

TOMPKINS COUNTY HEALTH DEPARTMENT

**Board of Health  
December 10, 2013  
12:00 Noon  
Rice Conference Room**

**Present:** Brooke Greenhouse; James Macmillan, MD, President; Patrick McKee; Michael McLaughlin, Jr.; and Janet Morgan, PhD

**Staff:** Liz Cameron, Director of Environmental Health; Sigrid Connors, Director of Patient Services; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; and Shelley Comisi, Keyboard Specialist

**Excused:** Will Burbank; Patricia Meinhardt, MD; Sylvia Allinger, Director of CSCN; and Jonathan Wood, County Attorney

**Guests:** Kevin McGuire, Program Analyst, Tompkins County; and Skip Parr, Sr. Public Health Sanitarian

**Privilege of the Floor:** Matthew Taylor, General Manager, Stella's Restaurant

Dr. Macmillan unofficially called the regular meeting of the Board of Health (BOH) to order at 12:12 p.m. due to lack of a quorum. Reports were presented and motions delayed awaiting the arrival of one more member for a quorum.

**Privilege of the Floor:** Matthew Taylor, General Manager of Stella's Restaurant, appeared before the Board to discuss the issue of improperly stored eggs during a re-inspection of the restaurant. He submitted a letter to the Board acknowledging the violation and explained there was a breakdown in communication with staff. After the first inspection, he talked to several staff members about the issue, but it was not properly communicated to the entire staff. Following the re-inspection, he discussed the violation of the sanitary code and proper storage procedures with all staff members. Mr. Taylor listed the changes he made to address the issue and assured the Board it will not happen again.

Mr. McLaughlin asked if staff members realize sealed containers of eggs cannot be stored above a finished product. Mr. Taylor said staff are aware and signs have been posted in the coolers noting eggs must be kept in a specific section of the cooler.

Mr. McLaughlin inquired about the training of new staff and the system of receiving goods from delivery people. Mr. Taylor responded training supplemented with a training manual is provided for new staff members and kitchen staff are on hand when deliveries are made.

**Financial Summary:** Ms. Grinnell Crosby introduced Kevin McGuire from County Administration who is transitioning to the position formerly held by Kevin Sutherland. Working with Mr. Sutherland's design, Mr. McGuire is tweaking the financial summary report to meet the needs of two groups: one for Health Department staff and another for

Board members. To avoid data overload, the dashboard display has been narrowed to two columns and the number of graphs presented for those programs in red has been reduced from six to two.

After distributing the November report, Ms. Grinnell Crosby explained the memo and graphs identify issues in programs with revenues in red. She reviewed her notes for those programs; some were in arrears and some were anomalies. Revenues are expected to improve by the end of the year.

Working to incorporate the Board's suggestions, Mr. Kruppa said staff is reducing the size of the report. The plan is to include the items in red with the relevant graphs in the packet. At some point, the entire budget report will be available on the website for anyone wanting to view the full report.

Highlights from a lengthy discussion among Board members about the latest iteration of the report:

- For the Board's needs, Mr. Greenhouse requested a simple snapshot of information; the simpler, the better. Dr. Macmillan agreed less data causes less confusion.
- Mr. McLaughlin pointed out Board members discuss the budget before it is put into motion. On a month-to-month basis he wants to know if that original plan is functioning correctly. He relies on the expertise of administrative staff to monitor the budget and report any anomalies. Keeping it simple is a good suggestion.
- As the parameters get tighter by the end of the year, Mr. Kruppa noted more areas may appear in red. For those areas, Ms. Grinnell Crosby would explain the specifics of the situation to the Board.
- Dr. Macmillan thought an explanation under the graphs would be helpful if there were problems. He would be satisfied with graphs presented on a quarterly basis.
- Mr. McGuire commented he is pleased to be working on the financial report and happy to adapt it to suit the Board's information threshold. One change meriting an explanation was that he standardized the scales in expenditures and revenues to provide an accurate picture. Mr. McLaughlin noted there are times when standardized scales may not disclose something significant within an area. Mr. McGuire agreed there may be instances when the scale needs to be changed to see the variations.

**Administration Report:** Mr. Kruppa reserved time during New Business for discussion of the Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP).

**Medical Director's Report:** Dr. Klepack reported influenza activity is sporadic; however, it is starting to make an appearance locally. Sporadic designation means influenza has been reported in various places in the state but not everywhere.

**Division for Community Health Report:** Ms. Connors announced she will be submitting a different Communicable Disease report in the next BOH packet. In the past, staff entered each communicable disease into an Excel or Access database. It was labor intensive with a potential for errors. Currently, communicable disease numbers are being reported through a secure electronic state system. The state system will generate a

monthly report of communicable diseases reported for Tompkins County and compare the list to the previous three years. There will also be a year-to-date report. She will work with staff to add a few elements to provide a more comprehensive report.

**Children with Special Care Needs Report:** Ms. Allinger was not present for the meeting.

**County Attorney's Report:** Mr. Wood was not present for the meeting.

**Environmental Health Report:** Ms. Cameron reported:

- Staff finished preparing the Healthy Neighborhoods Program (HNP) grant proposal. She recognized staff for their hard work and Mr. Parr for pulling the information together. It is a strong proposal consisting of 100 pages, and she is optimistic the program will receive the funding.
- Two project assistants were hired with the salary funds that accumulated from staff changes over the year. They are working 40 hours per week on preparing and scanning old sewage system files.
- The Accela permit management software project is behind schedule but making significant strides. Redmark, the consultant, is planning for the software to go live by the end of January.

Ms. Cameron noted she was not present at the October BOH meeting so she missed the discussion about Mr. Greenhouse participating in the software review. It was explained that Mr. Kruppa had made the suggestion because he thought Mr. Greenhouse was most likely to interact with the system so there would be value in receiving his feedback. Mr. Greenhouse said his role would be as a representative user. Ms. Cameron reported there are several components to the system: the main software for internal staff; a mobile component for inspectors in the field; and a mobile component for citizen access. She recommended involving Mr. Greenhouse in the project during the configuration of the citizen access component and the user testing phases of the process.

