0.00%	0	5,000	0.00%		7,219	
4012 WOMEN, INFANTS & CHILDREN	530,783	185,626	34.97%	530,783	108,140	20.37%		77,486	
4013 OCCUPATIONAL HLTH.& SFTY.	134,434	42,524	31.63%	0	0	0.00%	134,434	42,524	31.63%
4015 VITAL RECORDS	74,924	25,084	33.48%	108,000	40,987	37.95%	-33,076	-15,903	48.08%
4016 COMMUNITY HEALTH	1,686,474	508,326	30.14%	395,805	47,859	12.09%	1,290,669	460,467	40.66%
4018 HEALTHY NEIGHBORHOOD PROG	172,369	56,762	32.93%	172,368	39,316	22.81%	1	17,446	540,225.00%
4047 PLNG. & COORD. OF C.S.N.	1,433,845	502,799	35.07%	388,551	53,661	13.81%	1,045,294	449,138	44.70%
4048 PHYS.HANDIC.CHIL.TREATMNT	8,000	0	0.00%	4,000	0	0.00%	4,000	0	
4090 ENVIRONMENTAL HEALTH	1,721,985	606,751	35.24%	625,478	176,221	28.17%	1,096,507	430,531	40.74%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,256,911	644,180	51.25%	-1,256,911	-644,180	51.25%
Total Non-Mandate	7,273,310	2,521,061	34.66%	3,750,259	1,173,347	31.29%	3,523,051	1,347,715	38.25%
2960 PRESCHOOL SPECIAL EDUCATI	4,996,060	1,938,839	38.81%	2,968,051	1,506,450	50.76%	2,028,009	432,389	47.00%
4017 MEDICAL EXAMINER PROGRAM	205,500	70,036	34.08%	0	0	0.00%	205,500	70,036	34.08%
4054 EARLY INTERV (BIRTH-3)	655,000	222,310	33.94%	318,500	5,349	1.68%	336,500	216,961	64.48%
Total Mandate	5,856,560	2,231,185	38.10%	3,286,551	1,511,799	46.00%	2,570,009	719,386	27.99%
Total Public Health	13,129,870	4,752,246	36.19%	7,036,810	2,685,145	38.16%	6,093,060	2,067,101	33.93%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	745,201	210,379	2960 Preschool	2,536,504	1,461,601
4012 WIC	338,468	422,643	4054 Early Intervention	432,690	313,151
4013 Health & Safety	91,910	0	4017 Medical Examiner	46,758	0
4014 Medical Examiner	0	0		<u>3,015,952</u>	<u>1,774,752</u>
4015 Vitals	49,840	67,013			
4016 Community Health	1,113,878	347,946			
4018 Healthy Neighborhood	97,651	133,052			
4047 CSCN	912,918	334,890			
4048 PHCP	8,000	4,000			
4090 Environmental Health	1,099,080	449,257			
4095 State Aid	0	612,731			
	<u>4,456,944</u>	<u>2,581,913</u>			

Total Public Health Balances	
Available Budget	Revenues Needed
<u>7,472,896</u>	<u>4,356,665</u>

**Public Health Director
Report
June 2019**

- Governor Cuomo signed into law the removal of religious exemptions from immunization requirements. This is a victory for public health and is due to the work of many advocates including the BOH. <https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-removing-non-medical-exemptions-school-vaccination>
- Cornell Cooperative Extension is working on a profile of our transition to electric vehicles. They are collecting some data and will be interviewing some staff about their experiences.
- Sam and I have been preparing a brief presentation on our Kresge grant work that we will be giving to invited guests during a special session at NACCHO in July. We are paired with the team from Yakima County in Washington.

HEALTH PROMOTION PROGRAM – May 2019

Samantha Hillson, Director, PIO
 Ted Schiele, Planner/ Evaluator
 Susan Dunlop, Community Health Nurse
 Maya Puleo, Healthy Neighborhoods Education Coordinator
 Pat Jebbett, Public Health Sanitarian

HPP staff strive to realize health equity by addressing underlying determinants of health. Our focus includes health care access, health literacy, chronic disease prevention & management, housing quality & environment, and food security. Our tools include education and outreach, community partnerships, home visits, media and communications, policy, and environmental change.

Highlights

Two team members attended the NYS Public Health Association annual conference, May 2-3, at Greek Peak. Three team members attended the 2019 Diversity Roundtable, “Focusing Our Equity Lens,” presented by the Diversity Consortium of Tompkins County, May 29, at IC

Community Outreach

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

Groups, Programs, Organizations	Activity/Purpose	Date
Collective Impact-Childhood Nutrition	Regular meeting	
Healthy Kids, Healthy Planet Team meeting with Cornell MPH, research grant	2-year Funding through Atkinson Center for a Sustainable Future – supporting elementary students’ mental wellbeing and environmental stewardship agency through connecting with nature during the school day. Interviews and focus groups have taken place this year.	5/7
Health Planning Council Executive Committee	Planning for Transportation meeting and fall agenda	5/22
TC Climate Protection Initiative	Meeting to discuss Ithaca Green New Deal, interest in health outcomes related to climate change. Topic areas: equity, economic development, and health.	5/30
Ripple Effect Subcommittee Long Term Care Committee	Ripple Effect is a subcommittee of the Long Term Care Committee, Health Planning Council, which meets to focus on aging with independence.	5/3
County Office for the Aging COFA meetings	5/16 was COFA’s annual meeting	5/10 5/16

TCHD: Program & Intra-departmental Participation and Support

Division, Program, Initiative	Activity	Date
HPP Team Meeting	Monthly meeting	5/9

Diabetes Prevention Program (DPP) (Dunlop, CDC Certified Lifestyle Coach)

- Post core program: final meeting of the year-long program
- Call with CDC (5/17)

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

- CHA Steering Committee: reviewing data, determining focus groups to identify disparities (5/9, 5/10, 5/28)
- Community Assets and Resources meeting with County Planning (5/20)
- Community Wealth Building with NYS DOH Public Health Practice: 2 interviews were conducted with Full Plate Farm Collective and INHS, editing narrative to upload on Citizen Science platform. (5/23)

Healthy Lungs for Tompkins County

- Harmonicas for Health (H4H): New class starting June 12 at Finger Lakes Independence Center.

Healthy Neighborhoods Program

- A Project Assistant will be hired for the summer months. They will help increase the reach of our canvassing efforts, and help complete home visits.
- Training & Outreach
 - TCAction Head Start parents meeting, presentation (5/3, reached 6)
 - Loaves & Fishes, tabled (5/3, 55 reached)
 - Immaculate Conception, outreach (5/7, 50 reached)
 - Salvation Army WIC clinic, outreach, (5/22, 14 reached)
 - Dryden church congregant dinner, outreach (5/29, 74 reached)

May 2019

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018*
# of Initial Home Visits (including asthma visits)	35	165	153	413
# of Revisits	8	58	76	163
# of Asthma Homes (initial)	1	13	20	43
# of Homes Approached	241	340	368	1,422

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

Tobacco Free Tompkins

- City of Ithaca: 3x5 card showing areas downtown where smoking is prohibited per city law has been expanded to now identify areas that are smoke-free by a policy other than the city law, including for example, county property.
- Central NY regional contractors meeting (5/23)

Media, Website, Social Media

- Press Releases: [Seeking a Dog May 10 2019](#), [Septic Replacement Funding Year 2](#), [Ticks Are Here 2019](#)
- Children's Camps: updated factsheets to 2019 versions

Meetings and Trainings

- NYSPHA/NYSACHO Annual Meeting: Public Health 3.0 Innovating and Transforming - Greek Peak (5/2-5/3)
- Diversity Roundtable: anti-racist pedagogy, microaggressions, and panel on inclusive work environment (5/29)
- Art of Participatory Leadership: Community of Practice – sharing resources, shared work practice was discussed (5/30)
- Continuing Education (C.E.) Credits
 - Health Literacy: A Tool for Effective Communication and Engagement; School of Public Health Albany (1.0 credit)
 - Reducing the Risk for Death: Never too Late to Exercise; Medscape (0.25 credit)
 - Climate Smart Communities: Connections with Public Health; School of Public Health Albany. (1.0 credit)

Emerging Leaders in Public Health (ELPH) Cohort III – Kresge Foundation

- ELPH RFP for consultant to advance transformative concept: 5 Proposals reviewed and interviews held with all applicants (5/23-6/3)
- Leadership Coaching (5/8, ongoing)
- Individual Team Meeting (5/23)
- Action Learning Set: phone call with UNC coach and 5 other county health departments to discuss progress, challenges, resources,
- ELPH Webinar:
- Collaboration with Ithaca College Health and Human Performance and Cornell MPH – incorporating reflection on social determinants of health into internship/practicum opportunities
- ELPH convening with 19 other Health Departments who were awarded Kresge grant at UNC Chapel Hill. Workshops: Bridging Systems to Thinking Practice – Engaging Inquiry; Shifting the Narrative of Racism and Inequity – Human Impact Partners (5/13-5/15)

Medical Director's Report
Board of Health
JUNE 2019

ACTIVITIES:

PROJECT TEACH

Project Teach is a longstanding NYS program to provide primary care practitioners (MD's, DO's, MP's, PA's) with diagnostic and treatment child and adolescent mental health information. The intent is to increase the delivery of mental health services in the primary care setting across NYS. It is done via phone consultations, web based diagnostic resources and in person and web based teaching programs. They provide a phone consultation service which is very conveniently accessible. Primary Care Practitioners can discuss cases and work out treatment and evaluation plans with the assistance of Psychologists and also child Psychiatrists. They seek to provide mental health services targeted at child and adolescent issues. Their age group is between 0 through the age of 21.

Project Teach members expressed an interest in meeting in order to become more familiar with our region and to network with us. I attended the meeting with other members of the Health Department (Frank Kruppa and Karen Bishop, RN), the Mental Health Department Deputy commissioner and with 3 Project TEACH Physicians and leaders. The purpose of the meeting was to help explore strategies by which Project TEACH might be able to more effectively provide child mental health services in our region. Our meeting delineated several actions that we can take for them and they, in turn, can take themselves for their program.

I reached out to area practitioners and practitioners State wide by way of NYS Academy of Family Physicians to help promote this worthy program.

COLLABORATION WITH TCHD COMMUNITY HEALTH SERVICES ON EXPANSION OF MATERNAL CHILD HEALTH CARE:

I have had a couple of meetings on this topic, focused on creating a scope of potential services and strategies with Karen Bishop RN and several CHS staff.

THC (Tetrahydrocannabinol):

I have been invited to deliver the same THC presentation that I used at the League of Women Voters, at the Department of Family Medicine's quarterly meeting at Cayuga Medical Center in September. This was prompted by an article that I had written for the NYS Academy of Family Physicians educational publication, *Family Doctor*, about THC.

MEASLES:

Case counts continue to rise both in NYS and nationally despite measures taken in downstate counties.

We have emailed/faxed out a flyer with a cover letter on a Webinar given by NYS Department of Health. It was sent to all area primary care MD's, DO's, PA's and NP's. The Webinar will cover the recognition of Measles, its epidemiology and the control. It will also cover the NYS experience working with vaccine hesitant patients and families in an effort to help practitioners work more effectively with them and increase our community immunity.

At this writing the bill to remove "non medical exemptions" to vaccination is being considered in the legislature. Its passage is uncertain. It is supported by NYSACHO, and the state professional bodies of MSSNY, Pediatrics and Family Medicine among others.

The Ithaca Journal as of this writing reports a bill being introduced to require summer camps to verify and require full immunization of attendees as a condition of attendance. Currently, camps have full discretion as to whether to require this.

Division for Community Health
June 25, 2019 Board of Health Meeting

Karen Bishop, Director of Community Health
May 2019 Report

Administration –

- Attended the two-day New York State Public Health Association (NYSPHA) conference at Virgil, NY on May 2-3.
- Continued testing of documentation forms built in the beta EHR and began creating the electronic chart structure.
- Participated on twice weekly EHR software vendor conference calls.
- Provided Blood Borne Pathogen training to 4 new Probation officers on May 7.
- Completed one manager annual performance evaluation on time!
- Showed the video “Lead Poisoning, the Perfect Predator” to WIC staff on May 16.
- Faxed information to local medical providers to assist them to prepare for a suspect case of measles accessing their office/facility.

Statistical Reports –

- Division statistical reports – see attached reports.
- Communicable disease reports to date not available from NYSDOH.

WIC –

- Caseload stats for May 2019:
Enrollment: (participant with active certifications) = 1204
Participants who have attended WIC appointments and have WIC benefits issued = 1067
Caseload utilization: 88.6% (meaning we are serving 88.6% of the participants enrolled)
- Trainings:
One WIC Nutritionist attended the one-week Lactation Counselor course and achieved certification. Both Registered Dietitians on staff are now Certified Lactation Counselors.
All staff attended the Annual WIC Conference in Syracuse.

June 2019 BOH Report

Community Health Services

By Melissa Gatch, Supervising Community Health Nurse

Continuing Education-

- Community Health Nurse Nanette Scogin attended a conference on Hepatitis and HIV in Rochester, NY on May 3 and a foodborne illness outbreak conference on May 22 in Syracuse, NY.
- Community Health Nurses Gail Birnbaum, Deb Axtell and Nanette Scogin attended an immunization conference in Waterloo on June 15.

Lead Poisoning Prevention- No open lead cases.

Communicable Disease-

- **Suspect Measles:** 27 month old male presented to local provider with symptoms of fever, cough, runny nose, and rash covering his forehead, neck, shoulders and lower back. Child had received 1 MMR vaccine. Parents reported plane travel to Chicago 2 weeks prior. The suspect case was not masked while at the provider visit and the LHD was not notified of the suspect case until after the child had left the provider office. LHD staff worked with the provider office to assure appropriate testing was done and specimens were sent to the Wadsworth lab as well as to develop a line list of patients and staff who may have had contact with the suspect case. The suspect case was isolated at home until lab results received. LHD staff notified the preschool that the suspect case attended and asked staff to work on developing their list of susceptible students and staff. LHD contacted the suspect cases parents to obtain history of illness, to review travel history and to provide education. Final test results were negative.
- **Measles outbreak in NYS:** As of June 14, 2019 the case count was **312** in NYS and over **500** cases in NYC primarily in Borough Park and Williamsburg neighborhoods of Brooklyn. The majority of NYS cases continues to be in the Orthodox Jewish community, where vaccination rates are lower and community immunity has not been established.
- **Suspect Mumps:** 19 year old female, fully vaccinated college student presented to college health center with symptom of parotitis. Specimens were obtained and sent to Wadsworth Laboratory. Student was seen by provider on day 5 of her parotitis and did not need to be isolated. One close contact was identified. The contact was fully vaccinated, asymptomatic and provided education. Final test results were negative.
- **Legionellosis:** 27 year old female presented to local ER with fever, headache, myalgia, cough and SOB; she was admitted to local hospital. Urine tested positive for Legionella; no sputum was collected. CXR showed LLL pneumonia. Case was discharged from the hospital a few days later. Upon interview, potential exposure history included hot tub at a friend's home and repairs to the pipes in her home shower.
- **HIV Testing/Counseling:** During the month of May the Health Department offered **11** clinic dates at multiple testing sites. There were **6** people tested, all with negative results.
- **Health Advisories and Informational Messages Blast Faxed to Providers:**
 - Weekly Influenza Surveillance Report
 - NYSDOH Commissioner Declares Influenza No Longer Prevalent

Tuberculosis- (1 active TB case)

- 63 year old from China; came to US in 1990. Presented to family provider in North Dakota in February 2018 due to cough, weight loss, fatigue and SOB. Work up included an abnormal chest

xray; positive QFT; and abnormal CT scan. Sputum was **negative** for MTB at that time. He presented again to provider in North Dakota in October 2018 with a resurgence of cough and weight loss. Bronchoscopy completed in December 2018 with specimens collected; AFB smear negative, and culture positive for MTB at 8 weeks, initial sensitivities came back as Rifampin resistant. Case started on 4-drug treatment (Moxifloxacin for Rifampin due to drug resistance) on March 6, 2019. An interjurisdictional report was received from North Dakota on April 22 that client was moving back to NY to be with his family. However, on April 23 case was hospitalized locally with chest pain and SOB; he was discharged on April 25 without changes to his TB treatment regime. Case was admitted to TCHD for TB case management on April 26. He has been followed daily for DOT, except weekends. Final culture showed drug resistance to Rifampin with sensitivity to all other first and second line medications. Case has had a difficult time with reported adverse side effects from the medications and has had several medication adjustments during May. Case is now on 3 drug treatment and is tolerating present regime.

LTBI (Latent Tuberculosis Infection): There were **14** Tuberculin Screening Tests (TST) placed during the month of May; all negative results.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 07JUN19
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=May

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ANAPLASMOSIS**	2	22.9	1	11.5	2	22.9	0	0.0	1	11.5
CAMPYLOBACTERIOSIS**	5	57.3	2	22.9	3	34.4	1	11.5	2	22.9
CRYPTOSPORIDIOSIS**	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	0	0.0	1	11.5	1	11.5	0	0.0	1	11.5
ENCEPHALITIS, OTHER	1	11.5	0	0.0	1	11.5	0	0.0	0	0.0
GIARDIASIS	3	34.4	2	22.9	0	0.0	3	34.4	2	22.9
HAEMOPHILUS INFLUENZAE, NOT TYPE B	1	11.5	2	22.9	0	0.0	1	11.5	1	11.5
HEPATITIS B,CHRONIC**	0	0.0	1	11.5	5	57.3	0	0.0	2	22.9
HEPATITIS C,ACUTE**	1	11.5	1	11.5	0	0.0	1	11.5	1	11.5
HEPATITIS C,CHRONIC**	1	11.5	2	22.9	6	68.7	7	80.2	5	57.3
INFLUENZA A, LAB CONFIRMED	5	57.3	3	34.4	1	11.5	3	34.4	2	22.9
INFLUENZA B, LAB CONFIRMED	1	11.5	2	22.9	6	68.7	26	297.7	11	126.0
LEGIONELLOSIS	1	11.5	0	0.0	1	11.5	1	11.5	1	11.5
LYME DISEASE** *****	5	57.3	2	22.9	2	22.9	1	11.5	2	22.9
MALARIA	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
MENINGITIS, ASEPTIC	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
PERTUSSIS**	0	0.0	3	34.4	0	0.0	0	0.0	1	11.5
SALMONELLOSIS**	0	0.0	2	22.9	1	11.5	1	11.5	1	11.5
SHIGELLOSIS**	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
STREP,GROUP A INVASIVE	0	0.0	1	11.5	0	0.0	1	11.5	1	11.5

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
STREP, GROUP B INVASIVE	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
STREP PNEUMONIAE, INVASIVE**	1	11.5	0	0.0	0	0.0	2	22.9	1	11.5
YERSINIOSIS**	0	0.0	1	11.5	0	0.0	0	0.0	0	0.0
SYPHILIS TOTAL.....	1	11.5	2	22.9	3	34.4	0	0.0	2	22.9
- P&S SYPHILIS	0	0.0	0	0.0	2	22.9	0	0.0	1	11.5
- EARLY LATENT	1	11.5	1	11.5	0	0.0	0	0.0	0	0.0
- LATE LATENT	0	0.0	1	11.5	1	11.5	0	0.0	1	11.5
GONORRHEA TOTAL.....	4	45.8	12	137.4	3	34.4	5	57.3	7	80.2
- GONORRHEA	4	45.8	11	126.0	3	34.4	5	57.3	6	68.7
- GONORRHEA, DISSEMINATED	0	0.0	1	11.5	0	0.0	0	0.0	0	0.0
CHLAMYDIA	45	515.3	45	515.3	45	515.3	34	389.3	41	469.5
CHLAMYDIA PID	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0

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

**Confirmed and Probable cases counted

***Not official number

**** In 2016, 25 counties investigated a sample of positive laboratory results; in 2017, 27 counties sampled; in 2018, 30 counties sampled; in 2019, 33 counties sampled.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 07JUN19

