

AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, September 24, 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 August 27, 2019 Minutes (2 mins.)

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

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

12:30 VI. 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 VII. New Business

12:45 ***Environmental Health*** (20 mins.)

Enforcement Action:

1. Resolution #EH-ENF-19-0025 – Finger Lakes GrassRoots Festival; T-Ulysses, Violations of New York State Sanitary Code, Multiple Public Health Director Orders and BOH Orders (Mass Gathering, Campgrounds, Water Supply) (5 mins.)
2. Resolution #EH-ENF-19-0031 – ICSD-Boyton Middle School, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food) (5 mins.)
3. Resolution #EH-ENF-19-0034 – Mitsuba Hibachi Sushi Restaurant, V-Lansing, Violations of BOH Orders #EH-ENF-18-0040 Subpart 14-1 of New York State Sanitary Code (Food) (5 mins.)
4. Resolution #EH-ENF-19-0035 – Dryden Queen Diner, V-Dryden, Violations of BOH Orders #EH-ENF-18-0025 Subpart 14-1 of New York State Sanitary Code (Food) (5 mins.)

1:05 ***Administration*** (5 mins.)

Administrative Action:

1. Appointment of Nominating Committee

1:10 ***Adjournment***

MINUTES
Tompkins County Board of Health
August 27, 2019
12:00 Noon
Rice Conference Room

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

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

Excused: Shawna Black, Board of Health Member; Edward Koppel, MD, Board of Health Member; Frank Kruppa, Public Health Director; and Deb Thomas, Director of Children with Special Care Needs

Guests: Zora Adams-Williams, Project Assistant; Rachel Buckwalter, Community Health Nurse; Barry Ford, Owner, Finger Lakes Marine Service; Cathy Hart, General Manager, Ithaca Marriott; Amie Hendrix, Deputy County Administrator; Gyeongtak Kang, Representative for Ko Ko Restaurant; Nina Saeli, Public Health Preparedness Coordinator; and Skip Parr, Senior Public Health Sanitarian

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

Privilege of the Floor – Finger Lakes Marine Service: Barry Ford, owner of the marina, explained the business operated for sixty years without a public water system. Since taking over the company four years ago, he has been modernizing and working to update the water system to meet the requirements. In December 2018, an engineer was hired to install a water system, but it was the end of May before it was operational. There were several reasons for the delay: the water system that was designed was outdated, parts were not available, finding plumbers and suppliers to work on the system was difficult, and getting it certified was a problem because no one was available to conduct the inspection. The system is running. To prevent ongoing problems in the future, there are plans to replace the current five stage system with a self-contained well-established water system. Mr. Ford requested a waiver of the fine due to circumstances out of his control throughout the process of installing the water system.

Privilege of the Floor – Ko Ko Restaurant: Gyeongtak Kang addressed the Board on behalf of his family who recently bought the restaurant. His family is from Korea and there are some language issues. A couple of workers do not understand English and his mother who owns and manages the restaurant does not have strong English-speaking skills. Mr. Kang does not work at the restaurant, but he tries to help his mother understand the violations and what needs to be corrected. In response to questions from the Board, Mr. Kang said most of the staff understand correct food cooling procedures and some new staff are being trained in food safety. A reduction of the \$2,700 penalty was requested.

Privilege of the Floor – Ithaca Marriott: Cathy Hart, General Manager at Marriott, described the steps being taken to address the issue with refrigeration. The problematic refrigerator, only 2 ½ years old, is being replaced and computerized temperature gauges will be installed in all refrigeration units. After the new refrigerator is delivered, she will provide proof of the purchase. As for food safety training, six employees have been trained and three more will be trained in September. Their training certificates will be available during inspections. Currently, there is a certified food service worker on-site during hours of operation. She asked the BOH to consider waiving the fine.

Approval of June 25, 2019 Minutes: Dr. Morgan moved to approve the minutes of the June 25, 2019 meeting as written; seconded by Dr. Evelyn. The vote to approve the minutes as written: Ayes – 5; Abstention – 1 (Ms. Merkel).