Ms. Cameron also mentioned Mr. Greenhouse's potential participation in the policy discussion about handling hardship cases resulting from increased replacement sewage system fees. Staff would like to discuss this policy in January. Mr. Greenhouse was agreeable to offering his input before the policy is brought to the Board so Ms. Cameron will include him in those discussions.

Mr. McLaughlin wondered if there would be online public access to records of a property's sewage system. Ms. Cameron answered that information will be available once it is prepared, scanned and uploaded. It is a long term goal, but eventually a user will be able to click on a parcel to see its current and historical records; confidential information will not be posted.

Mr. Kruppa announced there will be presentations to the Legislature and to the Board demonstrating how the system works. It is going to change the way business is conducted in the Environmental Health (EH) Division.

**Presentation of Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP):** Mr. Kruppa displayed the new Tompkins County website

then navigated to the Health Department Home page. Under *Current Topics*, he pointed out both community health reports are available to be downloaded.

The CHA document is the culmination of data collected during the past year that provides a snapshot of the current health of county residents. This year, it was decided to compare Tompkins County, ranked third in the University of Wisconsin County Health Rankings, with the other counties ranked in the top five for New York State. All have high positive health outcomes. The other counties are small, medium and large so there is a broad perspective in terms of population.

The CHIP is action based with strategies to improve the overall health of residents. Through the assessment, two priority areas were identified: (1) the prevention of chronic disease and (2) the promotion of mental health and prevention of substance abuse. Chronic disease is in the wheelhouse of public health so staff will be looking at current initiatives and thinking about other opportunities. As for the second priority, he will be meeting with mental health professionals, Sue Romanczuk-Smelcer at Tompkins County Mental Health Department and Larry Roberts of the Mental Health Sub-Committee, to gain a better understanding of how public health can be of assistance.

In response to a question from Mr. Greenhouse about the basis for the community health reports, Mr. Kruppa said the CHA and the CHIP look to identify where the community needs to target its resources to improve its overall health. It is not focused solely on the Health Department. In addition, New York State Department of Health (NYSDOH) requires these two reports and a strategic plan to be a part of the accreditation process for local health departments.

Dr. Morgan arrived at 1:15 p.m. A quorum was present to conduct business.

#### **Board of Health Vacancy Recommendations:**

Mr. Kruppa reported Mayor Svante Myrick has recommended Mr. McLaughlin for reappointment as the City of Ithaca representative to the BOH.

Mr. Greenhouse moved to recommend Mr. McLaughlin for reappointment to the Board; seconded by Dr. Macmillan. The vote: Aye - 4; Abstention - 1 (Mr. McLaughlin); motion carried.

Dr. Macmillan reported the Nominating Committee recommends Dr. Edward A. Koppel for appointment to the BOH. He is an internist at Cornell University Gannett Health Services with hands-on experience regarding public health concerns.

Mr. Greenhouse moved to recommend Dr. Koppel to fill the physician member position to the BOH; seconded by Mr. McLaughlin; and carried unanimously.

There was a discussion among Board members about the interview process that resulted in the following suggestions: (1) ask candidates to attend a BOH meeting to observe the Board's activities and (2) share the scenario based questions prior to the interview to provide a sense of the Board's responsibilities.

Mr. Kruppa stated he will be taking the two nominations to the Health and Human Services Committee for approval before moving to the full Legislature. Hopefully, both individuals will be approved by the January meeting.

**Approval of October 22, 2013 Minutes:** Mr. Greenhouse moved to approve the minutes of the October 22, 2013 meeting as written; seconded by Dr. Macmillan; and carried unanimously.

**Resolution #13.1.20 – Town of Ulysses Water District #3, T-Ulysses, Violation of Subpart 5-1.52 of the New York State Sanitary Code (Water):**

**Resolution #13.11.24 – PDR’s Catering, C-Ithaca, Violation of Subpart 14-2 of the New York State Sanitary Code (Temporary Food Service):**

**Resolution #13.10.25 – Stella’s Restaurant, C-Ithaca, Violation of Subpart 14-1 of the New York State Sanitary Code (Food Service):**

**Resolution #13.18.29 – Beaconville Mobile Home Park, T-Dryden, Violation of Board of Health Orders Dated August 27, 2013 (Water):**

**Resolution #13.40.28 – Triphammer Mobil, V-Lansing, Violation of Adolescent Tobacco Use Prevention Act (ATUPA):**

Mr. Greenhouse moved to accept the five preceding resolutions as written; seconded by Dr. Macmillan; and carried unanimously.

**Resolution #13.40.27 – Kwik Fill A0033, C-Ithaca, Violation of Adolescent Tobacco Use Prevention Act (ATUPA):** Mr. Greenhouse moved to accept the resolution as written; seconded by Mr. McKee.

Referring to the last paragraph of the letter from the Kwik Fill representative that stated the company sent documents to provide “the evidence needed for assignment of a 1-point violation,” Mr. Greenhouse wondered whether the point violation was automatic. Ms. Cameron replied it is automatic with points accumulating for three years which prompted the company to submit the information seeking a point reduction. She noted other businesses found to be in violation of ATUPA have taken appropriate actions with their staff members so staff recommends keeping the resolution as written.

The vote on the resolution as written was unanimous.

**Lupo request for an Onsite Wastewater Treatment System (OWTS) permit application fee refund:** Ms. Cameron stated this is a request for a waiver rather than a refund since Mr. Lupo has not paid the fee at this point.

Mr. Greenhouse moved to accept the fee adjustment as recommended by the EH Division; seconded by Dr. Macmillan.

In response to Dr. Macmillan’s question about the frequency of these cases, Ms. Cameron said this is the third action brought to the Board in recent years. With the increased fee, there are more cases. Staff is proposing that someone who qualifies for a loan from Better Housing or other appropriate loan agencies be granted a waiver of the replacement sewage system permit application fee. At most, there are 15 systems a year. In Mr. Lupo’s case, he lives in a mobile home that does not have a foundation so it automatically does not qualify for a Better Housing loan. Since there will be other special

cases needing to be reviewed, a policy will be brought to the Board at another time for discussion/approval.