Through May

Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
AMEBIASIS	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
ANAPLASMOSIS**	2	4.6	1	2.3	3	6.9	0	0.0	1	2.3
CAMPYLOBACTERIOSIS**	10	22.9	12	27.5	10	22.9	4	9.2	9	20.6
CRYPTOSPORIDIOSIS**	2	4.6	4	9.2	8	18.3	5	11.5	6	13.7
DENGUE FEVER**	0	0.0	0	0.0	1	2.3	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	1	2.3	1	2.3	1	2.3	2	4.6	1	2.3
ENCEPHALITIS, OTHER	1	2.3	1	2.3	1	2.3	1	2.3	1	2.3
GIARDIASIS	9	20.6	7	16.0	2	4.6	5	11.5	5	11.5
HAEMOPHILUS INFLUENZAE, NOT TYPE B	3	6.9	3	6.9	0	0.0	2	4.6	2	4.6
HEPATITIS B,CHRONIC**	3	6.9	4	9.2	14	32.1	7	16.0	8	18.3
HEPATITIS C,ACUTE**	2	4.6	3	6.9	1	2.3	1	2.3	2	4.6
HEPATITIS C,CHRONIC**	11	25.2	23	52.7	29	66.4	30	68.7	27	61.8
INFLUENZA A, LAB CONFIRMED	743	1701.5	456	1044.3	388	888.5	330	755.7	391	895.4
INFLUENZA B, LAB CONFIRMED	26	59.5	560	1282.4	147	336.6	80	183.2	262	600.0
INFLUENZA UNSPECIFIED, LAB CONFIRMED	1	2.3	0	0.0	2	4.6	2	4.6	1	2.3
LEGIONELLOSIS	1	2.3	0	0.0	2	4.6	2	4.6	1	2.3
LISTERIOSIS	0	0.0	1	2.3	0	0.0	0	0.0	0	0.0
LYME DISEASE** ****	10	22.9	10	22.9	2	4.6	8	18.3	7	16.0

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
MALARIA	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
MENINGITIS, ASEPTIC	1	2.3	1	2.3	1	2.3	0	0.0	1	2.3
MUMPS**	0	0.0	2	4.6	0	0.0	0	0.0	1	2.3
PERTUSSIS**	3	6.9	4	9.2	1	2.3	0	0.0	2	4.6
SALMONELLOSIS**	1	2.3	5	11.5	1	2.3	4	9.2	3	6.9
SHIGELLOSIS**	0	0.0	1	2.3	0	0.0	2	4.6	1	2.3
STREP, GROUP A INVASIVE	1	2.3	3	6.9	1	2.3	2	4.6	2	4.6
STREP, GROUP B INVASIVE	2	4.6	4	9.2	1	2.3	2	4.6	2	4.6
STREP PNEUMONIAE, INVASIVE**	3	6.9	4	9.2	4	9.2	6	13.7	5	11.5
TUBERCULOSIS***	1	2.3	1	2.3	1	2.3	0	0.0	1	2.3
YERSINIOSIS**	1	2.3	1	2.3	0	0.0	0	0.0	0	0.0
ZIKA VIRUS (SYMPTOMATIC)**	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
SYPHILIS TOTAL.....	9	20.6	4	9.2	4	9.2	5	11.5	4	9.2
- P&S SYPHILIS	4	9.2	0	0.0	2	4.6	2	4.6	1	2.3
- EARLY LATENT	5	11.5	3	6.9	0	0.0	2	4.6	2	4.6
- LATE LATENT	0	0.0	1	2.3	2	4.6	1	2.3	1	2.3
GONORRHEA TOTAL.....	44	100.8	56	128.2	31	71.0	20	45.8	36	82.4
- GONORRHEA	44	100.8	55	126.0	31	71.0	20	45.8	35	80.2
- GONORRHEA, DISSEMINATED	0	0.0	1	2.3	0	0.0	0	0.0	0	0.0
CHLAMYDIA	216	494.6	202	462.6	188	430.5	156	357.2	182	416.8
CHLAMYDIA PID	0	0.0	1	2.3	1	2.3	0	0.0	1	2.3
OTHER VD	1	2.3	0	0.0	0	0.0	0	0.0	0	0.0

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

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

***Not official number

**** In 2016, 25 counties investigated a sample of positive laboratory results; in 2017, 27 counties sampled; in 2018, 30 counties sampled; in 2019, 33 counties sampled.

Division for Community Health
PROGRAM Statistical Highlights for Board of Health - 2019

Community Health Services Program Statistics	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2019	Total 2018	Total 2017
Maternal Child / MOMS Services															
Client Caseload	67	66	67	68	80										
# of Client Admissions	19	12	18	12	27								88	143	181
# of Client Discharges	12	17	11	15	22								77	152	217
Maternal & Infant Office Visit**	5	2	11	5	2								25	79	99
Maternal & Infant Home Visit	68	48	59	60	87								322	618	918
Total Home & Office Visits	73	50	70	65	89	0	0	0	0	0	0	0	347	697	1017

SafeCare															
# of Clients in program	8	9	10	8	8								35	14	
# Home Visits	12	9	17	14	14								66	186	

On-Call (Weekend) Nursing Visits to Patients															
Maternal & Infant On Call Visits	0	0	0	0	0								0	0	0
Rabies On Call Vaccinations	1	1	0	0	1								3	50	36
TB DOT On Call Visits	0	0	0	0	3								3	18	9
Total # On-Call Visits	1	1	0	0	4	0	0	0	0	0	0	0	6	68	45

Total Home, Office, SafeCare, On-Call Visits	86	60	87	79	107	0	0	0	0	0	0	0	419	951	1062
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Childbirth Education															
# of Childbirth Education Classes	0	0	0	0	0									0	3
# of Childbirth Education Moms*	0	0	0	0	0									0	13

DOT = Direct Observe Therapy Visits

MOMS = Medicaid Obstetrical and Maternal Services

Shaded areas indicate revisions from the previous report

* CBE Moms is duplicated count

** Office visit includes intake visits

Community Health Services Clinic Statistics	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2019	Total 2018	Total 2017
Immunization Program (does not include counts for rabies vaccinations or PPD)															
Immunization Clients Served: Children	23	9	30	21	26								109	344	274
Immunization Clients Served: Age19 +	20	20	16	16	16								88	610	599
Total Immunization Clients	43	29	46	37	42	0	0	0	0	0	0	0	197	954	873
Immunizations Administered: Children	44	19	58	53	40								214	606	553
Immunizations Administered: Age 19 +	28	26	18	19	18								109	663	668
Total Immunizations Administered	72	45	76	72	58	0	0	0	0	0	0	0	323	1269	1221
# of Influenza Immunizations	17	3	9	4	0								33	661	591
# of All Other Immunizations	55	42	67	68	0								290	608	630
Rabies Vaccination Program (Internal data, reporting to NYSIS may be ongoing)															
Post-Exposure Clients	2	5	4	2	2								15	167	139
Post-Exposure Vaccinations	5	13	6	3	5								32	352	277
Tuberculosis Program															
Cumulative Active TB clients	2	2	2	3	3								2	7	5
Active TB Admissions	0	0	0	1	0								1	5	4
Active TB Discharges	0	1	0	0	0								1	4	3
Current Active Clients	2	1	1	2	2								N/A	N/A	N/A
TB Direct Observe Therapy Home Visits	21	10	0	4	21								56	417	353
# of Tuberculosis Screening Tests	11	10	21	14	12								68	236	231
Anonymous HIV Counseling & Testing Clinics															
# of HIV Clinics - including Walk-Ins	10	10	13	9	11								53	97	89
# of Clients Counseled & Tested	1	8	15	17	6								47	81	73
HIV Positive Eliza & Western Blot	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Women, Infants, Children Clinic															
Monthly New Enrollments													0		535
Total Participants Served													0		5230
Participants w/Active Checks													0		1160
Total Enrolled (Summary is an Average)													0		1399
% No-Show															
% Active Participation															
% Caseload Target (FY17 Target = 1500)															

123 Red numbers indicate preliminary data; subject to revision

UA = Unavailable at this time



yellow cells are averages

This count includes TB DOT office visits for one client

Not yet available in NYWIC, new WIC system which went live in October

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

Children with Special Care Needs Highlights May 2019

Staff Activities

Staff Committees & Meetings

- CSCN Software committee meets weekly (Michele Card, Cindy Lalonde, Barb Wright, Deb Thomas, Greg Potter IT Director and Roger Cotrofeld, IT)
- Margo Polikoff & Barb Wright attended the Children with Special Health Care Needs Regional Meeting in Syracuse—5/1/19
- Margo and Julie Norton attended Committee on Preschool Special Education Chairperson meeting —5/17/19
- All Staff attended the CSCN Staff Meeting--5/20/19
- Transition Committee Meeting with Service Coordinators and Administrative Coordinator—5/21/19
- Diane Olden met with Deb, Barb, Greg Potter & Alana Congden re. scanning for new software implementation—5/23/19
-

Staff Training

- CSCN Community Health Nurses participated in the Bureau of Early Intervention Transition Webinar on 5/8/19

Division Managers

- Debbie Thomas and Barb Wright met to prepare 2020 budget—5/22/19
- Debbie and Barb attended budget meeting with Brenda Grinnell Crosby—5/23/19
- Debbie and Barb met with Greg Potter and Alanna Congden regarding scanning for new software implementation—5/23/19

Deb Thomas:

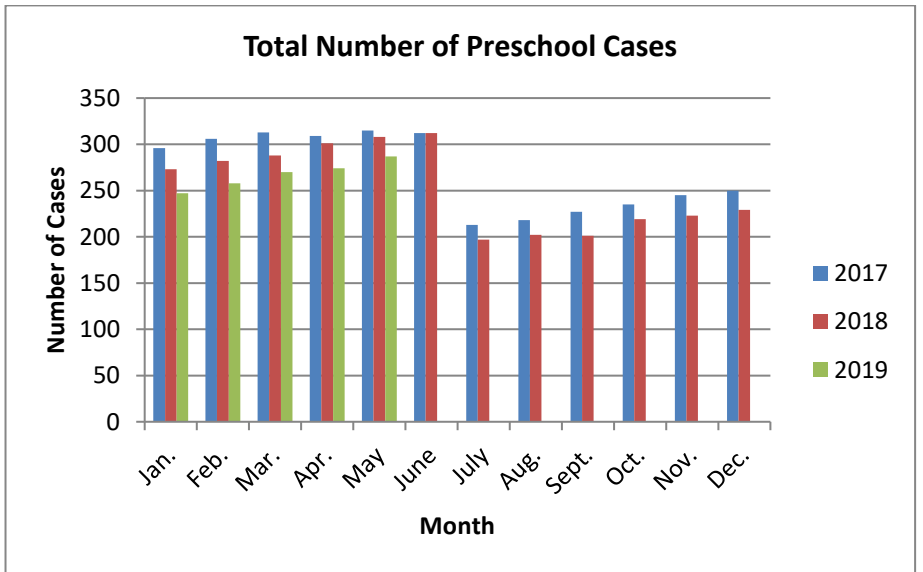
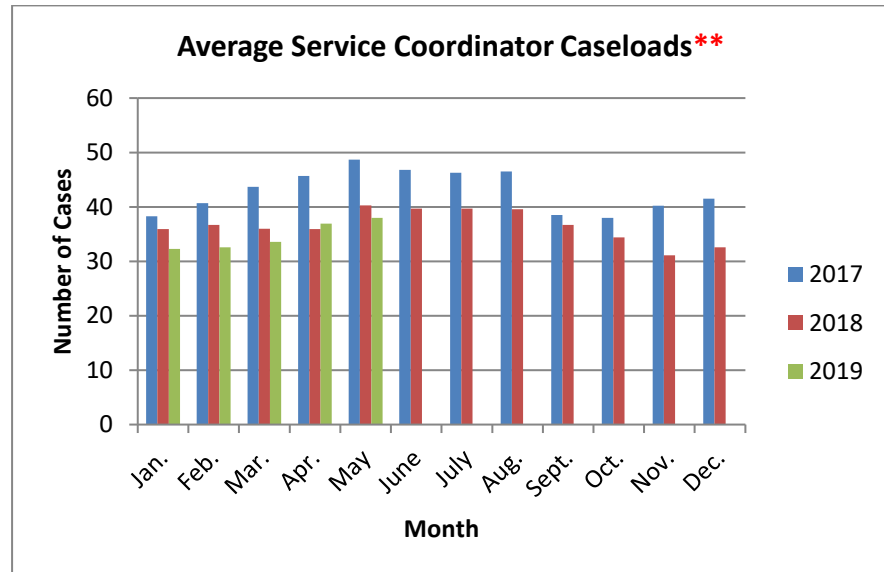
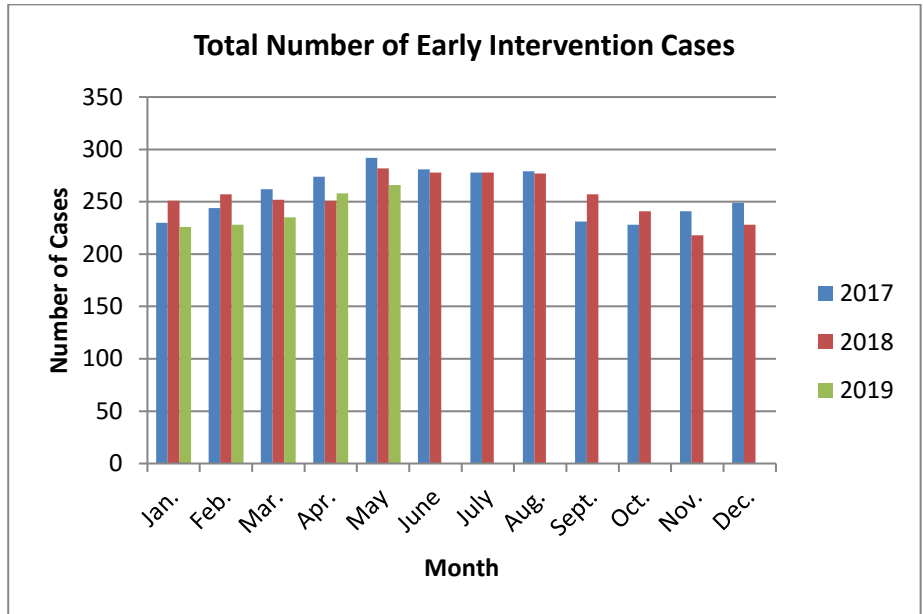
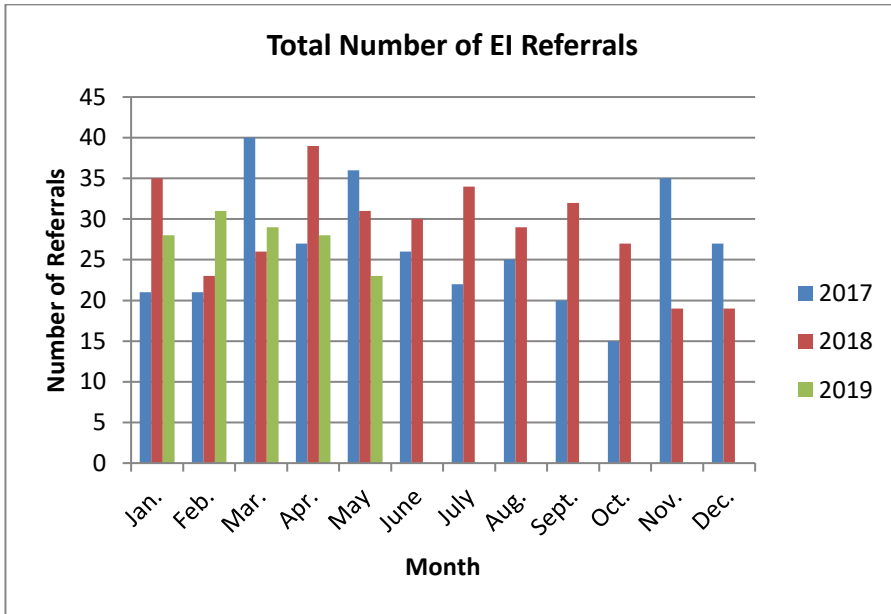
- Attended Committee on Preschool Special Education Chairperson meeting—5/17/19
- Met with Roger Cotrofeld and Michele Card for software adjustments--5/23/19

Other:

- Service Coordinator Pat Washburn announced retirement date of 7/4/19

Children with Special Care Needs

Statistics Based on Calendar Year



****Average Service Coordinator Caseloads showing decrease due to increase in fully oriented Ongoing Service Coordinators**

**Children with Special Care Needs Division
Statistical Highlights 2019**

EARLY INTERVENTION PROGRAM

Diagnosed Conditions (continued)	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
-- Spina Bifida	1	1	1	1	1									
-- Te Fistula	0	1	0	0	0									
-- Torticollis	3	4	3	4	4									

Early Intervention Discharges														
-- To CPSE	0	0	0	0	0								0	78
-- Aged out	2	0	1	3	3								9	4
-- Declined	2	2	2	4	5								15	67
-- Skilled out	1	0	2	1	6								10	39
-- Moved	3	2	2	5	3								15	25
-- Not Eligible	7	4	6	7	9								33	118
-- Other	0	2	0	0	2								4	28
Total Number of Discharges	15	10	13	20	28	0	0	0	0	0	0	0	86	359

Child Find														
Total # of Referrals	0	0	0	0	0								0	14
Total # of Children in Child Find	8	7	6	3	3									
Total # Transferred to Early Intervention	0	0	0	0	0								0	5
Total # of Discharges	2	2	1	3	0								8	2

ENVIRONMENTAL HEALTH DIVISION

<http://www.tompkinscountyny.gov>

Ph: (607) 274-6688

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ENVIRONMENTAL HEALTH HIGHLIGHTS

May 2019

New Food Service Inspection Officer: Congratulations to René Borgella! René has successfully and officially received certification by the NYSDOH as a Food Service Inspection Officer 1 (FSIO-1). NYSDOH guidance recommends that staff that inspect high-risk food service establishments should be certified by NYSDOH. We are excited that René can now inspect these facilities independently. It has been challenging to meet the NYSDOH guidance as FSIO's in EH have retired and NYSDOH has changed the certification review process.

Agriculture & Markets Memorandum of Understanding: On April 15, 2019, the NYSDOH and NY State Department of Agriculture & Markets adopted a new Memorandum of Understanding (MOU) between the two agencies to replace the previous MOU from 2007. One significant change with the new MOU concerns alcoholic beverage manufacturers such as breweries, cideries, and wineries. Local health departments (LHDs) will now be responsible for food service operations at alcoholic beverage manufacturers unless the food service is considered incidental (such as an onsite tasting room). LHDs will also now be responsible for offsite tasting rooms which are separate from the manufacturing location. EH will now be responsible for Ithaca Beer and the Lucky Hare Brewery tasting room. A potentially bigger impact in Tompkins County is the provision which states that LHDs will regulate food service and retail food operations at regulated campgrounds and temporary residences (Part 7 facilities). This has been defined as including camp stores at campgrounds and would include small stores selling food items (including packaged, canned goods, etc.) in temporary residences. While the new MOU is currently in effect, the regulation of the stores at Part 7 facilities by LHDs will not occur until 2020. At this time, we are working to determine how these facilities will be permitted and inspected in Tompkins County.

Hydrilla: Plant monitoring indicates that treatment for hydrilla in the Inlet and Fall Creek appears to have been successful and treatment is not required in those areas this year. Over the past two years, hydrilla finds have occurred in the area off Stewart Park. The Hydrilla Task Force is developing plans to treat an approximately 70-acre area at the southern end of Cayuga Lake with low-dose applications of the herbicide Fluridone weekly, beginning the week of June 24th and lasting for 10 weeks. As in previous years, water quality monitoring will take place and the results will be posted to the County website. In a collaboration with the Hydrilla Local Task Force, the Army Corps of Engineers (ACOE) will be funding and managing the herbicide application as part of their scientific data gathering, as they have done at the Aurora and Erie Canal sites for the past few years.