Approval of July 18, 2019 Executive Committee Minutes: Dr. Evelyn moved to approve the minutes of the July 18, 2019 Executive Committee meeting as written; seconded by Dr. Dhundale. The vote to approve the minutes as written: Ayes – 4; Abstention – 2 (Ms. Merkel, Dr. Morgan).

Dual Department Head Update – County Administration: Amie Hendrix, Deputy County Administrator, briefed the Board on the joint study of the Public Health and Mental Health departments. The task force, created to evaluate the joint leadership model, is currently conducting interviews of the direct reports to the Public Health Director/Commissioner. In the next month, the task force will finalize its report with recommendations that will be presented to the two boards at a joint meeting in October. After hearing from the task force and two boards, County Administrator Jason Molino will present his recommendation to the Legislature.

The task force has been conducting a comprehensive study. Members are talking with other counties that have merged their two departments and those that have not. At the last meeting, Jonathan Wood helped members understand what an integrated model would mean for the two departments as far as regulations. While there is nothing to prevent the integration, there are regulations that must be followed. The two boards would remain separate because each has different functions.

Ms. Hendrix responded to questions from Board members:

- In conversations with other counties, it is hard to compare local governments that may provide different mental and public health services to their residents than

Tompkins County. However, it is helpful to learn about each county's past experiences if the decision was made to integrate care.

- Before the County Administrator makes his recommendation to the Legislature, the two boards will have the opportunity to hear the recommendations of the task force and to voice their opinions at the joint meeting in October. The hope is to have a recommendation from all but there could be dissenting opinions from the boards.

Financial Summary: Ms. Grinnell Crosby referred to the financial summary in the packet. Second quarter state aid was filed. Those figures will show in the report for August or September once the Finance office posts the various claims. She did not have anything further to add to the report.

Administration Report: Mr. Kruppa was not present for the meeting.

Health Promotion Program Report: Ms. Hillson reported on the Kresge Foundation's Emerging Leaders in Public Health initiative. The focus is to develop a new strategic plan for the Health Department and assess the readiness of the department to undertake the transformative role of a population health strategist for the community. A consultant was hired who is conducting one-on-one interviews of senior leadership staff and will be leading several staff retreats.

Medical Director's Report: In an update to his report, Dr. Klepack noted the Supreme Court of the State of New York upheld the vaccination law that was passed in June and signed by the Governor.

Dr. Moylan asked Dr. Klepack if he would be writing an article to the Editor of the *Ithaca Journal* about vaping. In the next few weeks, Dr. Klepack will be coordinating with Ms. Hillson to write the article. According to Dr. Evelyn the New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) have sent out alerts to doctors and hospitals as part of their investigation into the deaths associated with vaping. In response to Mr. McLaughlin's inquiry about releasing a PSA, Ms. Grinnell Crosby recommended TCHD staff look into the possibility and report back to the BOH. Dr. Klepack volunteered to help with the effort and Ms. Hillson offered to check with Tobacco Free Tompkins to ensure consistency of the messaging.

Division for Community Health Report: Ms. Bishop updated her report:

- The last bullet under the first section of her July report should be edited to read: "Completed respiratory fit *test* on July 30."
- Our recently hired WIC Program Nutritionist passed her dietetic certification exam.

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

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

Environmental Health Report: Ms. Cameron had nothing to add to the written report. She requested Environmental Health (EH) administrative actions be moved forward on the agenda before EH enforcement actions since the Finger Lakes Marine Service owner is present.

Report on the Community Services Board (CSB) Meeting: The CSB did not hold a regular meeting in August. Any BOH member interested in attending the next CSB meeting on September 9, 2019 should contact Ms. Comisi.