The vote on waiving the fee as written was unanimous.

**Mass Gathering Fee Revised for 2014:** Ms. Cameron explained EH staff generally does not process a permit before the permit fee is paid. Since the Finger Lakes GrassRoots Festival Organization has submitted a permit application for 2014, the fee needs to be assessed in order to finish the application. Fees have increased significantly with the change in the GrassRoots Festival being regulated as a mass gathering rather than a campground. She added the proposed mass gathering fee for 2014 is a one-time interim policy.

Mr. Greenhouse moved to accept the well-thought-out presentation in the packet as the interim policy; seconded by Mr. McLaughlin.

Mr. Greenhouse asked whether the mass gathering checklist duplicates the work of other agencies. Ms. Cameron answered there is overlap; however, it is EH staff that pulls the completed work of other agencies together under one umbrella. By signing the permit, staff are stating the code requirements have been met.

Responding to Mr. McLaughlin's question about the change in the regulation, Ms. Cameron said there had been discussions with NYSDOH on mass gatherings this year. The state interprets a mass gathering as any event of 5,000 people continuing for 24 hours. The previous EH staff interpretation was any event with 5,000 people staying overnight.

Although staff will be working through the process for the first time, Ms. Cameron noted GrassRoots Festival organizers do a good job running their event so it is expected to be primarily a need for documentation of current practices. Replying to concerns from Board members about the 20% cost recovery, Ms. Cameron recommended being consistent with past policy during this first year.

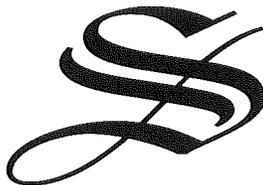
Mr. Kruppa suggested the minutes reflect this interim policy is in relation to the GrassRoots Festival which is an existing gathering. There has been no change to the rule and there has been no change to GrassRoots' operation since last year, but an interpretation of the rule has changed. Tompkins County Environmental Health staff are trying to work through that new interpretation in the most effective manner possible. After this year, there will be a re-evaluation of mass gathering fees and how to apply them in the future.

The vote in favor of the interim mass gathering fee policy as written was unanimous.

**Adjournment:** At 1:44 p.m. Dr. Macmillan adjourned the meeting.

**Attachments:** The materials/documents distributed during the meeting:

1. Letter submitted by Matthew Taylor, General Manager of Stella's Restaurant in the matter of Resolution #13.10.25 – Stella's Restaurant, C-Ithaca, Violation of Subpart 14-1 of the New York State Sanitary Code (Food Service)
2. November Financial Dashboard memo and graphs
3. Letter/documents received from United Refining Company in the matter of Resolution #13.40.27 – Kwik Fill A0033, C-Ithaca, Violation of Adolescent Tobacco Use Prevention Act (ATUPA)



November 26, 2013

To the members of the Tompkins County Board of Health:

I am writing today on behalf of Stella's Restaurant with regards to the violation of Subpart 14-1 of the NYSSC, recorded during our October 9th re-inspection. On the day of our re-inspection, we failed to address the storage of eggs, which were located in a cooler above and next to items that could potentially become contaminated from contact.

Following our initial inspection, I informed part of the staff about what we had done incorrectly, and what should have been done instead. The problem that led to our repeat violation was a breakdown in communication. I failed to properly communicate the changes that needed to occur to the staff as a whole, and as a result the storage of eggs did not consistently change.

Since our re-inspection the following actions taken to ensure correct storage procedures:

- The entire staff has been made aware that our eggs were not being properly stored.
- The eggs in question are now kept in a different section of the cooler, where space is only available in the bottommost area. (This should safeguard against them being stored above any other items.)
- Signs have also been posted in every section of the cooler, noting where eggs can & cannot be stored.

I've attached copies of the signs for reference. In their new storage area, the sign explicitly states that:

- Eggs must be intact, in a sealed container and kept separate from any other items.

The other sections of the cooler have had signs posted in them stating that:

- Eggs & milk products cannot be stored in those areas, further restricting the potential for cross-contamination through contact.

I fully acknowledge the potential hazard to health posed to our staff members and customers from how our eggs were previously stored, and would gladly comply with any further recommendations to improve the standards executed on a daily basis at Stella's.

Sincerely,

A handwritten signature in black ink that reads "Matthew Taylor". The signature is written in a cursive, flowing style with a prominent loop at the end.

Matthew Taylor  
General Manager  
Stella's Restaurant

**All EGGS & MILK PRODUCTS must be stored solely in the lefthand section of the cooler, in a SEALED container BELOW THE BOTTLED BEER.**

**EGGS must be stored intact, & free of any cracks or checks.**

**EGGS & MILK PRODUCTS must be stored below 45 degrees Fahrenheit, SEPARATE FROM ALL OTHER ITEMS IN THE COOLER. This reduces the risk of cross-contamination.**



**NO EGGS OR MILK PRODUCTS  
ARE TO BE STORED IN THIS  
SECTION OF THE COOLER**





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

TO: Tompkins County Board of Health  
FROM: Brenda Grinnell Crosby, Public Health Administrator  
DATE: December 9, 2013  
SUBJECT: November Financial Dashboard

The financial dashboard continues to be a work in progress. In November expenditures are fully green with the exceptions of Preschool Special Education and Medical Examiner (yellow-90-110% of budget based on the average of the prior two years as applied to this year). Yellow in expenditures are areas to watch, both programs are still within budget for 2013. Revenues currently reflect green, yellow and red (parameters were changed for the final quarter of the year). Following a review of the data the notes below describe the status for those in red/yellow:

**Planning & Coordination (Revenues Red):** Public Health Preparedness Grant claims have not been filed pending approval of our 2013-14 budget. We have received approval and claims are in process. A final claim for our Homeland Security funding was filed last week.

**WIC (Revenues Red):** September, October claims are not posted by Finance. Claims have been filed with NYS totaling \$104,788.69.