Bat Euthanasia Facility: EH purchased equipment in order to humanely perform bat euthanasia using isoflurane, an anesthetic gas. Tompkins County Facilities is in the process of modifying our Water Lab to create a safe space for conducting this procedure. Procedures have been drafted and been reviewed by the Tompkins County Health and Safety Officer and PESH (the Public Employee Safety and Health Bureau) and are currently being reviewed internally.

GrassRoots Across The Way SEQR: The Health Department was the lead agency of the State Environmental Quality Review (SEQR) for the property that the Finger Lakes GrassRoots Organization purchased to use for their Across The Way camping facilities. In consultation with Tompkins County Planning, EH determined that this action was subject to SEQR. EH reviewed the Environmental Assessment Form (EAF) that GrassRoots submitted and determined that a Negative Declaration or Notice of Determination of Non-Significance was appropriate. The Negative Declaration and associated documents were issued on May 30 and sent to the Town of Ulysses and the New York State Department of Health (the identified interested or involved agencies) and GrassRoots. A request was also submitted to have the notice published in the New York State Department of Environmental Conservation Environmental Notice Bulletin (ENB).

GrassRoots Emergency Response Plan: Nina Saeli from TCHD Administration and representatives from EH have been meeting regularly with GrassRoots, the NYS Police, Trumansburg Police, Tompkins County Sheriff Department, Department of Emergency Response (DOER), and NYSDOH to develop a much-improved emergency response plan (ERP) and plans for a Unified Command Post to be in operation during the 2019 festival. Meetings were held on April 10 and 24; May 7, 14, and 22; and June 11. A final draft of the ERP was circulated on May 22.

Owasco Lake Watershed Rules and Regulations: On March 15, the TCHD became aware that revised draft regulations for the Owasco Lake Watershed. Parts of the towns of Groton and Dryden are in the Owasco Lake Watershed and would be subject to the new regulations. EH was concerned that the proposed regulations could in some circumstances have a negative impact on permitting replacement sewage systems in those areas. We submitted comments on the proposed regulations on April 24. We have received an informal response to these comments from the Cayuga County Environmental Health Director stating that the intention is to address most, if not all, of our comments. EH will continue to work with Cayuga County to ensure that our concerns are addressed. The Tompkins County Board of Health would be responsible for enforcement of these regulations for violations that occur in the portions of the watershed located in Tompkins. A presentation on the regulations is planned to be made to the Board of Health at a later point in the process. The draft regulations will need to be revised in response to our and other comments and submitted to NYSDOH prior to being formally adopted.

Nate's Floral Estates Mobile Home Park: Frank Kruppa, Adriel Shea, and Joel Scogin from the Health Department attended at joint NYSDEC/City of Ithaca meeting on May 6 at the Ithaca City Hall. The meeting was proposed by the NYSDEC to discuss preliminary findings of the environmental investigation that was conducted at Nate's Floral Estates over the past few years. Official findings have not been released but the results indicate that additional soil will be required in some areas to eliminate potential exposure to some low-level contamination at the site. There is also concern with contamination detected from seeps into the flood control channel. These seeps are not limited to the Nate's property. Future action to address this is being evaluated.

CEHD Spring Meeting: Skip Parr and Scott Freyburger attended the Conference of Environmental Health Directors (CEHD) meeting in Minnowbrook Conference Center at Blue Mountain Lake on May 6 to 8. Speakers made presentations on chloride impacts in Rockland County, road salt contamination in the Adirondacks, and the State Septic System Replacement Fund. Updates were provided by the New York State Association of County Health Officials (NYSACHO), the National Environmental Health Association (NEHA) and NYSDOH Center for Environmental Health.

Food Service at Ithaca College: Ithaca College (IC) has ended their contract with Sodexo for providing food service on their campus. Kristee Morgan, Clayton Maybee and Liz Cameron attended a meeting with Ithaca College representatives on April 8 to discuss requirements for transferring the responsibility to IC instead of Sodexo. The meeting was productive and helped facilitate a smooth transition. New permits that take effect between June 1 and July 1 have been issued to Ithaca College for their food service operations on campus.

Training:

Note: Since this section was not included in the April Highlights, this section covers both April and May.

Skip Parr, Kristee Morgan, Adriel Shea, and Liz Cameron participated in *Emotional Intelligence Training* on April 30 along with other managers at the Health Department.

Kristee Morgan attended *Foodborne Illness Outbreak Investigation Data Analysis Training*, sponsored by the NYSDOH, in Syracuse on May 22.

On May 29, 2019, Kristee Morgan and Clayton Maybee participated in a webinar on the new NYSDOH and Ag & Markets Memorandum of Understanding (MOU). The MOU effects our food service inspection program.

Rabies Control Program

There were no confirmed cases of rabies in Tompkins County during May 2019. May is typically a month where there are more interactions with wildlife due to females seeking dens or nesting sites for offspring. There were a lower number of cases of bats in the home compared to last year but reports from nuisance wildlife control officers and wildlife rehabilitators suggest this was due to low activity of bats and not due to low incidence of reporting.

The spring Rabies Clinics had excellent attendance, with 524 pets vaccinated. An electronic system is now being used at all locations to register participants and to print rabies certificates. Health Department staff did have internet connectivity issues at some of the clinics resulting in a slowdown in registration time and in some cases having to use handwritten certificates. Rabies program staff will be working with ITS to resolve these issues for future clinics.

Key Data Overview				
	This Month	YTD 2019	YTD 2018	TOTAL 2018
Bites ¹	31	123	100	306
Non Bites ²	3	31	67	226
Referrals to Other Counties	5	10	10	37
Submissions to the Rabies Lab	10	55	69	222
Human Post-Ex Treatments	2	19	42	144
Unvaccinated Pets 6-Month Quarantined ³	0	2	1	3
Unvaccinated Pets Destroyed ⁴	0	0	0	0
Rabid Animals (Laboratory Confirmed)	0	5	6	18

¹"Bites" include all reported bites inflicted by mammals and any other wounds received while saliva is present.

²"Non-bites" include human exposures to saliva of potentially rabid animals. This also includes bats in rooms with sleeping people or young children where the bat was unavailable for testing.

³When an otherwise healthy, unvaccinated pet has contact with a rabid animal, or suspect rabid animal, that pet must be quarantined for 6 months or euthanized. Quarantine must occur in a TCHD-approved facility (such as a kennel) at the owner's expense. If the pet is still healthy at the end of 6 months, the exposure did not result in rabies and the pet is released.

⁴ Pets must be euthanized if they are unvaccinated and have been in contact with a rabid or suspect rabid animal and begin to display signs consistent with rabies. Alternatively, a pet is euthanized if a prescribed 6-month quarantine cannot be performed or the owners elect euthanasia instead of quarantine.

Reports by Animal Type												
	Bites				Animals sent to the NYS Rabies Laboratory				Rabid Animals			
	Mo	YTD 2019	YTD 2018	Total 2018	By TCHD	By Cornell	Totals		Mo	YTD 2019	YTD 2018	Total 2018
							Mo	YTD				
Cat	11	46	30	115	0	1	1	4	0	0	0	0
Dog	20	74	57	158	0	0	0	4	0	0	0	0
Cattle	0	0	0	1	0	0	0	3	0	1	0	0
Horse/Mule	0	0	0	0	0	0	0	0	0	0	0	0
Sheep/Goat	0	0	0	0	0	1	1	1	0	0	0	0
Domestic	0	0	0	0	0	0	0	0	0	0	0	0
Raccoon	0	0	0	5	0	0	0	2	0	1	0	5
Bats	0	2	1	10	4	2	6	29	0	1	1	7
Skunks	0	0	2	3	0	0	0	1	0	0	1	1
Foxes	0	0	6	6	0	2	2	5	0	2	3	3
Other Wild	0	1	4	8	0	0	0	6	0	0	1	2
Totals	31	123	100	306	4	6	10	55	0	5	6	18

Food Program

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<http://www.tompkinscountyny.gov/health/eh/food/index>) or through the Tompkins County Mapping Portal (<https://tompkinscounty.maps.arcgis.com/apps/Style/index.html?appid=2768bd8c8b584d8a9155b60281ba477b>). Inspections can be sorted to meet the needs of the viewer (by facility, date, etc.) by clicking on the column heading of interest. These are valuable tools for easily providing information to the public.

Routine facility inspections are conducted to protect public health. The inspections are made without advance notice to ensure that food processes are adequate, safe, and meet code requirements. It is important to keep in mind that inspections are only a "snapshot" in the entire year of a facility's operation and they are not always reflective of the day-to-day operations and overall condition of the operation.

The following inspections were conducted with no critical violation(s) noted:

Alexander's Meals, Throughout Tompkins	Lincoln Street Diner, C-Ithaca
Ana's Curry Popcorn, Throughout Tompkins	Loco/Luna at Ithaca Festival, C-Ithaca
Benn Conger Inn, V-Groton	On the Street Commissary, T-Danby
Celebrations Banquet Facility, T-Caroline	The Piggery, Throughout Tompkins
Corner Store, C-Ithaca	Rashida Sawyer, Throughout Tompkins
Dragon Village, V-Trumansburg	Ron Don's Village Pub, V-Trumansburg
Garrett's Brewing Company, V-Trumansburg	Saigon Kitchen, C-Ithaca
Gimme Coffee – V-Trumansburg	Silo Food Truck, Throughout Tompkins
Golden City, V-Dryden	Silo Mac Express, Throughout Tompkins
The Good Truck, Throughout Tompkins	Subway Ithaca Mall, V-Lansing
Groton Village Court – Foodnet SOFA location, V-Groton	Sunset Grill, T-Ithaca
Jack's Grill at Ithaca Festival, C-Ithaca	Trini Style, Throughout Tompkins
Khmer Angkor Cambodian Food, Throughout Tompkins	Viva Taqueria & Cantina, C-Ithaca
	Word of Mouth Catering, V-Trumansburg

The Hazard Analysis Critical Control Point (HACCP) Inspection is an opportunity for the establishment to have the health department review food processes in the facility to make sure that all potential hazards are identified and to assure that the best food safety practices are being used.

HACCP Inspections were conducted at the following establishments:

None in May

Re-Inspections are conducted at any establishments that had a critical violation(s) to ensure that inadequate or unsafe processes in a facility have been corrected.

The following re-inspections were conducted with no violations noted:

15 Below Ice Cream, C-Ithaca	Joe's Restaurant, C-Ithaca
Bella Pizza, C-Ithaca	McDonald's – Triphammer Road, V-Lansing
Coltivare, C-Ithaca	Mehak Cuisine, C-Ithaca
Foodnet Central Kitchen, V-Lansing	Pat's Pizzeria, C-Ithaca
Hazelnut Kitchen, V-Trumansburg	Vietnam / Hai Hong, C-Ithaca

Critical violations may involve one or more of the following: the condition of food (e.g. food that may be at improper temperatures on delivery or damaged by rodents), improper food cooking and storage temperatures (e.g. food cooked to and/or held at improper temperatures), improper food preparation practices (e.g. preparing ready-to-eat foods with bare hands), and water and/or sewage issues (e.g. low disinfection levels in the water system). These critical violations relate directly to factors that could lead to food related illness.

Critical Violations were found at the following establishments:

Kelly's Dockside Kafe, C-I thaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 50-51°F. Product was moved to the walk-in cooler to be rapidly chilled to 45°F or less before use.

Country Inn & Suites, T-I thaca

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 68°F. Product was removed from service and rapidly chilled to 45°F or less before use.

Viva Taqueria & Cantina, C-I thaca

Enough refrigerated storage equipment is not maintained so that potentially hazardous foods are stored below 45°F. Product in a refrigerated storage unit were at 57-69°F. The products were moved to functioning refrigeration units to be rapidly chilled to 45°F or less before use.

Ling Ling Garden, T-I thaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 62°F. The product was removed from service and rapidly chilled to 45°F or below.

Bella Pizza, C-I thaca

Potentially hazardous foods were not stored under refrigeration. Product on a counter for customer service was observed to be at 76-78°F. The facility has a waiver to use time as a public health control for the product but was not complying with the waiver agreement at the time of the inspection. Temperature log sheets were established during the inspection as required by the waiver agreement.

Ciao!, V-Lansing

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 52-58°F, products in a second cold holding unit were observed to be at 52°F. The products were removed from service and rapidly chilled to 45°F or less before use.

Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept below 45°F. Products in a refrigerated storage unit were observed to be at 51-58°F. The products were moved to the walk-in cooler to be rapidly chilled to 45°F or less before use.

Corelife Eatery, C-I thaca

Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in hot holding were observed to be 125-127°F in one location, 110-111°F in a second location and 124°F in a third location. Products were removed from service and rapidly reheated to 165°F or above before use.

Zocalo Mexican Bar & Grill, V-Lansing

Potentially hazardous foods were not cooled by an approved method. Product on a counter was observed to be at 70°F. The product was moved to the cooler to be rapidly chilled to 45°F or less using approved methods.

Van Noble Smokehouse, T-Enfield

Potentially hazardous foods were not kept at or above 140°F in hot holding. Products in hot holding were observed to be at 119°F and 90°F. The products were removed from service and rapidly reheated to 165°F or above before use.

Firehouse Subs Mobile Unit, Throughout Tompkins

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 48-49°F in one refrigerated storage unit and 47-48°F in a second location. The products were removed from service and rapidly chilled to 45°F or less before use.

PDR's Catering, Throughout Tompkins

Potentially hazardous foods were not kept at or below 45°F in cold holding. Product in cold holding was observed to be at 48°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Taste of Thai Express, C-Ithaca

An accurate thermometer was not available during the inspection. The thermometer on-site was observed to be off by 10°F. The thermometer was calibrated during the inspection.

Potentially hazardous foods were not stored under refrigeration. Product on a counter by the prep line was observed to be at 80°F in one location and 90°F in a second location. The products were removed from service and rapidly chilled to 45°F or less.

Temporary Food Service Operation Permits are issued for single events at one location. The Food Protection Program issued 53 temporary permits.

Temporary food operation inspections are conducted to protect public health. The inspections are made without advance notice to ensure that the food processes at the event are adequate, safe, and meet code requirements. The operation must correct Critical Violations during the inspection. When a Temporary Food Operation has Critical Violation/s, a re-inspection is conducted when the event is longer than one day.

The following inspections were conducted with no violation(s) noted:

B&B Kettle Korn at Ithaca Festival, C-Ithaca
 Ben & Jerry's at Ithaca Festival, C-Ithaca
 The Chili Cabin – Finger Lakes Pottery Tour, T-Danby
 Copper Horse Coffee Roasters at Ithaca Festival, C-Ithaca
 CU – Deans Ice Cream Social, Cornell University
 CU – Panhellenic Council Camp Kessem Fundraiser, Cornell University
 Ithaca Coffee Company – IC Finals Week Food Show, T-Ithaca
 Lao Village at Ithaca Festival, C-Ithaca
 Little Farm Bakery at Ithaca Festival, C-Ithaca
 Macarollin Food Truck at Ithaca Festival, C-Ithaca
 Macdonald Farms at Ithaca Festival, C-Ithaca
 The Mason Jar at Ithaca Festival, C-Ithaca
 Mr. Squeeze Real Lemonade and Teas at Ithaca Festival, C-Ithaca
 Travelers Kitchen at Ithaca Festival, C-Ithaca
 Tropical Snow Hawaiian Shaved Ice at Ithaca Festival, C-Ithaca
 Wheelock Rides – Cotton Candy at Happenin' in the Hamlet, V-McLean
 Wheelock Rides - Fried Dough at Happenin' in the Hamlet, V-McLean

Critical Violations were found at the following establishments:

Fire Dawgs BBQ and Catering, T-Dryden

An accurate food probe thermometer was not available or used. The operator obtained a thermometer for use during the inspection. A re-inspection was satisfactory.

CU – SACNAS at 2019 SACNAS Taco Tuesday, Cornell University

Potentially hazardous foods were held at an improper temperature. Product in hot holding was observed to be at 85°F. The product was discarded during the inspection.

An accurate food thermometer was not available during the inspection. The operator obtained a working thermometer during the inspection.

Inadequate facilities were available to maintain temperature. Product on a counter was observed to be at 54°F. No cold holding equipment was available at the event to keep the food below 45°F. During the event, ice was obtained and the product was rapidly chilled to 45°F or less.

CU – South Asian Council at 2019 Last Day Lassi, Cornell University

Potentially hazardous food was held at an improper temperature. Product was observed to be at 48°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Dancing Turtle at Ithaca Festival, C-Ithaca

Potentially hazardous food was held at an improper temperature. Products were observed in coolers at 64-72°F, in a container for use in customer orders at 68-72°F and on a table to be used for orders at 70°F. The products were either removed from service at the event or rapidly chilled to 45°F or less before use. A re-inspection was satisfactory.

Trumansburg All Sports Boosters May Day 5K & IAC Track Meet, V-Trumansburg

Inadequate facilities were available to maintain temperatures of potentially hazardous food. Product on a counter was observed to be at 50°F. No cold holding equipment was available for the product. The product was discarded during the inspection. A re-inspection was satisfactory.

Pre-Operational inspections are conducted, following a thorough review of proposed plans, at new or extensively remodeled facilities to ensure code compliance prior to opening to the public.

The following pre-operational inspections were conducted:

Five Guys Burgers & Fries, C-Ithaca
Ha Ka Cha, C-Ithaca
Lucky Hare Brewing Company, C-Ithaca
Mama Said Hand Pies, C-Ithaca

Plans Approved:

Newfield Elementary – Jr/Sr High Schools, V-Newfield

New Permits Issued:

Ha Ka Cha, C-Ithaca
Lucky Hare Brewing Company, C-Ithaca
Mama Said Hand Pies, C-Ithaca
The Piggery, Throughout Tompkins
Wards Food Truck, Throughout Tompkins

The Food Protection Program received and investigated three complaints related to issues and/or problems at permitted food service establishments.

Engineering Plans Received

- OWTS Plan for New Construction – Town of Dryden
- OWTS Plan for New Construction – Town of Dryden
- OWTS Plan for New Construction – Town of Dryden
- OWTS Plan for Replacement Construction – Town of Dryden
- OWTS Plan for Replacement Construction – Town of Dryden
- Public Water System – Pleasant Grove PRV Station
- Pool Plans – Village of Groton
- Reality Subdivision Plan Renewal – Town of Ithaca
- Reality Subdivision Plan Renewal – Town of Lansing

Problem Alerts/Emergency Responses

- A precautionary boil water order (BWO) was issued to Cayuga Nature Center on May 15, 2019, T- Ulysses, due to inadequate system pressure. Satisfactory bacteriological tests results were received by TCHD from samples collected after repairs were completed and the BWO was released on May 23rd.
- A precautionary boil water order (BWO) was issued to Country Acres Mobile Home Park on May 30, 2019, T- Dryden, in response to a water main repair that lasted more than four hours. A satisfactory bacteriological test result was received by TCHD from a sample collected after the repair was completed and the BWO was released on June 3rd.
- A boil water order (BWO) was issued to Finger Lakes Marine Service, T- Lansing, on May 31, 2019, due to an inadequate disinfection treatment system. TCHD is awaiting completion and certification of the water treatment system.
- A boil water order (BWO) was issued to TOSA Apartments, T- Dryden, due to no chlorine in the distribution system caused by a pump malfunction on May 31, 2019. The water treatment specialist fixed the pump and TCHD is awaiting satisfactory bacteriological test results.