Model Practice Award Presentations: This year, the National Association of County and City Health Officials (NACCHO) recognized TCHD for two innovative public health projects that respond to critical local public health needs. The awards for the *Ithaca College Public Health Initiatives* and the *SafeCare Program* were handed out at NACCHO's annual meeting in Orlando, Florida. The *Ithaca College Public Health Initiatives* was selected as one of the top ten projects to be presented at the conference. In addition, a poster highlighting the *SafeCare Program* that was on display at the conference is now hanging in the Health Department lobby along with the awards.

Nina Saeli, Tompkins County Public Health Preparedness Coordinator, spoke about the *Ithaca College Public Health Initiatives*. For five years, TCHD and Ithaca College (IC) have been collaborating to train students to be Medical Reserve Corps volunteers. Once the students receive training, IC provides the forum for students to practice executing an exercise in public health preparedness. In the past five years, students have participated in large-scale mass vaccination exercises. During these exercises, IC students field half of the leadership roles in 80% of the worker positions. The purpose of these activities has been to enable IC to mitigate the loss of life and/or health of its students, faculty and staff. It has made IC a key public health resource.

Dr. Moylan congratulated Ms. Saeli, her staff and TCHD. From her perspective as a member of the IC community, Dr. Moylan shared that this has been a great partnership for the college and for the students who receive hands on experience.

Rachel Buckwalter, Community Health Nurse, described the *SafeCare Program* as an evidence-based, behavioral parent-training program for parents of children ages 0-5 years who have been reported for child neglect. SafeCare started in Tompkins County as a result of grant funding to the Department of Social Services (DSS) and Tompkins Family Treatment Court. From 2009-2014, there was an increase locally in cases of children being removed from their parents due to parental substance abuse. Eventually, DSS and Family Treatment Court partnered with the Health Department to have Community Health Nurses provide SafeCare's in-home instruction. The structured curriculum focuses on child health, home safety and parent-child interactions to promote positive parenting. Data from the first three years show that SafeCare is working to reunify families and prevent recidivism. Previously the family reunification rate was around 42%. After SafeCare implementation it is now 82%. Success is due to strong community partnerships and administrative support from the Health Department. Ms. Buckwalter thanked Karen Bishop, Frank Kruppa and the Board of Health for supporting the program.

On behalf of the BOH, Dr. Moylan congratulated Ms. Buckwalter and her colleagues who participate in SafeCare to strengthen families.

2020 Budget Update: Ms. Grinnell Crosby referred to the information in the packet showing the budget numbers submitted to County Administration. Since the preliminary budget report at the June BOH meeting, there were some small changes after some pricing was verified and some increases in mandates (particularly in Preschool Special Ed). The only change that has happened since the budget was submitted is the withdrawal of the over target request (OTR) for ergonomic funds. The funds are not being spent so they will be re-appropriated from this year to next year.

Change in the Order of Agenda Items: Ms. Cameron's earlier request to move EH Administrative Actions ahead of EH Enforcement Actions was granted by the BOH.

Finger Lakes Marine Service, T-Lansing, request to waive enforcement penalty (Resolution #EH-ENF-19-0012): Barry Ford appeared earlier in the meeting to discuss the reasons he was requesting the fine be waived. Ms. Cameron reminded Board members that the marina was under BOH enforcement actions. The draft resolution stated the \$400 fine would be waived if the owner submitted the completed works for the water system by July 15, 2019. The deadline was not met so the approved final resolution included the fine. After discussing the matter with the department's Public Health Engineer, TCHD staff does not support waiving the \$400 fine for the reasons stated in the owner's letter. The owner referred to the water system as antiquated; however, the design for the water system is based on NYSDOH design documents and is standard for that type of treatment process. Other facilities in Tompkins County have that same design.

For purposes of discussion, Mr. McLaughlin moved the Finger Lakes Marine Service's request to waive the enforcement penalty; seconded by Dr. Dhundale.

In response to questions from Board members, Ms. Cameron answered:

- The process to get the marina's water system completed has been going on for multiple years.
- Finger Lakes Marine Service is a unique operation. It was one of the first marine services to be identified as a public water system in New York State. TCHD has been working with the marina to get an approved water system designed and constructed. The deadline was extended once before.
- The completion certificate was submitted so the water system has been approved.