**Division for Community Health (Revenues Red):** Grant claims for HIV and Tobacco have been filed through October. Quarterly claims for IAP, Lead and Rabies will be filed in January for posting to the 2013 books. Clinic revenues are down and are expected to improve as flu clinic revenue is received. Medicaid D&TC is lower as most of the clients are switching to Medicaid Managed Care and services are reflected as part of our Licensed Agency revenues not clinic revenues and TB DOT revenues are down due to managed care reimbursement rates which are lower (one time per week, not for each daily visit), in addition we have had only two clients on DOT.

**Physically Handicapped Children Treatment (Revenues Red):** This program is based on need. There hasn't been significant spending, therefore revenues will be lower than budgeted.

**Early Intervention (Revenues Red):** This program continues to be in a state of flux from the state takeover. We received a reimbursement for the second quarter of 2013 for payments made to providers and service coordination last week. A process has not been formally provided, the check was simply sent.

## ATTACHMENT 2

### Dashboard Display thru November 2013

	Expenditures	Revenues
Health Department		
Mandates		
Non-Mandates		
Preschool Special Education		
Plng. & Coord. (Health)		
Women, Infants & Children		
Occupational Hlth.& Sfty.		
Medical Examiner		
Vital Records		
Division For Community Health		
Medical Examiner Program		
Plng. & Coord. Of C.S.N.		
Phys.Handic.Chil.Treatmnt		
Early Intervention (0-3)		
Environmental Health		
Public Health State Aid		

**LAST REFRESH: December 09, 2013**

**EXPENDITURES**

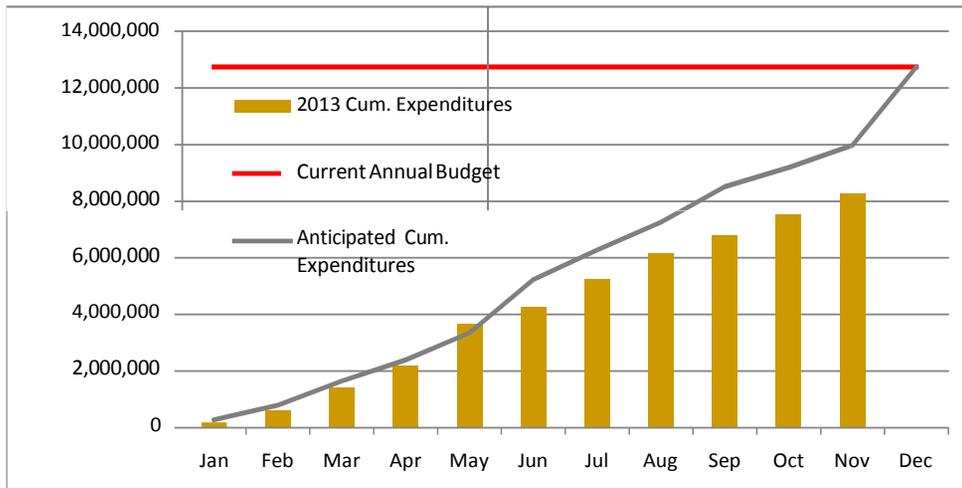
Cumulative to date compared to budget (over budget by more than 10% = Red, between 90% and 110% of budget = Yellow, below 90% of budget = Green)

**REVENUES**

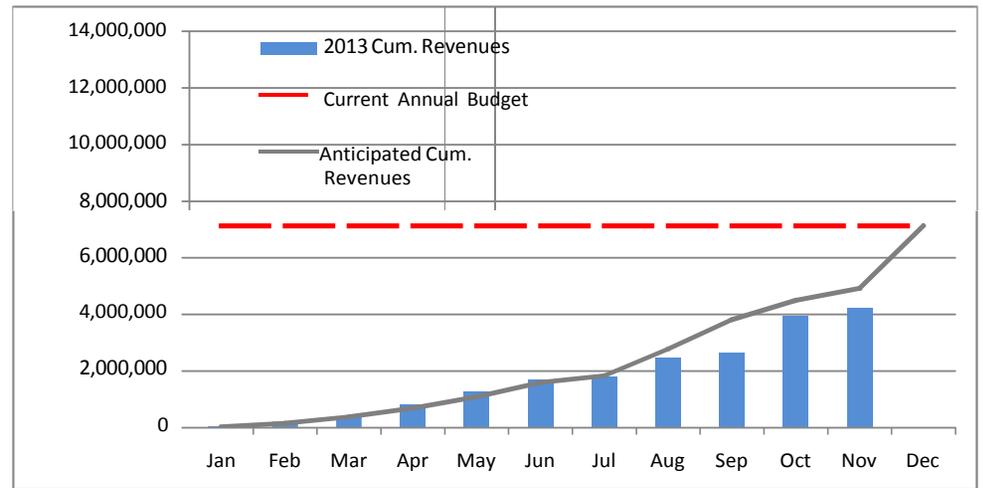
Cumulative to date compared to budget (over = Green, above 90% of budget = Yellow, below 90% of budget = Red)

## Tompkins County Health Department

### Cumulative Expenditures thru November 2013



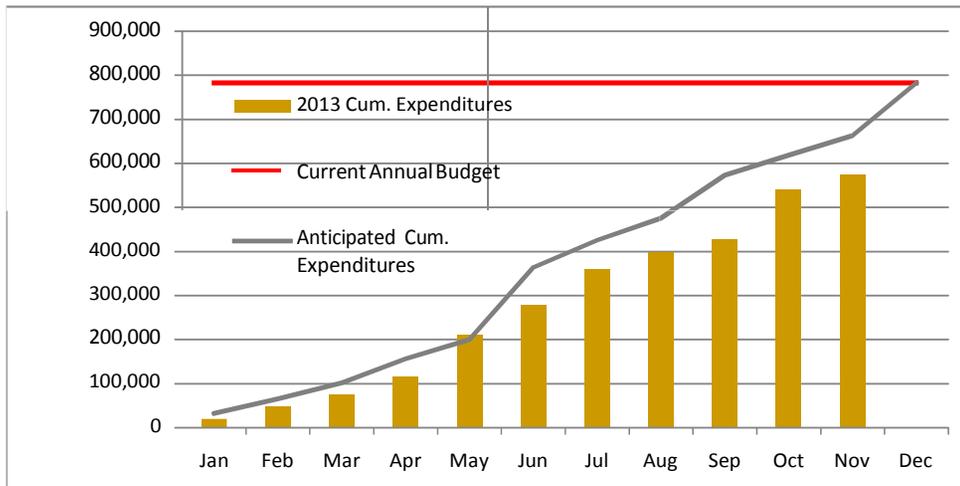
### Cumulative Revenues thru November 2013