Childhood Lead Program

CHILDHOOD LEAD PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018
A: Active Cases (total referrals):				
A1: # of Children w/ BLL>19.9ug/dl	0	0	0	1
A2: # of Children w/ BLL 10-19.9ug/dl	0	0	0	5
B: Total Environmental Inspections:				
B1: Due to A1	0	0	0	1
B2: Due to A2	0	0	0	5
C: Hazards Found:				
C1: Due to B1	0	0	0	1
C2: Due to B2	0	0	0	5
D: Abatements Completed:	0	0	0	0
E: Environmental Lead Assessment Sent:	0	0	0	2
F: Interim Controls Completed:	0	0	0	0
G: Complaints/Service Requests (w/o medical referral):	4	15	17	54
H: Samples Collected for Lab Analysis:				
- Paint	0	0	0	5
- Drinking Water	0	0	0	0
- Soil	0	0	0	0
- XRF	0	0	0	5
- Dust Wipes	0	0	0	6
- Other	0	0	0	1

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
5/28/2019	Ithaca Bakery	Collegetown Bagels Inc.	Food Service Establishment – Violation of BOH Orders	\$1,200	Payment due 7/15/19	Monitoring Compliance
5/28/2019	Mix Social Dining	Mix Social Dining Inc	Food Service Establishment – Violation of BOH Orders	\$800	Payment due 7/15/19	Monitoring Compliance
5/28/2019	CU – Klarman Hall Café	Cornell University	Food Service Establishment – Violation of BOH Orders	\$800	Payment due 7/15/19	Monitoring Compliance
5/28/2019	Finger Lakes GrassRoots Festival	Finger Lakes GrassRoots Festival Org.	Mass Gathering & Public Water System - Violation of BOH Orders	\$1,000	Payment due 7/15/19	Monitoring Compliance
5/28/2019	Bun Appetit Bakery	Jodi Metcalf	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 7/15/19	Monitoring Compliance
5/28/2019	11 Ellis Drive	Donnrob Realty, LLC	Public Water Supply – Failure to Maintain Disinfection	\$400	Payment due 7/15/19	Monitoring Compliance
5/28/2019	Finger Lakes Marine Service	Barry Ford	Public Water Supply – Failure to Disinfect Water Supply	\$500	Payment due 7/15/19	Monitoring Compliance
4/26/19	TOSA Apartments	Tony Busse	Public Water Supply – Sampling and Reporting Violations	\$500 (\$250 paid)	Payment due 6/15/19.	Monitoring Compliance

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

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

Date: June 6, 2019
Memo to: Members of the Tompkins County Board of Health
From: C. Elizabeth Cameron, P.E., Director of Environmental Health

Subject: Recommended Environmental Health Division Fees for 2020

The information in this packet addresses our proposed facility operating and plan review fees, focusing on the plan review fees. Facility operating fees were discussed at the May 28, 2019, Board of Health Meeting.

Plan Review Fees: We conducted a fairly comprehensive review of plan review fees this year. There is considerable variation in the time required to review plans in a specific category. As in past years, the proposed fees have been developed based on estimates of the average review time obtained through an evaluation of plan submittals and in discussion with the Public Health Engineer. Based on this review, we are proposing several changes.

- The complexity of engineering plans for community water system facilities (e.g., new wells or water treatment) varies significantly. To address this variability and the corresponding increase in time to review some plans, we are proposing a new Community Water System Municipal Facility fee of \$1000, slightly more than double the existing Community Water System Facility fee of \$450. This new fee would cover projects similar to the new source and transmission system plans submitted by the Village of Dryden to address their arsenic water quality violation or the water treatment plant recently constructed by the City of Ithaca. These plans are obviously much more involved than putting in a new well and disinfection at a mobile home park or an apartment building.
- The Water Storage Tank plan review fee is increased to \$500 from \$230 to more accurately reflect the costs involved. This fee was last increased by \$5 (\$225 to \$230) in 2015 and by \$25 in 2012 (\$200 to \$225).
- The Cross-Connection Control base fee is increased to \$200 from \$160. This fee was last increased in 2015, to \$160 from \$150.
- We are proposing changes to the structure as well as the fees themselves for Onsite Wastewater Treatment Systems (OWTS) plan reviews. To a much greater extent than in other engineering plan review categories, the time involved on these projects is determined by the quality of the engineering plans submitted more than by the complexity of the project itself. This has resulted in repeated reviews and plan re-submittals in some cases and not in others. To try to address this, we are proposing a decrease in the base fee for an OWTS plan review, but this fee will generally be limited to two rounds of review (possibly three if the review time and comments are minimal). This should cover the plans submitted by most engineers. If the plan is not approvable on the third submission, we will submit a comment letter stating that an additional fee is required for further review.

As shown in Table 3, we have reduced the initial OWTS plan review fee. The additional fee of \$160 would cover another two to three reviews, depending on the level of comments/review time involved. In addition to the OWTS plan review fee, we have reduced the OWTS permit fee for systems that are designed by an outside engineer. EH time involved in permitting these systems is typically less than a system designed in house unless there are site visits or other complicating factors involved.

Mass Gathering Fees for Existing Facilities: Since we started permitting the Finger Lakes Grass Roots Festival as a mass gathering in 2013, the Environmental Health Division has spent an increasing amount of time each year on permitting/inspections and plan review. Costs involved are summarized in Table 4. The average staff time spent on permitting, reviewing plans, and inspecting the festival is 51.4 days over the last five years, with a peak of 124.8 days in 2018. Our cost recovery has been an average of only 13%, with a decrease to 5.6% in 2018. We have proposed raising our permit fee to \$2000 (from \$1650) and the plan review fee to \$5000 (from \$2250) for GrassRoots in 2020. If staff time drops to the 5-year average in 2020, we would be recovering about 25% of our costs for the program.

Permit/Operating Fees:

On May 7, 2019, NYSDOH released the final revised Memorandum of Understanding (MOU) between NYSDOH and NYS Agriculture and Markets with an effective date of April 15, 2019. One of the changes in the MOU is that NYSDOH/local health departments will now be responsible for inspecting retail food (e.g., camp stores) in addition to food service operations at campgrounds and temporary residences. We will now need to both issue food service permits and conduct food inspections at these facilities. It is not clear at this time how many of these operations there are, how much time and what activities will be involved in the inspection, or how the Part 14 Food Service Establishment regulations will be applied to these retail food stores. Therefore, we are proposing to not charge a fee for retail food operations at these facilities until 2021 when the process and time involved should be clearer.

Other proposed modifications to the operating fees are noted in Tables 1 and 2 and were discussed at the May Board of Health meeting.

Based on the proposed fees, the sources of estimated revenue for 2020 are:

Estimated Revenue:	
Operating/permit fees	\$352,020
Plan review/other fees	\$22,340
<u>Fines/penalties/late fees/other</u>	<u>\$21,475</u>
Subtotal*:	\$395,835
<u>Less credit card processing cost</u>	<u>\$1,873</u>

Total Estimated EH Revenue*: \$393,963

* Does not include revenue from grants and State Aid.

The following information is attached for your review:

- Table 1. Proposed Environmental Health Fee Schedule 2020 – Operating and Other Fees
- Table 2. Proposed Operating or Permit Fees Detail Sheet 2020
- Table 3. Proposed Plan Review Fees Detail Sheet 2020 – to be provided in June
- Table 4. Mass Gathering Fee Summary
- Table 5. Estimated vs. Actual Revenue and Expenses



ENVIRONMENTAL HEALTH DIVISION

55 Brown Road, Ithaca, NY 14850
 Ph: (607) 274-6688; Fx: (607) 274-6695
 On-line Services - <https://permits.tompkins-co.org/CitizenAccess/>

Draft for BOH Review June 2019
 Effective January 1, 2020

Table 1 - 2020 Proposed Environmental Health Fee Schedule

2020 OPERATING PERMIT, PLAN REVIEW, AND OTHER FEES

Agricultural Fairground Operating Permit	\$400 <input type="checkbox"/>
Campground Operating Permit \$150 plus \$2.75 per unit/site	<input type="checkbox"/>
Campground Plan Review	\$200 <input type="checkbox"/>
Children's Camp Operating Permit	\$200 <input type="checkbox"/>
Mass Gathering Operating Permit* (New Event)	\$4,100 <input type="checkbox"/>
Mass Gathering Operating Permit* (Existing Event) <i>(*Plus \$80 per staff/hr for incident response, if needed)</i>	\$2,000 <input type="checkbox"/>
Mass Gathering Plan Review (New Event)	\$12,000 <input type="checkbox"/>
Mass Gathering Plan Review (Existing Event)	\$5,000 <input type="checkbox"/>
Mobile Home Park Operating Permit \$150 plus \$3.50 per unit/lot	<input type="checkbox"/>
Mobile Home Park Plan Review \$460 plus \$30 per unit/lot	<input type="checkbox"/>
Recreational Aquatic Facility Operating Permit	
Swimming Pool/Bathing Beach	\$335 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility	\$360 <input type="checkbox"/>
Recreational Aquatic Facility Plan Review	
Swimming Pool/Bathing Beach/Other Aquatic Facility Up to 5,000 square feet	\$360 <input type="checkbox"/>
Slide and Wave Pool/Spray Park/Other Aquatic Facility Over 5,000 square feet	\$770 <input type="checkbox"/>
Temporary Residence Operating Permit \$175 plus \$3.50 per unit/site	<input type="checkbox"/>
TOTAL FEES - PAGE 1	
TOTAL FEES - PAGE 2	
TOTAL FEES DUE - PAGE 1 & 2	

Food Service Establishment Operating Permit	
High Risk	\$450 <input type="checkbox"/>
Medium Risk	\$375 <input type="checkbox"/>
Low Risk	\$210 <input type="checkbox"/>
Additional Mobile Unit	\$85 <input type="checkbox"/>
Food Service Establishment Plan Review	
High & Medium Risk	\$210 <input type="checkbox"/>
Low Risk	\$150 <input type="checkbox"/>
Push Cart	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Simple Menu	
1 Day Event	\$65 <input type="checkbox"/>
Multiple Events; Consecutive or Non-Consecutive Days <i>(up to 8 days in 120 days)</i>	\$100 <input type="checkbox"/>
Temporary Food Service Establishment - Complex Menu	
1 Day or Multiple Days; Single Event	\$150 <input type="checkbox"/>
Late Application - Received less than 2 weeks before event	\$25 <input type="checkbox"/>
Additional Expedited Permit Processing Fee - 3 days or less	\$25 <input type="checkbox"/>

OTHER FEES	
Late Application/Water Fee <i>(May be waived at TCHD discretion)</i>	\$50 <input type="checkbox"/>
Additional Expedited Permit Processing Fee - 3 days or less	\$50 <input type="checkbox"/>
Duplicate Rabies Certificate <i>(multiple certificates per occurrence)</i>	\$10 <input type="checkbox"/>
Waiver/Variance Request <i>(Requiring Board of Health Action)</i>	\$75 <input type="checkbox"/>
Waiver from NYS Appendix 75-A (OWTS) <i>(Unless due to TCHD referral)</i>	\$75 <input type="checkbox"/>
Copies <i>(Cost per page)</i>	\$0.25 <input type="checkbox"/>
Electronic copies of oversized files <i>(up to 10 pages)</i>	\$20 <input type="checkbox"/>
Each additional 10 pages	\$10 <input type="checkbox"/>
Sanitary Codes	\$1.00 <input type="checkbox"/>
Refund Request <i>(within 6 months of receipt)</i>	\$25 <input type="checkbox"/>
Environmental Impact Statement Review <i>(Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)</i>	<input type="checkbox"/>

- Notes:**
1. A check mark indicates the fee applies to your facility. Fees are additive for all operations.
 2. Checks should be made payable to: Tompkins County Health Department.
 3. There will be a \$20 service charge on all returned checks.
 4. Payment methods: check, cash, money order, or online w/credit card (Visa, MC, Discover).
- *Some renewal fees may be waived at TCDH discretion.

Preparer/Date: _____
 pc: Support Staff

Table 1 - 2020 Proposed Environmental Health Fee Schedule

2020 WATER SYSTEM OPERATING, ON-SITE WASTEWATER TREATMENT, AND DEVELOPMENT FEES

On-Site Wastewater Treatment System Construction Permit	
New Construction/Conversion	\$425 <input type="checkbox"/>
w/ Engineer Plans; no Site Evaluation	\$250 <input type="checkbox"/>
Replacement System	\$335 <input type="checkbox"/>
w/ Engineer Plans; no Site Evaluation or TCHD Referral	\$175 <input type="checkbox"/>
Septic Tank/Pump Chamber Replacement	\$105 <input type="checkbox"/>
*Holding Tank Permit Renewal	\$50 <input type="checkbox"/>
OWTS Permit/Application Renewal or Transfer	
*Permit Renewal (may be renewed 1x prior to expiration)	\$80 <input type="checkbox"/>
Permit Transfer (prior to expiration)	\$80 <input type="checkbox"/>
Application Renewal (may be renewed 1x prior to expiration)	\$80 <input type="checkbox"/>
Application Transfer (prior to expiration)	\$80 <input type="checkbox"/>
On-Site Wastewater Treatment System Plan Review by Design Professional	
0 – 499 gpd design rate	\$190 <input type="checkbox"/>
500 – 999 gpd design rate	\$230 <input type="checkbox"/>
1,000 – 1,999 gpd design rate	\$340 <input type="checkbox"/>
2,000+ gpd design rate	\$540 <input type="checkbox"/>
Other OWTS Modifications/Multiple Submissions	\$160 <input type="checkbox"/>
Holding Tank Plan Review & Initial Permit	\$160 <input type="checkbox"/>
Collector Sewer - 6" and larger (DEC & Health Dept Projects)	
< 5,000'	\$150 <input type="checkbox"/>
> 5,000'	\$250 <input type="checkbox"/>
Preliminary Development Review (where soil testing is required) (Prel)	\$400 <input type="checkbox"/>
Realty Subdivision Development Review Plus \$12.50 per lot NYS filing fee	\$800 <input type="checkbox"/>
Add \$35 per lot with individual water	<input type="checkbox"/>
Add \$55 per lot with individual sewage	<input type="checkbox"/>
(Subtract Preliminary Development fees paid)	- <input type="checkbox"/>
Realty Subdivision Approval Renewal	\$200 <input type="checkbox"/>
Other Engineering Review (May be waived at TCHD discretion)	\$160 <input type="checkbox"/>

Water System Operating Fee	
Community Water System (with sources)	
Groundwater System	\$200 <input type="checkbox"/>
Surface Water System	\$1,800 <input type="checkbox"/>
Non-Community Water System (with sources)	
Bottled/Bulk Haulers, Ice Plants	\$360 <input type="checkbox"/>
Water System Construction Permit and Plan Review	
Community Water System (Part 5, NYSSC)	
Community Water System Municipal Facility	\$1,000 <input type="checkbox"/>
Non-Community Public Water System	\$210 <input type="checkbox"/>
Distribution Water Main - 6" or larger	
< 5,000'	\$300 <input type="checkbox"/>
> 5,000'	\$400 <input type="checkbox"/>
Cross-Connection Control	
\$200 plus \$50/device	<input type="checkbox"/>
Water Storage Tank > 500,000 gal	\$500 <input type="checkbox"/>
Other Water System Modification (May be waived at TCHD discretion)	\$160 <input type="checkbox"/>

OTHER FEES

Late Application/Water Fee (May be waived at TCHD discretion)	\$50 <input type="checkbox"/>
Additional Expedited Permit Processing Fee - 3 days or less	\$50 <input type="checkbox"/>
Duplicate Rabies Certificate (multiple certificates per occurrence)	\$10 <input type="checkbox"/>
Waiver/Variance Request (Requiring Board of Health Action)	\$75 <input type="checkbox"/>
Waiver from NYS Appendix 75-A (OWTS) (Unless due to TCHD referral)	\$75 <input type="checkbox"/>
Copies (Cost per page)	\$0.25 <input type="checkbox"/>
Electronic copies of oversized files (up to 10 pages)	\$20 <input type="checkbox"/>
Each additional 10 pages	\$10 <input type="checkbox"/>
Sanitary Codes	\$1.00 <input type="checkbox"/>
Refund Request (within 6 months of receipt)	\$25 <input type="checkbox"/>
Environmental Impact Statement Review (Where Tompkins County is the lead Agency fee assessed as allowed by 6NYCRR 617.7)	<input type="checkbox"/>

Notes:

1. A check mark indicates the fee applies to your facility. Fees are additive for all operations.
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- *Some renewal fees may be waived at TCDH discretion.

TOTAL FEES - PAGE 2

Preparer/Date: _____

pc: Support Staff

Draft for BOH Review - June 2019
Table 2 - Environmental Health Division
Proposed Operating or Permit Fees Detail Sheet 2020