The vote on the motion to approve Finger Lakes Marine Service's request to waive the enforcement penalty: Ayes: 0; Nays: 5; Abstention: 1 (Dr. Dhundale).

Ko Ko Restaurant, C-Ithaca, request to waive the enforcement penalty (Resolution #EH-ENF-19-0021): Ms. Cameron pointed out Ko Ko's request was not on the agenda because a formal request was not submitted. The family representative, Gyeongtak Kang, addressed the Board earlier in the meeting to request a reduction of the \$2,700 penalty. Ms. Cameron noted the fine is for the facility's multiple violations including the violation of BOH Orders and for not submitting the required food safety training certificates. There

was a request from Ko Ko's to reduce the fine before it was due on August 15, 2019; however, the July BOH meeting was cancelled so the request could not be brought to the Board at that time.

During the discussion about utilizing language line during inspections:

- Mr. Parr commented there were notes on one of the inspection reports indicating proper cooling techniques were explained in the operator's primary language. It suggests language line may have been used during that visit. On October 29, 2018, TCHD inspectors conducted a HACCP inspection that takes a food item from the time it comes into the restaurant through the different temperature zones. It is an involved inspection that requires a lot of explanation. At the re-inspection there were no violations cited so there must have been some positive communication.
- Ms. Cameron added Kristee Morgan, the inspector who conducted the HACCP, has reported TCHD staff has offered the services of language line several times. The owner has refused the services but has asked questions that indicated she understood the information being communicated.

For purposes of the discussion, Dr. Evelyn moved Ko Ko Restaurant's request to waive the enforcement penalty; seconded by Ms. Merkel. The vote on the motion to approve Ko Ko Restaurant's request to waive the enforcement penalty: Ayes: 0; Nays: 6.

BOH Quorum: Dr. Dhundale departed the meeting at 1:36 p.m. A quorum of five BOH members was present for conducting the remaining business.

Resolution #EH-ENF-19-0020 – Kenney's Septic Service, T-Newfield, Violation of Article VI of the Tompkins County Sanitary Code (Sewage): Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Evelyn.

Ms. Cameron reported Kenney's Septic Service installed a sewage system without a permit. Formal enforcement action was taken against the contractor because he should have known a permit was required. A Notice of Violation was issued to the property owners because they are the responsible party. The owners were surprised to find out there was a permitting problem but they have been cooperative and have obtained all other necessary permits.

The vote in favor of the resolution as written was unanimous.

Resolution #EH-ENF-19-0026 – Ithaca Marriott, C-Ithaca, Violation of BOH Orders #EH-ENF-18-0052 and Subpart 14-1 of the New York State Sanitary Code (Food): Cathy Hart, General Manager of the Ithaca Marriott, spoke earlier in the meeting to explain the improvements being made at the facility and to request a waiver of the fine. Dr. Morgan moved to accept the resolution as written; seconded by Dr. Evelyn.

Ms. Cameron explained the restaurant had cold holding violations for multiple foods. Due to the violation of BOH Orders, the fine was increased to \$800 and food safety training requirements for food service workers were added.

The vote in favor of the resolution as written was unanimous.

DRAFT

Resolution #EH-ENF-19-0027 – Festival Foods, T-Ulysses, Violations of Subpart 14-2 of the New York State Sanitary Code (Temporary Food): Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Morgan. The motion carried unanimously.

Resolution #EH-ENF-19-0029 – On the Street, T-Ulysses, Violations of Subpart 14-1 of the New York State Sanitary Code (Food): Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Evelyn.

Ms. Cameron mentioned the vendor operates concession stands at the Ithaca Farmers Market and the GrassRoots Festival. In his letter (Attachment 1), the owner outlines the challenges of serving food outdoors in hot weather and describes issues with the electrical power at the festival site. Due to these circumstances, he requests a reduction in the fine.