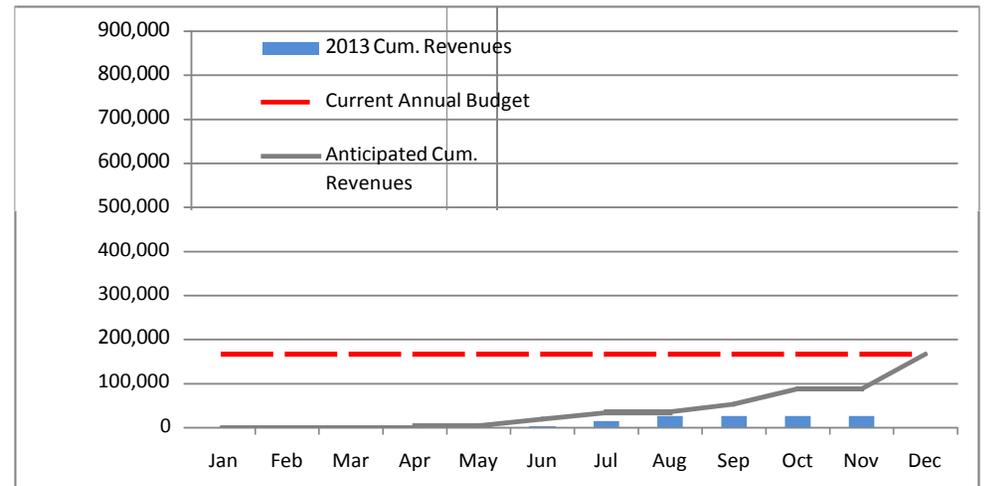
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

## Health Dept - Planning & Coordination (4010)

Cumulative Expenditures thru November 2013



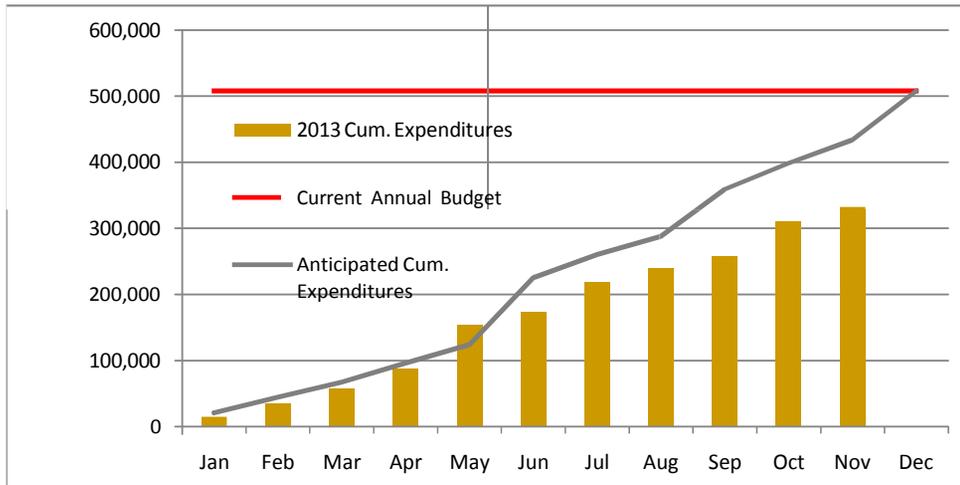
Cumulative Revenues thru November 2013



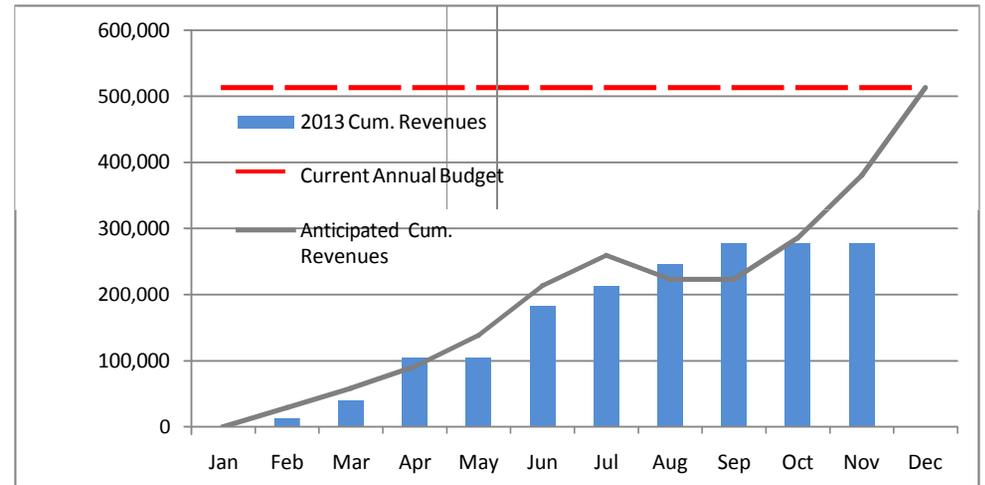
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