PROGRAM	FEES			# FACILITIES				STAFF TIME (days)		COST PER FACILITY			PROGRAM COST		REVENUE		REVENUE / PROGRAM COST	
	2020 PROPOSED	2019 FINAL	2018 FINAL	2020-EST TOTAL	2020-EST INVOICED	2018 TOTAL	2018 INVOICED	2020 ESTIMATE	2018 FINAL	2020-EST TOTAL	2020-EST INVOICED	2018 FINAL	2020 ESTIMATE	2018 FINAL	2020 ESTIMATE	2018 FINAL	2020 ESTIMATE	2018 FINAL
FOOD SERVICE ESTABLISHMENTS (FSE)				613	488	622	486	555	554	\$501	\$629	\$631	\$307,037	\$306,484	\$179,030	\$172,015	0.58	0.56
High Risk	\$450	\$430	\$400	190	165	192	165	310	311	\$903	\$1,039	\$1,043	\$171,498	\$172,051	\$74,250	\$66,000	0.43	0.38
Medium Risk	\$375	\$375	\$375	320	230	323	227	206	206	\$354	\$493	\$502	\$113,410	\$113,963	\$86,250	\$85,125	0.76	0.75
Low Risk	\$210	\$235	\$235	95	85	99	86	40	37	\$233	\$260	\$238	\$22,129	\$20,469	\$17,850	\$20,210	0.81	0.99
Additional Mobile Unit/Push Cart	\$85	\$85	\$85	8	8	8	8								\$680	\$680		
TEMPORARY FOOD SERVICE				350	120	353	118	155	152	\$245	\$715	\$713	\$85,749	\$84,089	\$14,500	\$14,995	0.17	0.18
Simple Menu 1 Day Event	\$65	\$65	\$65	210	25	210	23	90	90	\$237	\$1,992	\$2,165	\$49,790	\$49,790	\$1,625	\$1,495	0.03	0.03
Simple Menu Multiple Events	\$100	\$100	\$100	135	90	138	90	60	59	\$246	\$369	\$363	\$33,193	\$32,640	\$9,000	\$9,000	0.27	0.28
Complex Menu Single Event	\$150	\$150	\$150	5	5	5	5	5	3	\$553	\$553	\$332	\$2,766	\$1,660	\$750	\$750	0.27	0.45
Late Application < 2 weeks, > 3days	\$25	\$25	\$25	100	100	103	96								\$2,500	\$2,400		
Late Application 3 days or <	\$25	\$25	\$50	25	25	27	27								\$625	\$1,350		
TEMPORARY RESIDENCE	\$175	\$150	\$150	33	33	33	33	70	69	\$1,173	\$1,173	\$1,157	\$38,725	\$38,172	\$13,087	\$12,150	0.34	0.32
Per unit/site	\$3.50	\$3.50	\$3.50	2,089	2,089	2,089	2,067								\$7,312	\$7,200		
CAMPGROUNDS	\$150	\$140	\$140	10	10	10	10	35	33	\$1,936	\$1,936	\$1,826	\$19,363	\$18,256	\$3,582	\$3,103	0.18	0.17
Per unit/site	\$2.75	\$2.25	\$2.25	757	757	757	757								\$2,082	\$1,703		
MOBILE HOME PARKS	\$150	\$150	\$150	41	41	41	42	50	50	\$675	\$675	\$659	\$27,661	\$27,661	\$13,192	\$14,333	0.48	0.52
Per unit/lot	\$3.50	\$3.50	\$3.50	2,012	2,012	2,012	2,295								\$7,042	\$8,033		
AGRICULTURAL FAIRGROUND	\$400	\$400	\$360	1	1	1	1	5	5	\$2,766	\$2,766	\$2,766	\$2,766	\$2,766	\$400	\$360	0.14	0.13
MASS GATHERING (NEW)	\$4,100	\$4,100	\$4,100	0	0	0	0	0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
MASS GATHERING (EXISTING)	\$2,000	\$1,650	\$1,650	1	1	1	1	31	30	\$16,893	\$16,893	\$16,597	\$16,893	\$16,597	\$2,000	\$1,650	0.12	0.10
CHILDREN'S CAMPS	\$200	\$200	\$200	35	4	35	4	110	108	\$1,739	\$15,214	\$14,937	\$60,854	\$59,748	\$800	\$800	0.01	0.01
SWIMMING POOLS/BATHING BEACHES	\$335	\$335	\$335	60	59	59	54	135	131	\$1,245	\$1,266	\$1,342	\$74,685	\$72,472	\$19,765	\$18,090	0.26	0.25
PUBLIC WATER SYSTEMS				152	147	152	143	570	573	\$1,181.02	\$1,221	\$1,266.96	\$179,515	\$181,175	\$28,690	\$28,270	0.16	0.16
Community Groundwater System	\$200	\$200	\$200	86	86	86	86	500	503	\$1,830.03	\$1,830	\$1,849.33	\$157,382	\$159,042	\$17,200	\$17,200	0.11	0.11
Community Surface Water System	\$1,800	\$1,800	\$1,800	3	3	3	3	10	10	\$1,053.96	\$1,054	\$1,053.96	\$3,162	\$3,162	\$5,400	\$5,400	1.71	1.71
Non-Community Water System	\$105	\$105	\$105	63	58	63	54	60	60	\$301.13	\$327	\$351.32	\$18,971	\$18,971	\$6,090	\$5,670	0.32	0.30
ON-SITE WASTEWATER SYSTEMS (OWTS)				225	215	226	211	736	746	\$1,809.64	\$1,893.81	\$1,955.93	\$407,170	\$412,702	\$76,975	\$77,490	0.19	0.19
New Construction/Conversion	\$425	\$425	\$425	110	100	117	102	363	386	\$1,825.63	\$2,008.19	\$2,093.56	\$200,819	\$213,543	\$42,500	\$43,375	0.21	0.20
New/Conv App w/ Plans; no Site Evaluation	\$250	\$325	\$325	10	10	6	6	33	20	\$1,825.63	\$1,826	\$1,844.07	\$18,256	\$11,064	\$2,500	\$1,950	0.14	0.18
Replacement System	\$335	\$335	\$335	80	80	81	81	264	267	\$1,825.63	\$1,826	\$1,823.58	\$146,050	\$147,710	\$26,800	\$27,135	0.18	0.18
Replacement App w/ Plans; no Site Evaluation	\$175	\$235	\$235	8	8	6	8	26	20	\$1,797.97	\$1,798	\$1,383.05	\$14,384	\$11,064	\$1,400	\$1,880	0.10	0.17
or TCHD referral	\$175	na	na	2	2	na	na			\$0.00	\$0	na	\$0	\$0	\$350	na		
Septic Tank/Pump Chamber Replacement	\$105	\$105	\$105	15	15	16	14	50	53	\$1,844	\$1,844	\$2,094.33	\$27,661	\$29,321	\$1,575	\$1,470	0.06	0.05
Holding Tank Permit Renewal	\$50	\$50	na	5	5	na	na								\$250	na		
Permit Transfer/Renewal	\$80	\$80	\$80	15	15	17	17								\$1,200	\$1,360		
Application Transfer/Renewal	\$80	\$80	\$80	5	5	4	4								\$400	\$320		
OPERATING PERMITS													\$1,220,419	\$1,220,122	\$352,020	\$343,255	0.29	0.28
PLAN REVIEWS															\$22,340	\$22,605		
OTHER REVENUE															\$21,475	\$38,804		
TOTAL OPERATING, PERMIT, PLAN REVIEW AND OTHER FEES														\$1,791,519	\$395,835	\$404,664	0.22	0.23
ESTIMATED OFFICIAL PAYMENTS CREDIT CARD PROCESSING COST														\$1,873	\$1,651			
TOTAL ALL ENVIRONMENTAL HEALTH PROGRAM FEES														\$393,963	\$403,013		0.22	0.22

NOTES:

2018 EH Annual Cost & Staff Time \$1,791,519.00 3238.4 Staff Cost = \$553.22 per day \$79.03 per hr
2017 EH Annual Cost & Staff Time \$1,739,419.00 3312.2 Staff Cost = \$525.16 per day \$75.02 per hr
2016 EH Annual Cost & Staff Time \$1,596,354.00 3225.5 Staff Cost = \$494.92 per day \$70.70 per hr

PWS - Surface Water Staff Time is calculated by facility only. This is an underestimate of the total program costs.
2018 Revenue Submitted through Official Payment \$59,377.00 15% of total revenue

Draft for BOH Review - June 2019
Table 3 - Environmental Health Division
Proposed Plan Review Fees Detail Sheet 2020

PROGRAM	FEES			# PLANS			LAST YEAR PLANS REVIEWED	TOTAL PROGRAM HOURS 2018	ESTIMATE D HOURS PER PLAN	COST PER PLAN REVIEW	PROGRAM COST		REVENUE		REVENUE / PROGRAM COST	
	2020 PROPOSED	2019 FINAL	2018 FINAL	2020-EST INVOICED	2018 APPROVED	2018 INVOICED					2020 ESTIMATE	2018 Final	2020 ESTIMATE	2018 FINAL		
PUBLIC WATER SYSTEMS								119.5			\$8,377	\$7,706	\$7,470	\$6,710	0.89	
Community Water System Facility	\$450	\$450	\$450	3	0	0	2015		8.0	\$632	\$1,897	\$0	\$1,350	\$0		
Community Water System Municipal Facility	\$1,000	NA	NA	0	na	na	na		20.0	\$1,581	\$0	na	\$0	NA		
Water Main Ext < 5,000'	\$300	\$300	\$300	5	3	3	2018		4.0	\$316	\$1,581	\$948	\$1,500	\$900	0.95	
> 5,000'	\$400	\$400	\$400	0	1	1	2018		6.0	\$474	\$0	\$474	\$0	\$400		
Cross-Connection Control	\$200	\$160	\$160	10	13	13	2018		3.5	\$277	\$2,766	\$3,596	\$2,000	\$2,080	0.72	
Add per device	\$50	\$50	\$50	15		24	2018						\$750	\$1,200		
Non-Community Water System	\$210	\$210	\$210	5	6	6	2018		3.0	\$237	\$1,185	\$1,423	\$1,050	\$1,260	0.89	
Water Storage Tank	\$500	\$230	\$230	1	1	1	2018		8.0	\$632	\$632	\$632	\$500	\$230	0.79	
Other Water System Modification	\$160	\$160	\$160	2	4	4	2018		2.0	\$158	\$316	\$632	\$320	\$640	1.01	
FOOD SERVICE ESTABLISHMENTS											\$3,161	\$3,556	\$2,850	\$2,940	0.90	
High and Medium Risk	\$210	\$210	\$210	10	13	9	2018	28.1	3.0	\$237	\$2,370.93	\$3,082.21	\$2,100	\$1,890	0.89	
Low Risk	\$150	\$150	\$150	5	3	7	2018	4.3	2.0	\$158	\$790	\$474	\$750	\$1,060	0.95	
Push Cart Medium/Low Risk	\$100	\$100	\$100	0	0	0	2015	0.0	1.0	\$79	\$0	\$0	\$0	\$0		
MOBILE HOME PARKS	\$460	\$460	\$460	0	0	0	2007	0.0			\$0	\$0	\$0	\$0		
Add per unit/lot	\$30	\$30	\$30	0	0	0	2007	0.0			\$0	\$0	\$0	\$0		
CAMPGROUNDS	\$200	\$200	\$200	0	2	2	2018		2.0	\$158	\$0	\$316	\$0	\$400		
SWIMMING POOLS/BATHING BEACHES	\$360	\$360	\$360	0	2	3	2018	19.0	6.0	\$474	\$0	\$948	\$0	\$1,080		
Swimming Pools > 5,000 sf	\$770	\$770	\$770	0	0	0	2008	0.0	12.0	\$948	\$0	\$0	\$0	\$0		
MASS GATHERING (NEW)	\$12,000	\$6,100	\$6,100	0	0	0	na	0.0	800.0	\$63,225	\$0	\$0	\$0	\$0		
MASS GATHERING (EXISTING)	\$5,000	\$2,250	\$2,250	1	1	1	2018	661.3	661.3	\$52,259	\$52,259	\$52,259	\$5,000	\$2,250	0.10	
ON-SITE WASTEWATER TREATMENT SYSTEMS								142.5			\$9,326	\$8,219	\$6,220	\$6,615	0.67	
0 - 499 gpd Design Rate	\$190	\$210	\$210	10	14	13	2018		4.0	\$316	\$3,161	\$4,426	\$1,900	\$2,730	0.60	
500 - 999gpd Design Rate	\$230	\$260	\$260	8	6	11	2018		5.0	\$395	\$3,161	\$2,371	\$1,840	\$2,760	0.58	
1,000 - 1,999 gpd Design Rate	\$340	\$375	\$375	1	1	1	2018		6.0	\$474	\$474	\$474	\$340	\$375	0.72	
2,000+ gpd Design Rate	\$540	\$600	\$600	1	1	1	2018		10.0	\$790	\$790	\$790	\$540	\$600	0.68	
Other OWTS Modifications/Multiple Submissions	\$160	na	na	8	na	na	na		2.0	\$158	\$1,264	na	\$1,280	\$0	1.01	
Holding Tank Plan Review & Initial Permit	\$160	\$160	na	2	na	na	na		3.0	\$237	\$474	na	\$320	\$0	0.67	
Collector Sewer < 5,000'	\$150	\$150	\$150	0	1	1	2018		2.0	\$158	\$0	\$158	\$0	\$150		
> 5,000'	\$250	\$250	\$250	0	0	0	na						\$0	\$0		
REALTY SUBDIVISION TOTAL								25.3			\$0	\$948	\$0	\$2,460		
REALTY SUBDIVISIONS *	\$800	\$800	\$800	0	2	2	2018		5.0	\$395	\$0	\$790	\$0	\$1,600		
Add per lot NYS filing fee	\$12.50	\$12.50	\$12.50	0	0	16	2018						\$0	\$200		
with Individual Water	\$35	\$35	\$35	0	0	5	2018		1.0	\$79	\$0	\$0	\$0	\$175		
with Individual OWTS	\$55	\$55	\$55	0	0	5	2018		1.0	\$79	\$0	\$0	\$0	\$275		
Subdivision Renewal	\$200	\$200	\$200	0	1	1	2018		2.0	\$158	\$0	\$158	\$0	\$200		
Preliminary Development Review	\$400	\$400	\$400	0	0	0	2014		5.0	\$395	\$0	\$0	\$0	\$0		
Add per lot	n/a	n/a	n/a	0	0	0	2014		1.0	\$79	\$0	\$0	\$0	\$0		
OTHER PLAN REVIEW	\$160	\$160	\$160	5	1	1	2018		2.0	\$158	\$790	\$158	\$800	\$160	1.01	
TOTAL PLAN REVIEW FEES												\$73,914	\$74,111	\$22,340	\$22,605	0.30

NOTES:

2018 EH Annual Cost & Staff Time \$1,791,519.00 3238.4 Staff Cost = \$553.22 per day \$79.03 per hr
2017 EH Annual Cost & Staff Time \$1,739,419.00 3312.2 Staff Cost = \$525.16 per day \$75.02 per hr
2016 EH Annual Cost & Staff Time \$1,596,354.00 3225.5 Staff Cost = \$494.92 per day \$70.70 per hr

Hours per plan are estimated - actual time for each submittal varies significantly.

Draft for BOH Review - June 2019
Table 4 - Environmental Health Division
Mass Gathering Fees for Existing Facilities

	Staff Time (days)	Estimated Cost (2018 \$)*	Permit Fee	Plan Review Fee	Total Fee Revenue	Revenue/ Cost
5-yr average	51.4	\$28,435	\$1,580	\$2,110	\$3,690	0.13
2018	124.8	\$69,041	\$1,650	\$2,250	\$3,900	0.06
2020 proposed	51.4	\$28,435	\$2,000	\$5,000	\$7,000	0.25
*2018 average hourly cost \$79.03/hr = \$553.21 per day						

Draft for BOH Review - June 2019
Table 5 - Environmental Health Division
Estimated vs Actual Revenue and Expenses

YEAR	ACTUAL			ESTIMATED			ACT REV / EST REV	ACT EXP / EST EXP
	REVENUE	EXPENSE	REV / EXP	REVENUE	EXPENSE	REV / EXP		
2014	\$364,311	\$1,650,820	22%	\$338,669	\$1,741,256	19%	108%	95%
2015	\$380,593	\$1,567,839	24%	\$348,977	\$1,821,928	19%	109%	86%
2016	\$388,791	\$1,596,354	24%	\$358,974	\$1,650,820	22%	108%	97%
2017	\$397,275	\$1,739,419	23%	\$373,683	\$1,567,839	24%	106%	111%
2018	\$403,013	\$1,791,519	22%	\$373,356	\$1,596,354	23%	108%	112%



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

ELECTRONIC MAIL

June 13, 2019

Shannon MacCarrick
Executive Director
Habitat for Humanity of Tompkins and Cortland Counties

**Re: Request for Approval of Waiver of OWTS Permit Application Fees
1932 Slaterville Road, Town of Dryden**

Dear Ms. MacCarrick:

This office has received your request for to waive the Onsite Wastewater Treatment System permit application fees for the project for 1932 Slaterville Road. Enclosed is a copy of the memo that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. This office supports your request. However, the Board of Health has final approval on granting waivers.

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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

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

Enclosure- Memo to Members of the Tompkins County BOH dated June 13, 2019

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Dryden\73.-2-9 1932 Slaterville Road\Waiver Cover Letter.docx
ec: Tompkins County Board of Health (via; Brittnei Griep, TCHD)
CEO T-Dryden; Supervisor T-Dryden; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa,
Public Health Director; Scott Freyburger; Adriel Shea; Skip Parr
scan: Signed copy to Accela

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkins-co.org/health/eh>

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

Date: June 13, 2019
 Memo to: Members of the Tompkins County Board of Health
 From: C. Elizabeth Cameron, P.E., Director of Environmental Health
 Subject: Request to Waive OWTS Permit Application Fees



Habitat for Humanity of Tompkins and Cortland Counties is requesting waivers for the OWTS permit application fees for the development of three houses at 1932 Slaterville Road in the Town of Dryden. The Division received an email request from Shannon MacCarrick, Executive Director of Habitat for Humanity, on June 7, 2019 (see attached).

Currently, there is one existing 4-bedroom home with a sewage system at 1932 Slaterville Road in the Town of Dryden (Tax Map #73.-2-9). However, Habitat for Humanity is proposing to add two more 3-bedroom homes to the parcel which will require the construction of three sewage systems. The houses that are planned for this development will be for low-income households that are at the threshold of 30%-60% of the Area Median, which would qualify the residents for Section 8 and other income-based services.

The proposed sewage systems for the three houses on this one parcel (3.04 acres) will have site constraints that required a referral by TCHD to an outside engineer for design plans. Therefore, site evaluations for these systems will not be performed by Health Department staff and it will only require plan review by the Public Health Engineer. Based on our existing fee schedule, the following fees are required:

	Plan Review Fee	Permit Fee	Total
Existing Home (4-bedroom)	\$375 - <i>For Design Rate between 1,000 - 1,999 gallons per day</i>	\$235	
New Home (3-bedroom)		\$325	
New Home (3-bedroom)		\$325	
Total=	\$375	\$885	\$1,260

Currently, our fee waiver policy does not allow for waivers to be issued for commercial, conversion or new construction without Board of Health approval. We are in support of the permit application fees being waived. Therefore, Habitat for Humanity would only be responsible for the plan review fees in the amount of \$375, if approved by the Board of Health.

Attachments – Waiver Request Form and Policy for Waiving OWTS Permit Application Fees

F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Dryden\73.-2-9 1932 Slaterville Road\Fee Waiver Request.docx



Your Partner for a Healthy Community

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

ENVIRONMENTAL HEALTH DIVISION
http://www.tompkins-co.org/health/eh

Ph: (607) 274-6688
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SEWAGE VARIANCE/WAIVER REQUEST FORM

Application must be received complete with fee, at least two weeks prior to the Board of Health meeting (meetings are held on the second Tuesday of every month). Be as detailed as possible; continue on reverse side or separate sheet if necessary.

Name: Shannon MacCarrick, Executive Director, Habitat for Humanity of Tompkins + Cortland Counties
Address: PO Box 4683, Ithaca, NY 14852
Phone: (607) 844-3529 office, (315) 720-2608 cell

1. Location of property or facility involved:
Facility: _____
Address: 1932 Slaterville Road, Ithaca Town/Village: Dryden

2. Tax Map Number: 73.-2-9

3. Waiver requested from ("quote specific rule/regulation"): _____

4. Background facts (state how the situation arose that causes you to feel a waiver is necessary): We had hoped that this project permit could be done as one application/fee. Realizing that we will require three separate permits - and fees - significantly increase our costs.

We work hard to spend our donor dollars wisely, we're building for low-income families who would likely qualify for a fee waiver as individuals and we do appreciate your consideration of waiving 2 of our 3 application fees - allowing us to direct those funds towards building affordable homes!

5. Discussion (describe detailed reason why your situation needs relief; how you intend to meet the intent of the Code; what alternatives you have tried; what compromises or restrictions you would accept): Although we do not meet the guidelines as an organization - the families who will purchase these homes have household incomes of 30-60% of Area Median (low- to very-low income, per HUD standards). Our Homebuyers often receive Section 8 and other income-based services.

As an organization, we fund our homes on grant money and donations from local individuals, churches and corporations. The waiver of these fees allows us to put those funds to use for direct construction costs; building more affordable housing for our community.
Inclusion Through Diversity



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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CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 4, 2019

Chur Singh
Shahi Pakwan, Inc
401 E State Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0013
Shahi Pakwan, Food Service Establishment, C-Ithaca**

Dear Chur Singh:

Thank you for signing the Stipulation Agreement on May 10, 2019, for Shahi Pakwan.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. 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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

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

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

Enclosures – Draft Resolution, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Shahi Pakwan\Enforcement\Draft Res 19-0013.docx
ec: Tompkins County Board of Health (via; Brittni Griep, TCHD)
Mike Niechwiadowicz, Ithaca Building Department; Mayor Svante Myrick; Rich John, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle; Shelley Comisi
scan: Signed copy to Accela

DRAFT RESOLUTION EH-ENF-19-0013 FOR

**Shahi Pakwan
Shahi Pakwan Inc./ Chur Singh, Owner/Operator
401 East State St.
Ithaca, NY 14850**

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

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

Whereas, on January 30, 2019, and February 28, 2019, the Tompkins County Health Department (TCHD) observed potentially hazardous foods at temperatures between 95°F and 125°F; **and**

Whereas, On March 8, 2019, the TCHD approved a waiver to use time as a public health control in lieu of maintaining 140°F during hot holding for certain items; **and**

Whereas, on March 29, 2019, the TCHD observed additional critical violations that included temperature log sheets not filled out for in accordance with the waiver for cooked rice and vegetable pakora and the temperatures were observed between 80°F and 87°F. In addition, TCHD observed food (homemade yogurt) from an unapproved source on the buffet line available for service; **and**

Whereas, Chur Singh, Operator, signed a Stipulation Agreement with Public Health Director's Orders on May 10, 2019, agreeing that Shahi Pakwan violated these provisions of the New York State Sanitary Code; **now therefore be it**

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

1. Pay a penalty of \$400 for these violations, **due by August 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain temperatures logs in accordance with the issued waiver that allows for time to be used as a public health control; **and**
3. Use and store only approved food sources on premises. Obtain a scheduled process from a Certified Food Process Authority for making yogurt or use a commercially prepared yogurt. Homemade yogurt cannot be used; **and**
4. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0013

**Shahi Pakwan
Shahi Pakwan Inc./ Chur Singh, Owner/Operator
401 East State St.
Ithaca, NY 14850**

I, Chur Singh, as a representative for Shahi Pakwan Inc., agree that on January 30, 2019, February 28, 2019, and March 29, 2019, Shahi Pakwan was in violation of Subpart 14-1 of the New York State Sanitary Code for failure to maintain potentially hazardous foods at or above 140°F during hot holding.