The vote in favor of the resolution as written was unanimous.

Resolution #EH-ENF-19-0030 – Ciao!, V-Lansing, Violations of Subpart 14-1 of the New York State Sanitary Code (Food): Dr. Morgan moved to accept the resolution as written; seconded by Dr. Evelyn. The motion carried unanimously.

Adjournment: Dr. Morgan moved to adjourn the meeting; seconded by Mr. McLaughlin. The meeting adjourned at 1:58 p.m.

BOH Minutes - August 27, 2019 - Attachment 1

Brian Horvath

On The Street pitas

112 fieldstone circle

Ithaca NY 14850

Dear Directors of environmental health,

I have signed, and agree to the stipulation letter of August 9th 2019. I take full responsibility for the requirements of the department of health. And have taken steps to insure compliance. I have discussed this with my staff, and have new procedures to insure compliance.

Even though I take responsibility for the violations, there were some circumstances at Grassroots that I hope you take into account. The outside temperatures were hot. The air temperature those days exceeded 90 degrees. In the morning when I checked temps. In the deli unit, it was 32. Later in the morning, during inspection, it was 50. When I looked into why? I found that none of my electrical equipment seemed to be working properly. I believe that when all the vendors turned everything on to start up for the day. The electric was browning out. (Less than 110v) causing not only my deli unit not to work properly, but my food processor would slow down while running. And lights would dim. I remedied that by moving all food to an ice bath.

Because of these circumstances, I hope you would consider a lower fine.

Sincerely, Brian Horvath

Board of Health
September 24, 2019
Financial Report

August 2019 / Month 8

Expenditures appear low as a payroll (1.0 week) from August is paid and posted in September. The department has realized savings in several areas (rabies post exposure treatment, converting to an electric fleet, vacant positions, etc.) Several expenditures will fall later in the year (vehicles, Emerging Leaders in Public Health).

Revenues are tracking lower in the non-mandate accounts at this time; staff will continue to monitor.

Overall, there are no significant concerns at this time.

Percentage of Year 66.67%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	1,510,496	933,650	61.81%	268,363	106,355	39.63%	1,242,133	827,294	81.37%
4011 EMERGING LEADERS IN PH	122,113	27,885	22.84%	122,113	122,113	100.00%		-94,229	
4012 WOMEN, INFANTS & CHILDREN	552,183	345,789	62.62%	552,183	275,625	49.92%		70,165	
4013 OCCUPATIONAL HLTH.& SFTY.	134,434	67,634	50.31%	0	0	0.00%	134,434	67,634	50.31%
4015 VITAL RECORDS	74,924	45,110	60.21%	108,000	69,118	64.00%	-33,076	-24,008	72.58%
4016 COMMUNITY HEALTH	1,686,474	899,553	53.34%	395,805	142,592	36.03%	1,290,669	756,960	61.96%
4018 HEALTHY NEIGHBORHOOD PROG	172,369	106,390	61.72%	172,368	67,904	39.39%	1	38,486	11,805.00%
4047 PLNG. & COORD. OF C.S.N.	1,433,845	847,095	59.08%	388,551	221,721	57.06%	1,045,294	625,373	60.91%
4048 PHYS.HANDIC.CHIL.TREATMNT	8,000	0	0.00%	4,000	0	0.00%	4,000	0	
4090 ENVIRONMENTAL HEALTH	1,741,425	1,097,354	63.01%	625,478	339,972	54.35%	1,115,947	757,382	68.89%
4095 PUBLIC HEALTH STATE AID	0	0	0.00%	1,276,351	817,506	64.05%	-1,276,351	-817,506	64.05%
Total Non-Mandate	7,436,263	4,370,458	58.77%	3,913,212	2,162,908	55.27%	3,523,051	2,207,551	62.66%
2960 PRESCHOOL SPECIAL EDUCATI	4,996,060	2,960,608	59.26%	2,968,051	2,516,877	84.80%	2,028,009	443,731	40.97%
4017 MEDICAL EXAMINER PROGRAM	205,500	140,207	68.23%	0	380	0.00%	205,500	139,827	93.75%
4054 EARLY INTERV (BIRTH-3)	655,000	404,150	61.70%	318,500	281,977	88.53%	336,500	122,173	36.31%
Total Mandate	5,856,560	3,504,966	59.85%	3,286,551	2,799,234	85.17%	2,570,009	705,731	27.46%
Total Public Health	13,292,823	7,875,424	59.25%	7,199,763	4,962,142	68.92%	6,093,060	2,913,282	47.81%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	393,386	162,008	2960 Preschool	1,648,306	451,174
4012 WIC	197,168	276,558	4054 Early Intervention	250,850	36,523
4013 Health & Safety	66,800	0	4017 Medical Examiner	12,461	-380
4014 Medical Examiner	0	0		<u>1,911,617</u>	<u>487,317</u>
4015 Vitals	29,814	38,882			
4016 Community Health	744,197	253,213			
4018 Healthy Neighborhood	54,347	104,464			
4047 CSCN	575,420	166,830			
4048 PHCP	8,000	4,000			
4090 Environmental Health	632,720	285,506			
4095 State Aid	0	458,845			
	<u>2,701,852</u>	<u>1,750,305</u>			