## Health Dept - Women, Infants & Children (4012)

Cumulative Expenditures thru November 2013



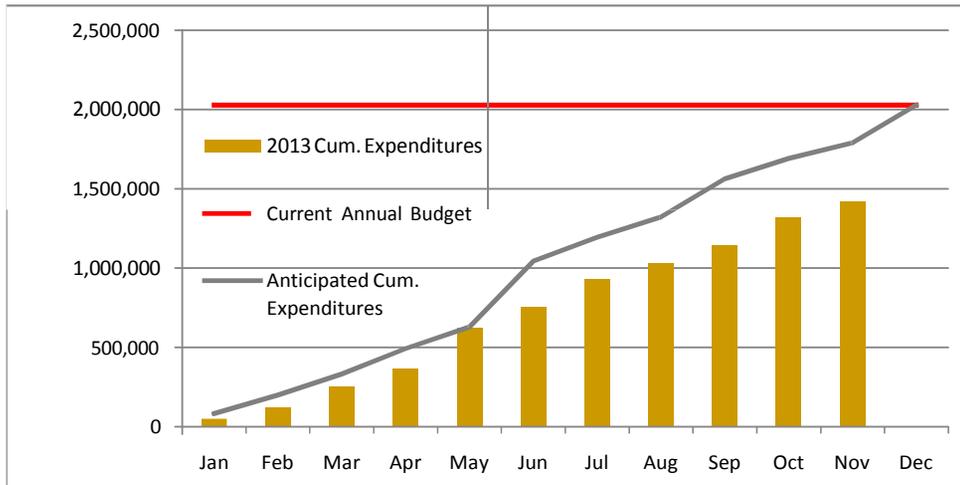
Cumulative Revenues thru November 2013



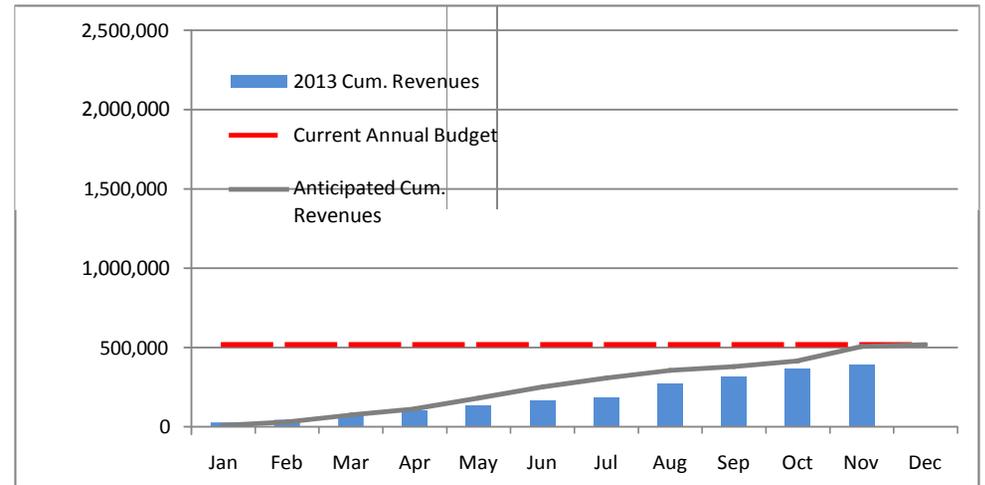
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

## Health Dept - Division For Community Health (4016)

Cumulative Expenditures thru November 2013



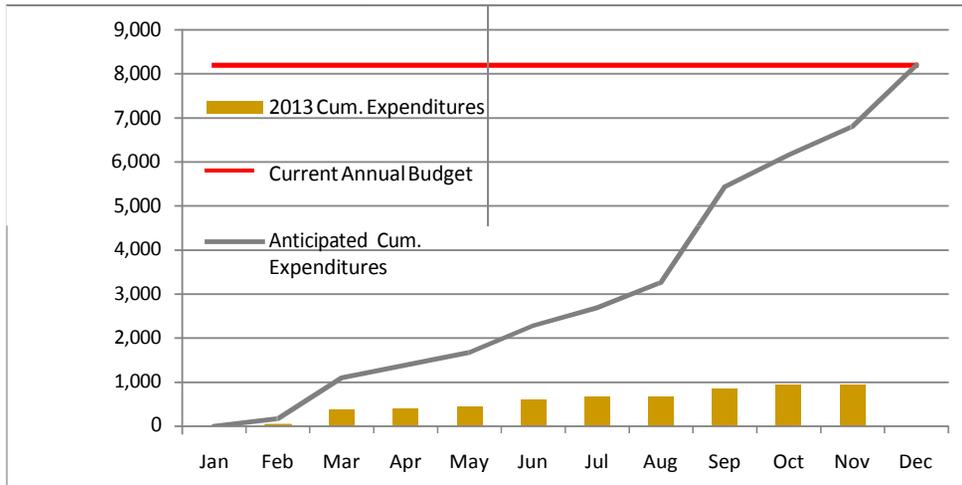
Cumulative Revenues thru November 2013



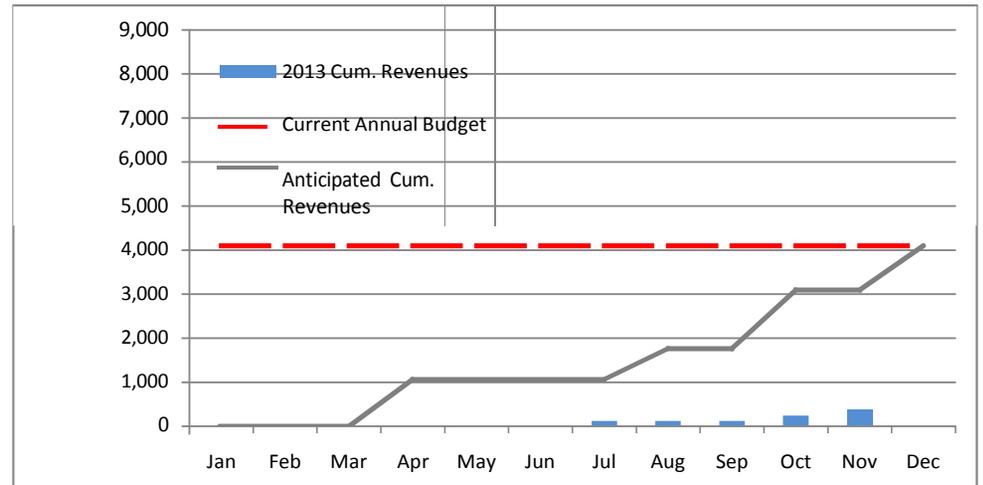
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