I agree to pay a penalty not to exceed \$400 for these violations following adoption of a resolution by the Board of Health. (*Do not submit penalty payment until notified by the Tompkins County Health Department.*)

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

1. Maintain temperatures logs in accordance with the issued waiver that allows for time to be used as a public health control; **and**
2. Use and store only approved food sources on premises. Obtain a scheduled process from a Certified Food Process Authority for making yogurt or use a commercially prepared yogurt. Homemade yogurt cannot be used; **and**
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed: Chur Singh Date: 5/10/19

Chur Singh is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Brenda L. Guano O'Connell Date: 5/10/19
Frank Kruppa
Public Health Director



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

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0013

**Shahi Pakwan
Shahi Pakwan Inc./ Chur Singh, Owner/Operator
401 East State St.
Ithaca, NY 14850**

May 2019

Date	Action
05/10/2019	Office conference held with owner. The enforcement process, violations and waiver requirements were discussed. The stipulation agreement was signed by the owner.
04/24/2019	Stipulation agreement sent by TCHD. Office conference scheduled for 5/10/19.
03/29/2019	Inspection by TCHD. Violations: See attached inspection report.
03/08/2019	Waiver application for time as a public health control approved. Permit reissued to include the waiver.
02/28/2019	Re-inspection by TCHD. Violations: See attached inspection report.
01/30/2019	Inspection by TCHD. Violations: Critical violation cited for failure to keep potentially hazardous foods at or below 45°F during cold holding. Additional critical violations cited for failure to keep potentially hazardous foods at or above 140°F in hot holding.
10/09/2018	Re-inspection by TCHD. Violation cited on 09/04/2018 was corrected. No violations noted.
09/04/2018	Inspection by TCHD. Violations: Critical violation cited for not maintaining enough refrigerated storage equipment to keep temperatures of potentially hazardous foods below 45°F.
07/24/2018	Pre-operational inspection by TCHD, Permit to Operate issued.

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

Food Service Establishment Inspection Summary Report

Operation: SHAHI PAKWAN (ID: 997268)
Facility Name: SHAHI PAKWAN
Facility Code: 54-AI35 Facility Email: raajinder24@yahoo.com
Facility Address: 329 East State Street, Ithaca, NY 14850

To the Attention of:

Chur Singh
509 Lake St Apt H6
Ithaca, NY 14850

Inspection

Date: January 30, 2019 11:59 AM
Inspector: Clayton Maybee (cmaybee@tompkins-co.org)
Responsible Person: Rajinder Singh

Summary

Number of Public Health Hazards Found: 4
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

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

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

Inspector Findings: Observed approximately three pounds of vegetable pakora at 52 degrees F in the walk-in cooler. The vegetable pakora had been out overnight before placing in the cooler and was discarded during the inspection.

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

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 3 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings:

1. Observed approximately one quart of cooked rice at 122 degrees F and one pint of vegetable pakora at 95 degrees F on right side of the buffet line. The food had been out less than two hours and was rapidly re-heated.
2. Observed two pieces of chicken tandoori at 98 degrees F on the left side of the buffet line. The chicken had been out less than two hours and was rapidly reheated.
3. Observed approximately four quarts of cooked rice in the rice warmer in the kitchen at 118 - 122 degrees F. The rice had been in the warmer less than two hours and was rapidly heated.

Action: Keep potentially hazardous foods at or above 140 degrees in hot holding.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

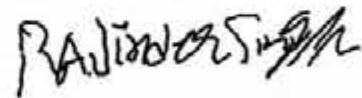
Comments: Part I Critical Item Violations 5A and 6A (three times)
No Part II Blue Item Violations

Re-inspection Required.

Notes: 1. Apply for a waiver to hold hot foods between 45 and 140 degrees F for no more than four hours.
2. Repair/maintain prep cooler before storing potentially hazardous food in it. (Food in prep cooler was at 45 degrees F during inspection).



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



Received by: Rajinder Singh

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

Food Service Establishment Inspection Summary Report

Operation: SHAHI PAKWAN (ID: 997268)
Facility Name: SHAHI PAKWAN
Facility Code: 54-AI35 Facility Email: raajinder24@yahoo.com
Facility Address: 329 East State Street, Ithaca, NY 14850

To the Attention of:

Chur Singh
509 Lake St Apt H6
Ithaca, NY 14850

Re-Inspection

Date: February 28, 2019 02:29 PM
Inspector: Rebecca Sims (rsims@tom-pkins-co.org)
Responsible Person: Rajinder Singh

Summary

Number of Public Health Hazards Found: 6
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 0

Reinspection is Required

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

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed approximately one quart of rice pudding containing dairy next to buffet line at 67°F. Item had been out for service for approximately 2.5-3 hours. Item was removed from service during the inspection. Correction: Keep potentially hazardous foods at or below 45°F or above 140°F during cold or hot holding.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 2 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings: Observed cooked rice at 97° and vegetable pakora at 110° in right hot holding unit, and chicken tandoori at 114° in far left hot holding unit. All items had been out for service for approximately 2.5-3 hours and were discarded at the time of inspection. Correction: Keep potentially hazardous food at 140° or above during hot holding.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6B WAS FOUND IN VIOLATION 3 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Enough hot holding equipment is not present, properly designed, maintained and operated to keep hot foods above 140°F.

Inspector Findings: Observed aloo bell pepper at 109° and vegetable korma at 120° in middle right hot holding unit; dal at 114° and saag paneer at 125° in middle hot holding unit; chicken curry at 109° in middle left hot holding unit. Items had been placed out for customer service approximately 2.5-3 hours prior. Employee stated that the units had been turned down in order to avoid burning food during slow customer service time. Items were discarded at the time of inspection. Discussed techniques for maintaining adequate hot holding temperatures without burning food. Action: Maintain hot holding equipment such that potentially hazardous foods are at or above 140° F at all times during hot holding.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Reinspection: Item 5A from previous inspection had been corrected. Item 6A is still in violation. Operator was under the impression that TCHD would be reaching out to provide a waiver request form for hot holding of rice, vegetable pakora and tandoori chicken, and had not yet submitted a waiver application or attempted to obtain an application. Other items on buffet line were in violation of 6B for hot holding equipment. Board of Health action may follow.

Part 1: Six critical violations observed

Part 2: No violations observed

Reinspection required.



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



Received by: Rajinder Singh

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

Food Service Establishment Inspection Summary Report

Operation: SHAHI PAKWAN (ID: 997268)
Facility Name: SHAHI PAKWAN
Facility Code: 54-AI35 Facility Email: raajinder24@yahoo.com
Facility Address: 329 East State Street, Ithaca, NY 14850

To the Attention of:

Chur Singh
509 Lake St Apt H6
Ithaca, NY 14850

Re-Inspection

Date: March 29, 2019 12:57 PM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Rajinder Singh

Summary

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

Reinspection is Required

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

FOODS ADULTERATED OR RECEIVED FROM UNAPPROVED SOURCES.

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

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Food from unapproved source, spoiled, adulterated on premises.

Inspector Findings: Unapproved food source. Observed approximately two quarts of homemade yogurt on buffet line. The yogurt was discarded during the inspection.

Action: Obtain scheduled process from a Certified Food Lab for making yogurt or use a commercially prepared yogurt.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 2 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings:

1. Observed rice at 108 degrees F in the left hand hot holding unit.
2. Observed approximately one pound of vegetable pakora at 87 degrees F and rice at 80 degrees F in the right hand hot holding unit.

The log sheet for these items had not been filled out until the inspection was started, at which time start times were recorded.

Action: Filled out log sheets as soon as food is placed on buffet, per waiver conditions.

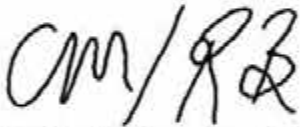
NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

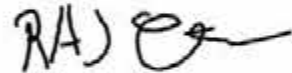
Comments: Re-inspection of items 5C, 6A (2 times), and 6B (3 times). Items 5C and 6B were not observed.

Part I Critical Item Violations 1C and 6A (twice)

Re-inspection required



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



Received by: Rajinder Singh

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 4, 2019

Min Lin
Plumtree Japanese Restaurant
113 Dryden Road
Ithaca, NY 14850

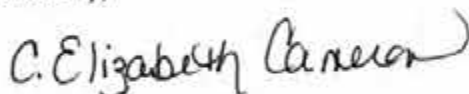
**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0019
Plum Tree Japanese Restaurant**

Dear Min Lin:

Thank you for signing the Stipulation Agreement on May 16, 2019, for the Plum Tree Japanese Restaurant.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. 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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



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

Enclosures – Draft Resolution, Stipulation Agreement and Orders, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Plum Tree Japanese\Enforcement\2019\Draft Res 19-0019.docx
ec: Tompkins County Board of Health (via; Brittni Griep, TCHD)
Ithaca Building Department; Mayor Myrick C-Ithaca; Rich John, TC Legislature; TCHD: Elizabeth Cameron, P.E.,
Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle;
Shelley Comisi
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-19-0019

**Plum Tree Japanese Restaurant
Plum Tree Japanese Restaurant Inc., Owner; Min Lin, Operator
113 Dryden Road, C-Ithaca
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain accurate thermometers to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding; **and**

Whereas, on March 7, 2019, the Tompkins County Health Department (TCHD) observed several critical violations, which included failure to maintain an accurate thermometer; **and**

Whereas, on April 16, 2019, the TCHD observed a repeat critical violation where the probe thermometer at the sushi station was not properly calibrated; **and**

Whereas, Min Lin, Operator, signed a Stipulation Agreement with Public Health Director's Orders on May 16, 2019, agreeing that Plum Tree Japanese Restaurant violated these provisions of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Plum Tree Japanese Restaurant, Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, due **by August 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
3. Prevent cooked or prepared foods from cross-contamination with raw foods; **and**
4. Store potentially hazardous foods under refrigeration at all times except during necessary preparation or approved precooling procedures.

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0019

**Plum Tree Japanese Restaurant
Plum Tree Japanese Restaurant Inc., Owner; Min Lin, Operator
113 Dryden Road, C-Ithaca
Ithaca, NY 14850**

I, Min Lin, as a representative for Plum Tree Japanese Restaurant, agree that on March 7, 2019, and April 16, 2019, Plum Tree Japanese Restaurant Inc. was in violation of Subpart 14-1 of New York State Sanitary Code for failure to have accurate thermometers available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding.

I agree to pay a penalty not to exceed \$400 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. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
2. Prevent cooked or prepared foods from cross-contamination with raw foods; **and**
3. Store potentially hazardous foods under refrigeration at all times except during necessary preparation or approved precooling procedures.

I understand this agreement is offered as an alternative to a formal administrative hearing and that I am subject to further action if I fail to comply with the orders.

Signed: Min Lin Date: 5-16-2019

Plum Tree Japanese Restaurant Inc. is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Brenda L. Gunnell-Cross Date: 5/17/19
Frank Kruppa
Public Health Director



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

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

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

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0019

**Plum Tree Japanese Restaurant
Plum Tree Japanese Restaurant Inc, Owner; Min Lin, Operator
113 Dryden Road, C-Ithaca
Ithaca, NY 14850**

April 2019

Date	Action
05/17/2019	Signed stipulation agreement received by TCHD. Also, TCHD received a call from Plum Tree representative to set up an alternative meeting to discuss correction of violations. Follow-up meeting scheduled for 5/29/19.
05/06/2019	Stipulation agreement sent by TCHD. Office conference scheduled for 5/21/19.
04/16/2019	Re-inspection by TCHD. Violations: See attached inspection report for details.
03/07/2019	Inspection by TCHD. Violations: See attached inspection report for details.
10/19/2018	Re-inspection by TCHD. Violation cited on 10/17/18 was corrected.
10/17/2018	Inspection by TCHD. Violation: An accurate thermometer was not available or used to evaluate potentially hazardous food temperatures.
05/31/2018	Re-inspection by TCHD. Violation cited on 05/01/2018 was corrected.
05/01/2018	Inspection by TCHD. Violation: Potentially hazardous foods were not kept at or below 45°F during cold holding.
12/13/2017	Re-inspection by TCHD. Violations cited on 11/30/2017 were corrected.
11/30/2017	Inspection by TCHD. Violations: Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Potentially hazardous foods were not kept at or below 45°F during cold holding.
05/17/2017	Re-inspection by TCHD: Violation cited on 04/25/2017 was corrected.
04/25/2017	Inspection by TCHD. Violation: Potentially hazardous foods were not stored under refrigeration.
11/14/2016	Inspection by TCHD: No violations were observed.
08/03/2016	Re-inspection by TCHD. Violations cited on 06/06/2016 were corrected.
06/06/2016	Inspection by TCHD. Violations: Cooked or prepared foods were subject to cross-contamination from raw foods. Potentially hazardous foods were not stored under refrigeration.
11/18/2015	Inspection by TCHD: No violations were observed.
03/24/2015	Inspection by TCHD: No violations were observed.
09/19/2014	Inspection by TCHD: No violations were observed.
04/08/2014	Re-inspection by TCHD. Violation cited on 03/14/2014 were corrected.
03/14/2014	Inspection by TCHD. Violation: Potentially hazardous foods were not kept under refrigeration.
12/19/2013	Permit to Operate issued to Plum Tree Japanese Restaurant Inc.

Inclusion Through Diversity

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

Food Service Establishment Inspection Summary Report

Operation: PLUM TREE JAPANESE RESTAURANT (ID: 852671)
Facility Name: PLUM TREE JAPANESE RESTAURANT
Facility Code: 54-AH22 Facility Email: plumtree@yahoo.com
Facility Address: 113 Dryden Road, Ithaca, NY 14850

To the Attention of:

Min Lin
PLUM TREE JAPANESE RESTAURANT, INC
113-117 Dryden Rd
Ithaca, NY 14850
Email: jasonwong8866@yahoo.com

Inspection

Date: March 7, 2019 01:55 PM
Inspector: Rene Borgella (rborgella@tom-pkins-co.org)
Responsible Person: Yan Gao
Additional Email(s): plumtreedelivery@gmail.com;

Summary

Number of Public Health Hazards Found:	4
Number of Public Health Hazards NOT Corrected:	0
Number of Other Violations Found:	2

Reinspection is Required

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

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2B WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Food workers prepare raw and cooked or ready to eat food products without thorough handwashing and sanitary glove changing in between.

Inspector Findings: Observed: In kitchen, cooks placed gloves on hands without washing hands first and then proceeded to prepare food orders for customers. Interview with staff in question verified the observation that hands were not washed before placing gloves on hands.

Correction: Staff members washed hands and then put gloves on before returning to meal preparation.

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Cooked or prepared foods are subject to cross-contamination from raw foods.

Inspector Findings: Observed: In kitchen, staff members processed raw chicken and then proceeded to process scallions without first sanitizing the cutting boards. Interview with staff indicated that scallions were not always to be cooked and that wiping cloths in kitchen were not kept in a sanitizer solution.

Correction: Staff voluntarily discarded the scallions during the inspection. Inspector demonstrated correct procedure for using and preparing sanitizing solution.

Action: Avoid cross contamination of potentially hazardous foods by regularly using wiping cloths kept immersed in approved sanitizing solution.

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Accurate thermometers not available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating and holding.

Inspector Findings: Observed: At sushi station, thermometer was not accurately reading temperatures and was at least 10°F off.

Correction: Thermometer was calibrated and correct calibration procedure was demonstrated to the three sushi staff persons.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed: At sushi counter, approximately 2 lbs of mock crab leg was at 50°F and approximately 2 cups of fish eggs (roe) were at 51°F. Interview with staff indicated that these two items had been moved from walk-in cooler to sushi station approximately 20 minutes before inspector measured temperatures.

Correction: Operator moved items to side by side refrigerator that was operating at 38°F to reduce temperatures.

Action: Potentially hazardous foods must be kept at 45°F or below.

POOR HYGIENE AND ACTIVITIES OF FOOD WORKERS.

ITEM # 9B WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Tobacco is used; eating, drinking in food preparation, dishwashing food storage areas

Inspector Findings: Observed in kitchen at food prep station, a kitchen worker was eating.

Correction: Food workers must consume food away from food preparation areas.

IMPROPER CLEANING, WASHING AND SANITIZING OF EQUIPMENT AND UTENSILS.

ITEM #11B WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Wiping cloths dirty, not stored properly in sanitizing solutions

Inspector Findings: Observed: Wiping cloths in dining area were not kept in appropriate strength sanitizer solution.

Correction: Inspector demonstrated correct sanitizer solution strength to staff.

Additional Information Collected During Inspection

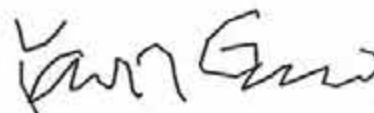
Comments: Part 1: Four critical violations observed
Part 2: Two violations observed

reinspection required

Comment: Sushi rice log book was inspected and has been used consistently over the last several months.



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



Received by: Yan Gao

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

Food Service Establishment Inspection Summary Report

Operation: PLUM TREE JAPANESE RESTAURANT (ID: 852671)
Facility Name: PLUM TREE JAPANESE RESTAURANT
Facility Code: 54-AH22 Facility Email: plumtree@yahoo.com
Facility Address: 113 Dryden Road, Ithaca, NY 14850

To the Attention of:

Min Lin
PLUM TREE JAPANESE RESTAURANT, INC
113-117 Dryden Rd
Ithaca, NY 14850
Email: jasonwong8866@yahoo.com

Re-Inspection

Date: April 16, 2019 11:44 AM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Yan Gao
Additional Email(s): plumtreedelivery@gmail.com

Summary

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

Reinspection is Required

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

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Accurate thermometers not available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating and holding.

Inspector Findings: Probe thermometer at the sushi station read 18 degrees F in ice water, 14-15 degrees too low. The thermometer was calibrated during the inspection.

Action: Have accurate probe style thermometer available to evaluate temperatures of potentially hazardous foods.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Re-inspection of violations 2B, 2C, 2E, and 5C from inspection on March 7, 2019.

Items: 2B, 2C, and 5C were corrected. Hands were washed before glove changes, sanitizer was used on the cutting board in the kitchen, and there was no room temperature storage of potentially hazardous foods.

Part I Critical Item Violation 2E
No Part II Blue Item Violations

Re-inspection Required.



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



Received by: Yan Gao

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 4, 2019

Sungyoon Hwang
Big Ko Ko Inc.
321 College Avenue
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0021
Ko Ko Restaurant, C-Ithaca– Violation of Board of Health Orders**

Dear Sungyoon Hwang:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. On August 28, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0022 requiring you to:

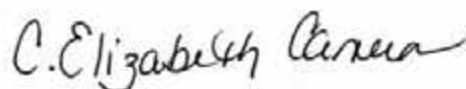
1. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
2. Cool potentially hazardous foods by approved method where the food temperature can be reduced from 120°F to 70°F or less in two hours and to 45°F within four hours; **and**
3. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **October 15, 2018; and**

On April 19, 2019, the Tompkins County Health Department observed three critical violations of Subpart 14-1 of the New York State Sanitary Code (NYSSC) where potentially hazardous foods were observed at temperatures between 45°F and 140°F. In addition, only one certificate documenting successful completion of a food safety training course has been provided to the TCHD. These are violations of Board of Health Orders. Prepared food was observed subject to cross-contamination from raw food in the walk-in cooler, which is also a violation of Subpart 14-1 of the NYSSC.