Total Public Health Balances	
Available Budget	Revenues Needed
<u>4,613,469</u>	<u>2,237,622</u>

**Public Health Director
Report
September 2019**

- Brenda and I presented the 2020 budget to the Legislature. The budget includes rate increases for the Pre K service providers, a reduction in rabies costs and a finalization of administrative reorganization. Presentations will continue for another week and then the committee will take up voting on potential changes.
- Senior Leadership from both PH and MH have met for 2 of 3 half day leadership retreats conducted by the Batiste Group as part of the Kresge grant. We have been discussing the further integration of services to maximize the impact on the health of our community. It is important to point out that this is independent of the review of the two departments being conducted by the taskforce. There is an alignment within Senior Leadership that better coordination of services is necessary independent of the structure of the two departments. Whether one or two departments, alignment of our work will improve the health outcomes of those we serve.
- Sam Hillson and I participated in a City of Ithaca Vision Zero event. The City is undertaking an effort to reduce traffic accidents and injuries. They brought together stakeholders to introduce the concept. The City Engineer has formed a team of local researchers to evaluate the current situation and offer potential interventions.

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

Community Outreach

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

Groups, Programs, Organizations	Activity	Date
Tompkins Co. Youth Services	Met with Dir. & Deputy RE opportunities to coordinate Achieving Youth Results (AYR) and the CHIP	8/23
Collective Impact-Childhood Nutrition	Agenda Planning, Regular meeting, video interview about the collaborative	8/2, 8/8, 8/16, 8/22
City of Ithaca Fire and Building Division	Discussion of HNP Re-Issue of RFA	8/5
National Night Out	In partnership with Ithaca Housing Authority and Ithaca Police, promoting safety and non-violence in communities	8/6
Cradle to Career	Housing Presentation, review of workplan – priorities around youth mental health and well-being	8/7
Southern Tier PHIP Health Equity Workgroup	In partnership with the Population Health Improvement Program	8/13
Cayuga Medical Center ITS	Met with CMC ITS and Respiratory Therapy to discuss the process for including Healthy Neighborhoods Program and Harmonicas for Health in the EMR	8/15
Health Planning Council	Executive Committee, agenda planning	8/21

Vision Zero Stakeholders Meeting	City of Ithaca Vision Zero initiative – decrease/eliminate pedestrian/bicycle accidents with automobiles.	8/14
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TCHD Intra-departmental Participation and Support

Division, Program, Initiative	Activity	Date
CHS flu immunization program	Met w Karen LaCelle RE updates to the TCHD seasonal flu page, including info about new vaccine mandates	8/7
Medical Director	Monthly meeting about communications planning	8/27