## Health Dept - Phys.Handic.Chil.Treatment (4048)

Cumulative Expenditures thru November 2013



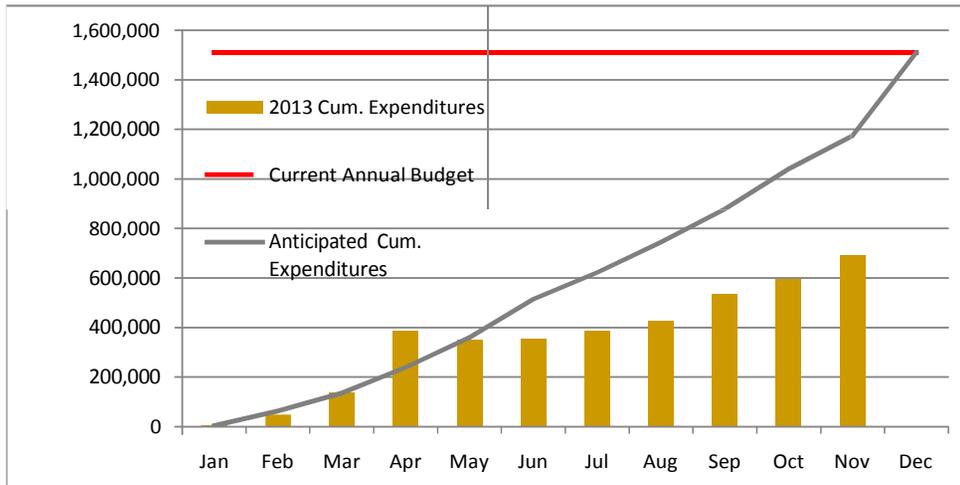
Cumulative Revenues thru November 2013



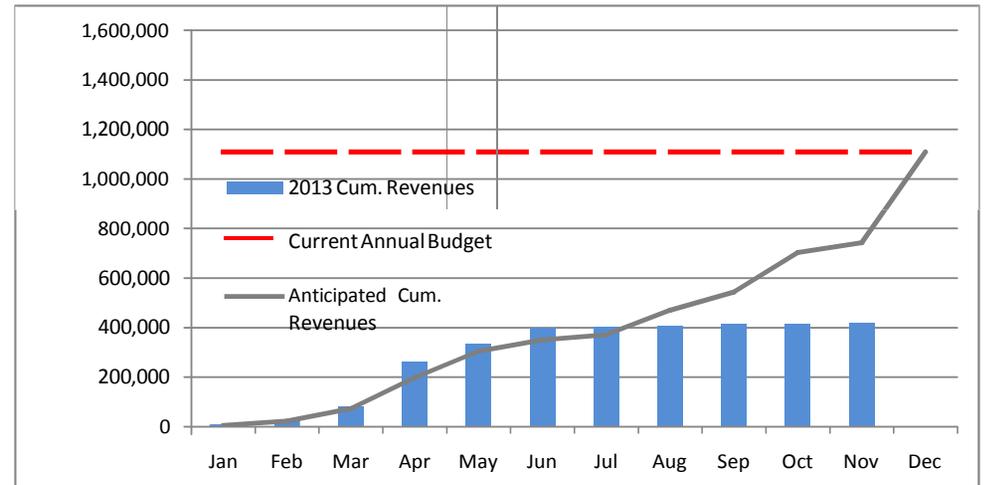
The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.

## Health Dept - Early Intervention (0-3) (4054)

Cumulative Expenditures thru November 2013



Cumulative Revenues thru November 2013



The "Anticipated Cum." line in each graph is derived by calculating the ratio of the average of the prior two years actuals for any given month to the total average actual for those two years and then applying that ratio to the current year's budget.



United Refining Company • Petroleum Products

Direct Dial: (814) 726-7686  
Email: [bklenowski@urc.com](mailto:bklenowski@urc.com)

November 11, 2013

RECEIVED

NOV 12 2013

Tomkins County Health Department  
55 Brown Road  
Ithaca, NY 14850-1247

Attention: C. Elizabeth Cameron, P.E.

TOMPKINS COUNTY  
HEALTH DEPARTMENT

RE: Alleged Violation of Adolescent Tobacco Use Prevention Act  
Kwik Fill A0033, C-Ithaca

Dear Ms. Cameron:

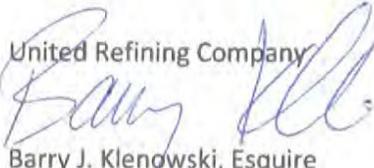
I am in receipt of your letter, dated November 7, 2013, related to the above-referenced matter. I have executed the enclosed Stipulation Agreement and return it to your office in lieu of attending the conference that is currently scheduled for November 13, 2013.

I have also enclosed three additional documents in an effort to illustrate our continued efforts to prevent unauthorized sales of tobacco products. The first document is a New York State Department of Health Certificate of Tobacco Sales Training, which illustrates that the employee who made the transaction in question (Jeffery Benjamin) was trained on December 6, 2011. The second document is our Tobacco and Alcohol Sales Pledge, which is a form that all employees read and sign prior to each shift that they work. You will see that Mr. Benjamin was reminded of the applicable rules and regulations regarding tobacco sales prior to his shift on the day in question (October 25, 2013). Finally, I have enclosed a copy from our most recent training brochure, which was delivered to each of our Kwik Fill locations. I provide this as one more example of how we make extended and repeated efforts to prevent unauthorized sales to minors at all of our locations. I would also add that the employee who made this sale received a write-up for this violation and was suspended from work for two days.

In conclusion, we do our best to make sure that our employees are trained properly and will not sell tobacco products to minors. Unfortunately, in this case, Mr. Benjamin did not follow the rules and regulations that he was trained to follow. I trust that the enclosed documents will provide you with the evidence needed for assignment of a 1-point violation, as well as a minimal monetary penalty. If you need any additional materials, please do not hesitate to contact me.