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

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,



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

Enclosures – Draft Resolution, Resolution EH-ENF-18-0022, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Ko Ko Restaurant\Enforcement\2019 Violation of BOH Orders\Draft Resolution 19-0021.docx
ec: Tompkins County Board of Health (via; Brittni Griep, TCHD)
Mike Niechwadowicz, Ithaca Building Department; Mayor Svante Myrick; Richard John, TC Legislature; TCHD:
Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip
Parr; Brenda Coyle; Shelley Comisi
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # 19-0021 FOR

**Ko Ko Restaurant
Big Ko Ko Inc./Sungyoon Hwang, Owner/Operator
321 College Avenue
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to:

- Have cooked or prepared food subject to cross-contamination from raw food; **and**
- Fail to maintain potentially hazardous foods at or below 45°F during cold holding; **and**
- Fail to use an approved method of cooling where food temperatures can be reduced from 120°F to 70°F or less within two hours and to 45°F within four hours; **and**
- Fail to store food under refrigerated storage.

Whereas, on August 28, 2018, Tompkins County Board of Health Resolution #ENF-18-0022 ordered Sungyoon Hwang to:

- Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
- Cool potentially hazardous foods by approved method where the food temperature can be reduced from 120°F to 70°F or less in two hours and to 45°F within four hours; **and**
- Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **October 15, 2018; and**

Whereas, Ko Ko Restaurant only submitted one certificate documenting successful completion of a food safety training course on November 7, 2018, **and**

Whereas, on April 19, 2019, the Tompkins County Health Department (TCHD) observed:

- Raw eggs stored above sliced melons in a walk-in cooler; **and**
- Two quarts of cooked bean sprouts in a prep cooler at a temperature of 57°F; **and**
- Cooked mushrooms stored in a stainless-steel bowl on top of a freezer at a temperature of 87°F; **and**
- A bucket of rice noodles in water at a temperature of 67°F; **and**

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

Whereas, on April 19, 2019, Ko Ko Restaurant violated these provisions of the New York State Sanitary Code and the provisions of Board of Health Resolution #ENF-18-0022 were not met; **now therefore be it**

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

1. Pay a penalty of \$2,700 for these violations, **due by August 15, 2019.** (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
3. Monitor for food that is spoiled and/or adulterated and remove from the premise immediately; **and**
4. Cool potentially hazardous foods by approved method where the food temperature can be reduced from 120°F to 70°F or less in two hours and to 45°F within four hours; **and**
5. Store cooked or prepared foods so that it is not subject to cross-contamination from raw foods; **and**
6. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **August 15, 2019; and**
7. Provide at least one employee who has successfully completed the food safety training must be on-site during hours of operation. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
8. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

RESOLUTION # 18-0022 FOR

**Ko Ko Restaurant
Big Ko Ko Inc./Sungyoon Hwang, Owner/Operator
321 College Avenue
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to:

- Have food from unapproved sources, spoiled or adulterated on premises; **and**
- Fail to use an approved method of cooling where food temperatures can be reduced from 120°F to 70°F or less within two hours and to 45°F within four hours; **and**
- Fail to maintain and operate enough refrigerated storage equipment so that all potentially hazardous foods are cooled properly and stored below 45°F.

Whereas, on May 22, 2018, Tompkins County Board of Health Resolution #ENF-18-0012 ordered Sungyoon Hwang to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**

Whereas, on June 20, 2018, the Tompkins County Health Department (TCHD) observed:

- Several rotted/spoiled bell peppers in boxes in the walk-in cooler; **and**
- Approximately two pounds each of a broccoli dish and a bean sprout salad in the top waitress cooler at temperatures of 68°F and 128°F; **and**
- Approximately six to eight flats of whole eggs, four 10-pound containers of tofu, two packages of rice cakes and five pounds of bean sprouts at temperatures between 51°F and 58°F in the reach-in cooler behind the 3-bay sink in the back kitchen.

Whereas, on June 20, 2018, Ko Ko Restaurant violated these provisions of the New York State Sanitary Code and the provisions of Board of Health Resolution #ENF-18-0012 were not met; **now therefore be it**

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

1. Pay a penalty of \$800 for these violations, **due by October 15, 2018; and**
2. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
3. Monitor for food that is spoiled and/or adulterated and remove from the premise immediately; **and**
4. Cool potentially hazardous foods by approved method where the food temperature can be reduced from 120°F to 70°F or less in two hours and to 45°F within four hours; **and**
5. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **October 15, 2018; and**

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

Ph: (607) 274-6688
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0021

Ko Ko Restaurant
Sungyoon Hwang, Big Ko-Ko Inc., Operator
321 College Avenue
Ithaca, NY 14850

April 2019

Date	Action
04/19/2019	Inspection by TCHD. Violations: See attached inspection report.
11/28/2018	Re-inspection by TCHD. Violations cited previously were corrected.
10/29/2018	HACCP inspection by TCHD attended by operator and staff member.
10/19/2018	Inspection by TCHD. Violations: Potentially hazardous foods were not cooled by an approved method. Product used for customer service was observed to be at 60°F. Potentially hazardous foods were not stored under refrigeration. Product stored by a sink in the kitchen was observed to be at 60-62°F. Due to confusion among the kitchen staff regarding approved cooling procedures, TCHD staff conducted further education and demonstration of correct cooling procedures for the staff and operator during the inspection. TCHD agreed to schedule HACCP inspection and then follow up with a re-inspection.
08/28/2018	BOH adopts Resolution EH-ENF-18-0022.
06/20/2018	Inspection by TCHD. Violations: Food on premises was adulterated. Potentially hazardous foods were not cooled by an approved method. Product in the top section of the waitress station cooler was observed to be at 68°F and 128°F. The products had been cooked that morning and placed in the unit for service. Enough refrigerated storage was not maintained so that potentially hazardous foods are stored below 45°F. Products in a refrigerated storage unit were observed to be between 51-58°F.
05/22/2018	BOH adopts Resolution EH-ENF-18-0012 requiring Ko Ko Restaurant to pay a penalty of \$400 and maintain all potentially hazardous food temperatures at or below 45 °F or at or above 140 °F at all times during hot holding, cold holding, and storage.
03/21/2018	Re-inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Products in cold holding were observed to be at 59°F. Potentially hazardous foods were not kept at or above 140°F during hot holding. Products in hot holding were observed to be at 83°F and 88°F.
03/01/2018	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Products in cold holding were observed to be at 59-60°F. Enough refrigerated storage was not maintained so that potentially hazardous foods were kept below 45°F in storage. Products in a cold holding unit were observed to be at 59°F.
01/26/2018	Permit to Operate Ko Ko Restaurant issued.

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

Food Service Establishment Inspection Summary Report

Operation: KO KO RESTAURANT (ID: 983068)
Facility Name: KO KO RESTAURANT
Facility Code: 54-AG88-4 Facility Email: main@meeraecpa.com
Facility Address: 321 College Avenue, Ithaca, NY 14850

To the Attention of:

Sungyoon Hwang
BIG KO KO INC
321 College Ave
Ithaca, NY 14850
Email: main@meeraecpa.com

Inspection

Date: April 19, 2019 11:50 AM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Sungyoon Hwang
Additional Email(s): kangkt1206@gmail.com

Summary

Number of Public Health Hazards Found: 4
Number of Public Health Hazards NOT Corrected: 0
Number of Other Violations Found: 2

Reinspection is Required

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

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Cooked or prepared foods are subject to cross-contamination from raw foods.

Inspector Findings: Observed a flat of raw eggs stored above sliced melons in the walk-in cooler.

Action: Store raw meat, raw eggs, and/or raw fish below items that will not be cooked before serving.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

Inspector Findings: 1. Observed approximately two quarts of cooked bean sprouts in the top of the prep cooler nearest to the beverage cooler at 57 degrees F. The sprouts were out less than two hours and were iced.
Action: Keep potentially hazardous foods at or below 45 degrees F in storage and/or display

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5B WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not cooled by an approved method where the food temperature can be reduced from 120°F to 70°F or less within two hours and 70°F to 45°F within four hours.

Inspector Findings: Observed cooked mushrooms in a stainless steel bowl on top of freezer in the side storage room at 87 degrees F. The mushrooms had been cooked less than two hours prior to the inspection and were moved to the walk-in cooler for rapid chilling.

Action: Use approved method to rapidly cool potentially hazardous foods from 120 degrees F to 70 degrees F in two hours or less and to 45 degrees F or less in another 4 hours.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings: Observed a bucket of rice noodles in water at 67 degrees F by the stove. The rice noodles had been placed in the water less than two hours prior to the inspection and were moved to the walk-in cooler during the inspection.

Action: Hydrate rice noodles in ice water or a cooler so the temperature stays at or below 45 degrees F.

FOOD NOT PROTECTED IN GENERAL

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

All or parts of the item are violations.

Code Requirements: Improper thawing procedures used

Inspector Findings: Observed a bucket containing raw meat in water to the left of the upright cooler in the kitchen. The meat was still below 45 degrees F.

Action: Use approved method to thaw frozen foods, such as in a cooler or under a stream of cold running water.

IMPROPER CLEANING, WASHING AND SANITIZING OF EQUIPMENT AND UTENSILS.

ITEM #11D WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Non food contact surfaces of equipment not clean

Inspector Findings: Soiled cardboard on the floor of walk-in cooler.

Action: Food non-contact surfaces should be cleanable and durable.

Additional Information Collected During Inspection

Comments: Four Part I Critical Item Violations: 2C, 5A, 5B, and 5C
Two Part II Blue Item Violations: 8F and 11D

Re-inspection Required

Notes: Food in the walk-in cooler was measured at 46 and 47 degrees F. Potentially hazardous foods should be held at or below 45 degrees F.



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



Received by: Sungyoon Hwang



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

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 4, 2019

Jay Bramhandkar
Garuda Hotels Inc.
2303 N Triphammer Rd
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0022
Country Inn and Suites, T-Ithaca— Violation of Board of Health Orders**

Dear Jay Bramhandkar:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. On June 26, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0019 requiring you to provide an adequate amount of refrigeration storage to maintain potentially hazardous food at or below 45°F at all times during cold holding.

On May 2, 2019, the Tompkins County Health Department observed a critical violation of Subpart 14-1 of the New York State Sanitary Code where potentially hazardous food was not kept at or below 45°F during cold holding. This is also a violation of Board of Health Orders.

Please note that language included in this draft resolution may result in the revocation of Country Inn and Suites permit to operate its food service establishment should there be future violations of Board of Health Orders and Subpart 14-1.

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

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

Enclosures – Draft Resolution, Resolution EH-ENF-18-0019, and Case Summary

pc: F:\EH\TEMPORARY RESIDENCE (TR)\Facilities (TR-4)\Country Inn & Suites\Enforcement-Legal\2019\Draft Res 19-0022.docx
cc: Tompkins County Board of Health (via: Brittnei Griep, TCHD)
CEO T-Ithaca; Supervisor T-Ithaca; Dan Klein, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle; Shelley Comisi
scan: Signed copy to Accela

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

Ph: (607) 274-6688
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DRAFT RESOLUTION # EH-ENF-19-0022 FOR

**Country Inn and Suites
Jay Bramhandkar, Garuda Hotels Inc., Operator/Owner
1100 Danby Road
Ithaca, NY 14850**

Whereas, an owner/operator of a Temporary Residence Food Service Establishment must comply with the regulations established under Subparts 7-1 and 14-1 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain potentially hazardous food temperatures at or above 45°F during cold holding; **and**

Whereas, on June 26, 2018, Tompkins County Board of Health Resolution #ENF-18-0019 ordered Jay Bramhandkar to provide an adequate amount of refrigeration storage to maintain potentially hazardous food at or below 45°F during cold holding; **and**

Whereas, on August 23, 2018, the TCHD performed a food service inspection at Country Inn and Suites and did not observe any critical violations; **and**

Whereas, on May 2, 2019, the Tompkins County Health Department (TCHD) observed approximately 15 single serve cream cheese out for service at temperatures of 68°F; **and**

Whereas, on May 2, 2019, Country Inn and Suites was in compliance with the Orders of Board of Health Resolution #ENF-18-0019 requiring a trained food service worker to be onsite and maintenance of temperature monitoring logs; **and**

Whereas, Jay Bramhandkar is informed that, if any of the Orders are not met during the period of one (1) year following adoption of this Resolution, the TCHD may revoke Country Inn and Suites' permit to operate a food service establishment in Tompkins County. In addition, TCHD reserves the right to not issue subsequent permits to the Country Inn and Suites to operate its food service establishment in Tompkins County based on past history of non-compliance; **and**

Whereas, on May 2, 2019, Country Inn and Suites violated these provisions of the New York State Sanitary Code and Board of Health Resolution #ENF-18-0019; **now therefore be it**

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

1. Pay a penalty of \$1,000 for these violations, **due by August 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
3. Establish and maintain a temperature monitoring log to record potentially hazardous food temperatures twice a day during cold and hot holding. The temperature monitoring log shall contain

the name of the food checked, the temperature of the food, the person's initials taking the food temperatures, and the time the food temperature is taken. The log shall be available to Tompkins County Health Department staff during business hours; **and**

4. Maintain one food service worker who has successfully completed the food safety training course on-site during hours of operation following the completion of the initial training. A valid certificate of training shall be available to Tompkins County Health Department staff during business hours; **and**
5. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

RESOLUTION # EH-ENF-18-0019 FOR

**Country Inn and Suites
Jay Bramhandkar, Garuda Hotels Inc., Operator/Owner
1100 Danby Road
Ithaca, NY 14850**

Whereas, an owner/operator of a Temporary Residence Food Service Establishment must comply with the regulations established under Subparts 7-1 and 14-1 of the New York State Sanitary Code (NYSSC); **and**

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

Whereas, on December 5, 2017, Tompkins County Board of Health Resolution #ENF-17-0046 ordered Jay Bramhandkar to maintain all potentially hazardous food temperatures at or above 140°F at all times during hot holding; **and**

Whereas, on May 9, 2018, the Tompkins County Health Department (TCHD) observed two omelets in a hot holding chafing dish at temperatures of 116°F; **and**

Whereas, on May 9, 2018, Country Inn and Suites was in compliance with Orders of Board of Health Resolution #ENF-17-0046 requiring a trained food service worker to be onsite and maintenance of temperature monitoring logs; **and**

Whereas, Jay Bramhandkar is informed that, if any of the Orders are not met during the period of one (1) year following adoption of this Resolution, the TCHD may revoke Country Inn and Suites' permit to operate a food service establishment in Tompkins County. In addition, TCHD reserves the right to not issue subsequent permits to the Country Inn and Suites to operate its food service establishment in Tompkins County based on past history of non-compliance; **and**

Whereas, on May 9, 2018, Country Inn and Suites violated these provisions of the New York State Sanitary Code and Board of Health Resolution #ENF-17-0046; **now therefore be it**

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

1. Pay a penalty of \$1000 for these violations, **due by August 15, 2018; and**
2. Provide an adequate amount of refrigeration storage to maintain Potentially Hazardous Food at or below 45°F at all times during cold storage; **and**
3. Maintain all potentially hazardous food temperatures at or above 140°F at all times during hot holding; **and**
4. Establish and maintain a temperature monitoring log to record potentially hazardous food temperatures twice a day during cold and hot holding. The temperature monitoring log shall contain the name of the food checked, the temperature of the food, the person's initials taking the food

temperatures, and the time the food temperature is taken. The log shall be available to Tompkins County Health Department staff during business hours; **and**

5. Maintain one food service worker who has successfully completed the food safety training course on-site during hours of operation following the completion of the initial training. A valid certificate of training shall be available to Tompkins County Health Department staff during business hours; **and**
6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on June 26, 2018.

for Brenda L. Kruppa (Frank) 6-27-18
Frank Kruppa Date
Public Health Director



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

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

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

CASE SUMMARY – FOR RESOLUTION #EH-ENF-19-0022

**Country Inn and Suites
Garuda Hotels Inc., Jay Bramhandkar, Owner/Operator
1100 Danby Road, T-Ithaca
Ithaca, NY 14850**

May 2019

Date	Action
05/02/2019	Inspection by TCHD. Violation: See attached inspection report.
08/23/2018	Inspection by TCHD: No critical violations observed. Temperature logs were observed.
06/26/2018	Board of Health adopted Resolution #EH-ENF-18-0019.
05/09/2018	Inspection by TCHD. Violation: Potentially hazardous foods were not kept at or above 140°F during hot holding. Product for service was observed to be at 116°F. A ServeSafe certified staff person was verified to be on-site. Temperature logs were maintained and observed by TCHD.
12/05/2017	Board of Health adopted Resolution # EH-ENF-17-0046.
11/07/2017	TCHD called Country Inn and Suites to obtain updated food safety certification for a food employee because current certification on file with TCHD expired on 10/22/17. Country Inn and Suites stated that employee was not yet recertified but indicated it would be done right away.
11/06/2017	Country Inn and Suites faxed temperature logs for the month of October 2017. Logs were only provided for hot held foods.
10/31/2017	Inspection by TCHD. Violation: Potentially hazardous foods were not kept at or below 45°F during cold holding. Product for customer service was observed to be at 55°F. The product was discarded during the inspection. Temperature logs were not available for review by TCHD inspector.
09/15/2016	Re-inspection by TCHD following BOH action: No critical violations observed, temperature logs were observed.
04/26/2016	Board of Health adopted Resolution # EH-ENF-16-0006 requiring penalty of \$800, maintenance of temperature logs during hot and cold holding, and providing a food service worker certified in food safety training onsite during hours of operation.
03/01/2016	Re-inspection by TCHD. Violation: Potentially hazardous foods were not kept at or above 140°F during hot holding. Product out for customer service was observed to be at 119°F and 135-138°F. These products were removed from service and rapidly reheated to 165°F or above.
02/02/2016	Inspection by TCHD. Violation: Potentially hazardous foods were not kept at or above 140°F during hot holding. Product out for customer service was observed to be at 122-125°F. The product was discarded during the inspection.
11/24/2015	Inspection by TCHD: No critical violations observed.
12/19/2014	Re-inspection by TCHD following BOH action: No critical violation observed.
10/28/2014	Board of Health adopted Resolution #14.14.25.
09/09/2014	Re-inspection by TCHD. Violation: Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or above 45°F during cold holding. Products in a cooler were observed at 47-50°F.

Inclusion Through Diversity

07/22/2014	Inspection by TCHD. Violation: Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or above 45°F during cold holding. Products in a cooler were observed at 51°F.
12/11/2013	Re-inspection by TCHD. Violations observed during inspection of 11/19/2013 were corrected.
11/19/2013	Inspection by TCHD. Violation: Potentially hazardous foods were not kept at or below 45°F during cold holding. Products out for customer service were inadequately iced and observed at 56-57°F.
03/02/2012	Inspection by TCHD: No critical violations observed.
10/21/2011	Re-inspection by TCHD. Violations observed during inspection of 09/26/2011 were corrected.
09/26/2011	Inspection by TCHD. Violation: Toxic chemicals were stored so that contamination of food could occur. Potentially hazardous foods were not stored under refrigeration. Products on a counter for customer use were observed to be at 75°F.
12/09/2010	Re-inspection by TCHD: Violations observed during inspections of 09/02/2010 and 09/17/2010 were corrected.
11/18/2010	Resolution #10.13.44 adopted by BOH requiring a penalty of \$400 by December 20, 2010, and to monitor food temperatures on a log sheet twice a day during business hours.
09/17/2010	Re-inspection by TCHD. Violation: Potentially hazardous foods were not stored under refrigeration. Products for customer use were observed at 54°F.
09/02/2010	Inspection by TCHD. Violation: Accurate thermometers were not available to measure food temperatures. Potentially hazardous foods were not stored under refrigeration. Products for customer use were observed at 70°F.
07/07/2009	Inspection by TCHD: No critical violations observed
12/05/2008	Inspection by TCHD: No critical violations observed.
05/19/2008	Permit to operate issued to Country Inn & Suites.