Sincerely,

United Refining Company

  
Barry J. Klenowski, Esquire  
Counsel

New York State Department of Health  
**Certificate of Tobacco Sales Training**

Provider No. 019-0403  
 Certificate No. 14289

**I - To be completed by trainee**

Name of trainee (print): <i>Jeffery Allen Benjamin</i>	Store #: <i>753/58</i>	Social Security #: [REDACTED]
Trainee signature: <i>Jeffery Benjamin</i>	Telephone Number: [REDACTED]	
Home Address: [REDACTED] (Street or PO Box)	(City) [REDACTED]	(State) [REDACTED] (Zip Code) [REDACTED]

**II - To be completed by employer**

Legal Name of Business: <b>United Refining Company</b>	DBA name: <b>Kwik Fill / Red Apple</b>
*DTF Tobacco Retailer ID number: <b>25-0850960C2</b>	Telephone Number: <b>(814) 723-1500</b>
Business Address: <b>PO Box 808, 1 Dobson Street,</b> (Street or PO Box)	<b>Warren</b> (City) <b>PA</b> (State) <b>16365</b> (Zip Code)

**III - To be completed by training provider**

Name of Training Provider: <b>United Refining Company of PA</b>	Telephone Number: <b>(814) 726-4833</b>
Address: <b>PO Box 808, 1 Dobson Street,</b> (Street or PO Box)	<b>Warren</b> (City) <b>PA</b> (State) <b>16365-0808</b> (Zip Code)

Course Location: *Painted Post*

Date of Training: *Dec 6 2011* Expires: *Dec 5 2014*

I certify that the Tobacco Sales training course given on the above date complied with NYS PHL Article 13F, was consistent with the curriculum and instructions approved by the New York State Department of Health, and the student receiving the certificate completed the training course and successfully passed the examination.

Course instructor or person in charge of training:

(Print name) *Darlene Murdock* (Signature) *Darlene Murdock*

\* Failure to maintain a current New York State Department of Taxation and Finance (DTF) Tobacco Retailer Registration, change of business ownership or DTF identification number will invalidate the certificate.

An incomplete certificate will not be honored.

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TOBACCO AND ALCOHOL SALES PLEDGE

Date: 10/25/13

Store Manager's Name: Sam Morse

Store #: A33/38 Tobacco

I pledge to strictly adhere to all laws, rules, and regulations regarding the sale of alcoholic beverages in NY & OH and tobacco products in NY, OH, and PA from within the store. I dedicate myself to checking the identification of all persons who might be THIRTY (30) years of age or younger by utilizing the principle "If in doubt, check ID." I will always require one of the following acceptable types of identification:

- A VALID DRIVER'S LICENSE issued by a State or Federal Government.
- A NON-DRIVER IDENTIFICATION CARD Issued by the Commissioner of Motor Vehicles of the State of New York, Pennsylvania, or Ohio.
- A MILITARY IDENTIFICATION CARD Issued by the United States Armed Forces.
- A VALID PASSPORT

These are the ONLY acceptable forms of identification. I will accept NO substitutes and will make NO exceptions. I will honor these rules to protect myself from liability, loss of employment, arrest and prosecution and to protect my Company and its customers. I make and sign this pledge each time I work to ensure my vigilance.

EMPLOYEES: Read and sign BEFORE beginning your shift, then staple to your shift report.

Legal age for alcoholic beverages purchases is 21 years of age.

- Legal age for tobacco purchases is 18 years of age.

John Bell	<i>John Bell</i>		
Print Name	Signature	Print Name	Signature
Jeffery Bell	<i>Jeffery Bell</i>		
Print Name	Signature	Print Name	Signature
Kevin D...	<i>Kevin D...</i>		
Print Name	Signature	Print Name	Signature
Print Name	Signature	Print Name	Signature
Print Name	Signature	Print Name	Signature

## *Don't Sweat It: How To Deliver Constructive Criticism*

Dishing out constructive criticism is not easy. In fact, most managers dread doing it. However, it's not only necessary at times, but you must be able to do it in a way that is most effective for the employee, the organization and for you.

Before you give less than positive feedback to another consider your motives. Will bringing the matter to the person's attention really enable him or her to improve performance?

Also, consider the type of relationship you have with the person. The more authority you have over another individual, the easier it will be for him or her to accept criticism from you. In the workplace, your authority not only comes from your position within the company but also how well respected you are within the organization. How your performance is perceived by others may determine whether an employee will be receptive to your feedback or not.

### **Mix the bad with the good**

Keep in mind that people who regularly receive a mix of positive and negative feedback are most likely to deal well with constructive criticism and less likely to become defensive when given suggestions for improvement.

For example, you might say, "I am pleased with your overall job performance but I would encourage you to work more efficiently so you are able to complete assigned tasks in the time allowed. I feel certain that you are the type of person who is able to do this."

### **It's a two-way street**

When criticism is delivered, the person receiving it should have the opportunity to respond. He or she may have legitimate concerns about your assignments. Were you clear about your expectations and is it reasonable

to expect the person to complete the task in the given amount of time. Was the employee properly trained and were the necessary tools available to complete the task.

Does the employee feel like they are being picked on because they are always the person who is assigned the "dirty" jobs. It is very important that you treat people fairly.

Providing constructive criticism is a part of every manager's job. Taking the time to make sure such feedback is delivered in a non-threatening, non-personal, but productive manner will hopefully allow the employee to use the feedback as a learning tool instead of feeling like they took a beating to their self-esteem.

Compliment →

Criticism →

Compliment →



## *How To Pass A Tobacco/Alcohol/Lottery Sting*

Company policies and State and Federal Laws have been put into place to ensure that age restricted products do not end up in the hands of minors through illegal sales. Despite all the continual training many locations still fail compliance checks. It takes diligence on the part of you and your employees to ensure that all "stings" are passed. So what can you do?

1. Understand and follow the law and company policies.
2. Avoid distractions. Make eye contact.
3. Ask anyone appearing to be under the age of 30 for ID when attempting to purchase an age restricted product.
4. Inspect the ID. Make sure the photo matches the person. Look for signs of tampering. Check the expiration date. Is this a valid form of ID? Then, prior to scanning the product, swipe the ID through the POS system. In many locations, the lottery machine can also be used to scan an ID.
5. Keep an eye on lottery vending machines.
6. When in doubt, politely refuse the sale.
7. Lead by example!



**We Card  
Anyone  
Under 30.**