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

Food Service Establishment Inspection Summary Report

Operation: COUNTRY INN & SUITES - FSE-L (ID: 531216)
Facility Name: COUNTRY INN & SUITES
Facility Code: 54-2605 Facility Email: cindys@garudahospitality.com
Facility Address: 1100 Danby Road, Ithaca, NY 14850

To the Attention of:

Jay Bramhandkar
GARUDA HOTELS INC
2303 N Triphammer Rd
Ithaca, NY 14850

Inspection

Date: May 2, 2019 08:30 AM
Inspector: Cynthia Mosher (cmosher@tom-pkins-co.org)
Responsible Person: Antonia Hamilton

Summary

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

Reinspection is Required

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

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5A WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or below 45°F during cold holding, except smoked fish not kept at or below 38°F during cold holding.

Inspector Findings: Approximately 15 single serve cream cheeses out for service were at a temperature of 68 degrees F. Staff returned cream cheese to cooler and brought out fresh containers. Discussed concerns with containers not in contact with ice bath not staying appropriately chilled.

FOOD NOT PROTECTED IN GENERAL

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

All or parts of the item are violations.

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

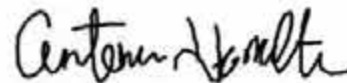
Inspector Findings: Cardboard box of apples stored on floor. Staff stated that is generally up off the floor, but occasionally gets left out during day. Discussed concerns with contamination from floor. Apples were promptly moved.

Additional Information Collected During Inspection

Comments: One Part I Critical Violation: 5A Food improper cold holding
One Part II Blue Violation 8A Food not protected, stored on floor
Reinspection required



Inspector: Cynthia Mosher (cmosher@tompkins-co.org)



Received by: Antonia Hamilton



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

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 4, 2019

David Shanks
Core Life of Ithaca, LLC.
27 Central Avenue
Cortland, NY 13045

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0023
Corelife Eatery, C-Ithaca – Violation of Board of Health Orders**

Dear David Shanks:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. On March 26, 2019, the Tompkins County Board of Health adopted Resolution EH-ENF-19-0004 requiring you to maintain all potentially hazardous food at or above a temperature of 140°F at all times during hot holding.

On May 14, 2019, the Tompkins County Health Department observed three critical violations of Subpart 14-1 of the New York State Sanitary Code where potentially hazardous foods were observed at temperatures below 140°F during hot holding and hot holding equipment was not functioning properly. This is also a violation of Board of Health Orders.

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 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

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

Enclosures – Draft Resolution, Resolution # EH-ENF-19-0004, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Corelife\Enforcement\2019\May 2019\Draft Resolution 19-0023.docx
ec: Tompkins County Board of Health (via; Brittni Griep, TCHD)
Mike Niechwiadowicz, Ithaca Building Department; Mayor Svante Myrick; Leslyn McBean-Clairborne, TC Legislature;
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director;
Kristee Morgan; Skip Parr; Brenda Coyle; Shelley Comisi
scan: Signed copy to Accela

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

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DRAFT RESOLUTION # EH-ENF-19-0023 FOR

**Corelife Eatery
Corelife of Ithaca LLC., David Shanks, Owner/Operator
740 South Meadow Street, C-Ithaca
Ithaca, NY 14850**

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

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

Whereas, on March 26, 2019, Tompkins County Board of Health Resolution #EH-ENF-19-0004 ordered Corelife of Ithaca LLC to maintain potentially hazardous food temperatures at or above 140°F at all times; **and**

Whereas, on May 14, 2019, the Tompkins County Health Department (TCHD) observed three critical violations of Subpart 14-1 of the NYSSC including failure to maintain potentially hazardous foods at or above 140°F during hot holding. Tofu, diced beef and diced chicken, cooked sweet potatoes, and cooked beets were observed at temperatures between 110°F and 127°F; **and**

Whereas, on May 14, 2019, Corelife of Ithaca LLC, Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-19-0023; **now therefore be it**

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

1. Pay a penalty of \$1,500 for these violations, **due by August 15, 2019.** (Do Not submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain all potentially hazardous food temperatures at or above 140°F at all times during hot holding; **and**
3. Establish and maintain a temperature monitoring log to record potentially hazardous food temperatures twice a day during cold and hot holding. The temperature monitoring log shall contain the name of the food checked, the temperature of the food, the person's initials taking the food temperatures, and the time the food temperature is taken. The log shall be available to Tompkins County Health Department staff during business hours; **and**
4. Ensure that at least two food service workers attend and successfully complete a food safety training course approved by the TCHD. The certificates documenting successful completion of the course must be submitted to the TCHD by **August 15, 2019; and**
5. After August 15, 2019, at least one employee who has successfully completed the food safety training must be on-site during hours of operation. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



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

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

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

RESOLUTION # EH-ENF-19-0004 FOR

**Corelife Eatery
Corelife of Ithaca LLC., David Shanks, Owner/Operator
740 South Meadow Street, C-Ithaca
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain hold holding equipment to keep hot foods above a temperature of 140°F; **and**

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

Whereas, on June 26, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0016 ordered Corelife of Ithaca LLC to maintain potentially hazardous food temperatures at or above 140°F at all times; **and**

Whereas, on January 17, 2019, the Tompkins County Health Department (TCHD) observed critical violations of Subpart 14-1 of the NYSSC including failure to maintain potentially hazardous foods at or above 140°F during hot holding and failure to maintain hot holding equipment to maintain hot foods above 140°F. Tofu, diced beef and diced chicken were observed at temperatures between 115°F and 130°F on prep and service lines. In addition, quinoa was observed at temperatures between 72°F and 75°F in hot holding due to equipment failure; **and**

Whereas, on January 17, 2019, Corelife of Ithaca LLC, Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-18-0016; **now therefore be it**

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

1. Pay a penalty of \$800 for these violations, **due by May 15, 2019; and**
2. Maintain all potentially hazardous food temperatures at or above 140°F at all times during hot holding; **and**
3. Provide proof of repair of the existing steam unit at the end of the service counter nearest the wall or provide proof of purchase of replacement equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department (**completed**); **and**
4. Maintain temperatures logs in accordance with the issued waiver that allows for time to be used as a public health control; **and**
5. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on March 26, 2019.

Frank Kruppa
Frank Kruppa, Public Health Director

3/29/19
Date

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

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

CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0023

Corelife Eatery
CoreLife of Ithaca LLC., David Shanks, Operator
740 South Meadow Street, C-Ithaca
Ithaca, NY 14850

May 2019

Date	Action
05/14/2019	Re-inspection by TCHD: Violations: See attached inspection report.
03/27/2019 and 05/03/2019	Fields visits by TCHD at request of CoreLife management to review new procedures. Changes were needed to 03/27/2019 procedures, revisions reviewed on 05/03/2019 were to be implemented.
03/26/2019	Tompkins County BOH adopts resolution #EH-ENF-19-0004.
01/17/2019	Inspection by TCHD: Violations: Potentially hazardous foods were not kept at or above 140°F in hot holding. Product in hot holding was observed to be at 115-130°F. The facility was not fulfilling the conditions of the waiver agreement, temperature log sheets were not being maintained.
09/19/2018	Re-inspection by TCHD: Violations observed during inspection of 08/20/2018 were corrected.
08/20/2018	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or above 140°F in hot holding. Product in hot holding was observed to be at 100-118°F. The facility was not fulfilling the conditions of the waiver agreement.
06/26/2018	Tompkins County BOH adopts resolution #EH-ENF-18-0016.
05/25/2018	TCHD approves an application submitted by CoreLife Eatery for using Time as a Public Health Control. A revised Permit to Operate was issued to include the waiver.
04/24/2018	Re-inspection by TCHD. Violations: Enough hot holding equipment was not maintained so that foods were kept above 140°F. Product in hot holding was observed to be at 129-136°F.
04/13/2018	Inspection by TCHD. Violations: Potentially hazardous foods were not kept above 140°F in hot holding. Products in hot holding on the service line were observed to be at 100-129°F. Enough hot holding equipment was not maintained so that foods were kept above 140°F. Product in a hot holding unit was observed to be at 126-128°F.
07/17/2017	Re-inspection by TCHD. Violation 6A cited previously was corrected. No violations were observed.
06/07/2017	Re-inspection by TCHD. Violations: Potentially hazardous foods were not kept above 140°F in hot holding. Cooked chicken in a hot holding unit was observed to be at 125-130°F.
05/19/2017	Inspection by TCHD. Violations: Potentially hazardous foods were not kept below 45°F in cold holding. Product in cold holding was observed to be at 48-50°F. Enough hot holding equipment was not maintained so that foods were kept above 140°F in hot holding. Cooked steak in a hot holding unit was observed to be at 132°F.
04/07/2017	Preoperational inspection by TCHD. Permit to Operate issued to CoreLife of Ithaca LLC.

Inclusion Through Diversity

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

Food Service Establishment Inspection Summary Report

Operation: CORELIFE EATERY (ID: 949212)
Facility Name: CORELIFE EATERY
Facility Code: 54-AL84 Facility Email: cl.ithaca@corelifeeatery.com
Facility Address: 740 South Meadow Street, Ithaca, NY 14850

To the Attention of:

David Shanks
CORELIFE OF ITHACA LLC
27 Central Av
Cortland, NY 13045
Email: dshanks@eatatcore.com

Re-Inspection

Date: May 14, 2019 01:50 PM
Inspector: Rene Borgella (rborgella@tom-pkins-co.org)
Responsible Person: Shanakia Gray

Summary

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

Reinspection is Required

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

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 3 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not kept at or above 140°F during hot holding.

Inspector Findings: Three instances of this violation:

- 1) At the grill station, out for service in the hot holding unit, approximately 1 pint of cubed, cooked steak was at 127F; cooked cubed chicken breast (approx 1/2 pint) was at 125F.
- 2) At the hot holding unit towards the grill on the service line, one container of cooked sweet potatoes (approx 1-1/2 cups) and another container of cooked beets were at 110 & 11F, respectively.
- 3) At the hot holding unit in the center of the service line, one quarter pan of cooked tofu was at 124F. This pan of tofu was placed inside another pan (doubled pan) which did not contain water, keeping it from direct contact with the steam table water below

it. Other items in the same hot holding unit were at appropriate temperatures.

During the interview with the staff, all of the items were determined to be out for service for between 30-45 minutes.

Correction: Each of the items were reheated to 165F before being returned to service.

Action: Potentially hazardous foods must be kept at 140F or above during hot holding.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: One Critical Violation (three times)
Part 2: No violations observed

Reinspection Required
Board of Health Action to Follow.



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



Received by: Shanakia Gray



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

ENVIRONMENTAL HEALTH DIVISION
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CERTIFIED, REGULAR, & ELECTRONIC MAIL

June 12, 2019

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

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0024
Taste of Thai Express, Food Service Establishment, C-Ithaca**

Dear Akhin Pancharoen:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, June 25, 2019**. On May 22, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0015 requiring you to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage.

On May 30, 2019, Tompkins County Health Department (TCHD) staff observed three critical violations of Subpart 14-1 of the NYSSC. Cooked rice noodles were observed at room temperature storage at temperatures of 80°F and 90°F at two different location in the kitchen. These are also violations of Board of Health Orders. In addition, an accurate thermometer was not available during the inspection.

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

You or a representative has the right to speak to the Board for a few minutes prior to them taking action. If you wish to speak to the Board, please contact Skip Parr or me at (607) 274-6688 at least one day before the meeting. If you plan to attend, please arrive by 12:00 p.m. (noon).

Sincerely,

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

Enclosures – Draft Resolution, BOH Orders # EH-ENF-18-0015, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Taste of Thai Express\Enforcement\2019\Draft Resolution 19-0024.docx
ec: Tompkins County Board of Health (via; Brittney Griep, TCHD)
Ithaca Building Department; Mayor Myrick C-Ithaca; Leslyn McBean-Clairborne, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan, Skip Parr; Brenda Coyle; Shelley Comisi
scan: Signed copy to Accela

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

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

DRAFT RESOLUTION # EH-ENF-19-0024 FOR

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

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain accurate thermometers to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding; **and**

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

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

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

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

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

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

1. Pay a penalty of \$1,700 for these violations, **due by August 15, 2019.** (Do Not submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times; **and**
3. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
4. Ensure that all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat are heated to a temperature of 165°F or above with no interruption of the cooking process; **and**

5. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
6. Maintain at least one employee on-site during hours of operation, who has successfully completed the food safety training. In the event that a trained employee separates from employment, another employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**
7. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.



Your Partner for a Healthy Community

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

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

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RESOLUTION # EH-ENF-18-0015 FOR

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

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to use proper utensils to eliminate bare hand contact with cooked or prepared foods; **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to heat all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat to a temperature of 165°F or above with no interruption of the cooking process; **and**

Whereas, on January 23, 2018, the Tompkins County Board of Health adopted Resolution #EH- ENF-18-0004 requiring Taste of Thai Express to ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times and to Comply with all requirements of Subpart 14-1 of the NYSSC; **and**

Whereas, on April 19, 2018, the Tompkins County Health Department (TCHD) observed two critical violations of Subpart 14-1 of the NYSSC including the failure to eliminate bare hand contact and the failure to heat chicken to a temperature of 165°F or above; **and**

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

Whereas, Taste of Thai Express Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders adopted on January 23, 2018; **now therefore be it**

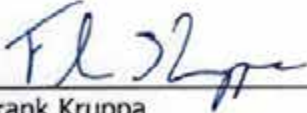
**Resolved, on recommendation of the Tompkins County Board of Health,
That Akhin Pancharoen, Operator, is ordered to:**

1. Pay a penalty of \$1,500 for these violations, **due by July 13, 2018; and**
2. Ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times; **and**
3. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
4. Ensure that all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat are heated to a temperature of 165°F or above with no interruption of the cooking process; **and**
5. Maintain at least one employee on-site during hours of operation, who has successfully completed the food safety training. In the event that a trained employee separates from employment, another

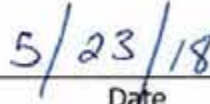
employee must successfully complete an approved food safety course within 90 days. Training certificates must be retained and made available during an inspection; **and**

6. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on May 22, 2018.



Frank Kruppa
Public Health Director



Date



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

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

Ph: (607) 274-6688
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0024

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

June 2019

Date	Action
05/30/2019	Inspection by TCHD. Violations: See attached inspection reports.
08/14/2018	Inspection by TCHD. No violations noted.
05/22/2018	Resolution #EH-ENF-18-0015 adopted by BOH.
04/19/2018	Inspection by TCHD. Violations: A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. Poultry was not heated to 165°F or above during cooking. Product was rapidly heated to 165°F or higher.
04/05/2018	Two Serve Safe Certificates received by TCHD.
01/23/2018	Resolution#EH-ENF-18-0004 adopted by BOH.
12/14/2017	Inspection by TCHD. Violations: An accurate thermometer was not available to evaluate potentially hazardous food temperatures. The food probe thermometer available during the inspection was observed to be off by 12°F. The thermometer was properly calibrated during the inspection. Food workers did not use proper utensils to eliminate bare hand contact with prepared foods. A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a refrigerated storage unit was observed to be at 49-51°F. The product was removed from service and rapidly chilled to 45°F or less before use.
9/26/2017	Resolution #EH-ENF-17-0026 adopted by BOH.
07/27/2017	Re-inspection by TCHD. Violations for cold holding and food not stored under refrigeration that were observed on 05/30/2017 were corrected. Violation: Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 61-64°F.
05/30/2017	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during hold holding. Product in cold holding was observed to be at 52-58°F. Potentially hazardous foods were not stored under refrigeration. Products on a counter were observed to be at 52-57°F. Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 52-56°F.
10/03/2016	Inspection by TCHD. No violations noted.
07/05/2016	Resolution EH-ENF-16-0013 adopted by BOH.

Inclusion Through Diversity

07/26/2016	Re-inspection by TCHD at Ithaca Festival: Violations: Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Food workers prepared raw and cooked or ready to eat food products without "thorough handwashing and sanitary glove changing in between."
06/03/2016	Field Visit at Ithaca Festival by TCHD: Violations: Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods.
06/01/2016	Inspection by TCHD. Violations: Potentially hazardous foods were not stored under refrigeration except when necessary. Product on a counter was observed to be at 89-130°F.
12/07/2015	Inspection by TCHD. No violations noted.
05/13/2015	Inspection by TCHD. No violations noted.
12/03/2014	Inspection by TCHD. No violations noted.
08/11/2014	Inspection by TCHD. No violations noted.
12/13/2013	Re-inspection by TCHD. Violations observed on 11/18/2013 were corrected.
11/18/2013	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 110-115°F.
07/03/2013	Re-inspection by TCHD. Violations observed on 06/04/2013 were corrected.
06/04/2013	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a sandwich cooler was observed to be at 52°F, and iced product on a counter was observed to be at 57°F. Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 115°F.
11/28/2012	Inspection by TCHD. No violations noted.
05/29/2012	Re-inspection by TCHD. Violation observed on 05/08/2012 corrected.
05/08/2012	Inspection by TCHD. Violations: Cooked or prepared foods were subject to cross-contamination from raw foods.
11/29/2011	Re-inspection by TCHD. Violation observed on 11/9/2011 was corrected.
11/09/2011	Inspection by TCHD. Violations: Potentially hazardous food were not kept at or below 45°F during cold holding. Product in a sandwich unit was observed to be at 51-53°F. Potentially hazardous foods were also not stored under refrigeration except during necessary preparation. Product was observe don the counter at 70-80°F. Toxic chemicals were improperly labeled.
04/29/2011	Inspection by TCHD. No violations noted.
12/28/2009	Permit to Operate Taste of Thai Express issued.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
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Food Service Establishment Inspection Summary Report

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

To the Attention of:

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

Inspection

Date: May 30, 2019 11:28 AM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Sirathom Balakula
Additional Email(s): catering@tasteofthaiexpress.com

Summary

Number of Public Health Hazards Found: 3
Number of Public Health Hazards NOT Corrected: 1
Number of Other Violations Found: 2

Reinspection is Required

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

FOODS NOT PROTECTED FROM CONTAMINATION, TEMPERATURES NOT MEASURED.

ITEM # 2E WAS FOUND IN VIOLATION 1 TIME(S). CRITICAL VIOLATION

All or parts of the item are violations.

Code Requirements: Accurate thermometers not available or used to evaluate potentially hazardous food temperatures during cooking, cooling, reheating and holding.

Inspector Findings: Observed a probe style thermometer reading 10 degrees F lower than actual temperature (22 degrees F in ice water). There were no other probe thermometers available.

Action: Provide accurate probe style thermometer.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 2 TIME(S). CRITICAL VIOLATION

Part or parts of the item were observed to be in violation which were corrected at the time of inspection.

Code Requirements: Potentially hazardous foods are not stored under refrigeration except during necessary preparation or approved precooling procedures (room temperature storage).

Inspector Findings:

1. Observed a container with approximately four to five quarts of cooked rice noodles on the counter to the left of the prep cooler at 80 degrees F.
2. Observed a container with approximately four to five quarts of cooked rice noodles at the right end of the prep coolers at 90 degrees F.

The rice noodles were cooked less than two hours prior to the inspection and were cooled during the inspection.

Action: Hold noodles at or below 45 degrees F or at or above 140 degrees F during storage.

FOOD NOT PROTECTED IN GENERAL

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

All or parts of the item are violations.

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

Inspector Findings:

1. Observed a bin of rice stored under the dishwasher.
2. Observed containers of food stored on the floor in the walk-in freezer.

Action: Store foods off the floor and where contamination of food can not occur.

IMPROPER CLEANING, WASHING AND SANITIZING OF EQUIPMENT AND UTENSILS.

ITEM #11D WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Non food contact surfaces of equipment not clean

Inspector Findings: Observed a build-up of mildew/dirt inside the ice machine.

Action: Clean and sanitize the ice machine on a regular basis.

Additional Information Collected During Inspection

Comments: Three Part I Critical Item Violations 3E and 5C (twice)
Two Part II Blue Item Violations 8A, 11D

Re-Inspection Required



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



Received by: Sirathorn Balakula