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

- Developing working draft, reviewing data
- Steering Committee meeting: Data Walk, recommendations for focus areas (8/7)
- CHA/CHIP discussion with Senior Leadership – input on focus areas for CHIP (8/14)
- Meeting with TC Youth Services to discuss Achieving Youth Results in context of CHIP (8/23)

Healthy Lungs for Tompkins County

- Harmonicas for Health (H4H): planning for October class

Healthy Neighborhoods Program

- Education Coordinator interviews conducted, offer made to candidate. Position will start on 9/23.
- HNP grant, due 9/13 – working draft, letter of support, budget, workplan
- Meeting with CAP nurses to build awareness about the program and set up a referral system (8/21)
- Training & Outreach
 - Summer feeding program, Northside Community Center, 25 reached
 - WIC/Salvation army, 26 reached
 - Groton Olde Home days, 34 reached

August 2019

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018*
# of Initial Home Visits (including asthma visits)	34	299	192	413
# of Revisits	10	92	86	163
# of Asthma Homes (initial)	4	25	24	43
# of Homes Approached	29	702	469	1,422

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

Tobacco Free Tompkins

- Cornell University: Correspondence with leadership for the University Assembly and its Campus Welfare Committee, related to continuing to move forward on deliberations on whether or not Cornell will adopt a tobacco-free campus policy.
- Presentation to the Trumansburg School District Board of Education. This was a follow-up to a class project that students presented to the BOE last June. The students and the follow-up provided information in support of a request that the BOE adopt an affirmation of support for, “evidence based strategies that deliver a tobacco-free public landscape to model a tobacco-free social norm, and address youth exposure to tobacco and vaping products, and the marketing of those products,” which constitutes unchecked tobacco industry influence in the retail environment.
- Member of a statewide workgroup that oversees statewide media development and placement to support workplans adopted by all 25 grantees. Current activity is to develop an RFP, through which a agency will be selected to fulfill marketing needs over the course of the 2019-2024 grant period.
- Planning for Local Data Collection Project, a statewide requirement to collect baseline data related to a workplan focus on reducing tobacco use among disparate populations, groups who use tobacco at a much higher rate than the general population.

Media, Website, Social Media

- Aug 29, 2019, [Seeking a Dog 2019-08-29](#); Aug 23, 2019 [Rabid Skunk Found on 2nd Street Ithaca 2019-08-23](#); Aug 22, 2019 [Sewage Release from Cayuga Heights Treatment Plant 2019-08-22](#); Aug 14, 2019
- [Back to school immunizations 2019](#)
- Ithaca Voice: interview about School Vaccinations (8/20)
- [Immunizations page](#) update

Meetings and Trainings

- Sexual Harassment Training (online)
- Cyber Security training (8/20)

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

- Population Health Strategist: Batiste Leadership will begin working with Senior Leadership Team in September
- Leadership Coaching (8/23)
- Action Learning Set: phone call with UNC coach and 5 other county health departments to discuss progress, challenges, resources (8/28)
- Individual Team call with UNC coach (8/14)

Vaping Update

At the August BOH meeting, there was discussion about emerging issues regarding vaping and use of electronic cigarettes. The Board requested that TCHD staff inform the Board about outreach and education regarding this topic.

The current NYS health advisory regarding vaping-associated lung illness is an important issue, but should not supersede the necessity for action on the already well established evidence that vaping among teens is itself a public health emergency that was long ago labeled an epidemic. The action that needs to be taken should focus on the retail environment, where e-cigarettes and vaping devices are marketed in a manner that drives youth interest in and willingness to experiment with vaping.

Furthermore, new NYS Youth Tobacco Survey data indicate that youth who currently vape are twice as likely to be open to smoking conventional cigarettes.

The areas of focus based on the Advancing Tobacco Free Communities workplan include:

- Statewide media to distribute messaging including youth use of e-cigarettes (target parents of school-age children)
- Tobacco Industry Influence in the Retail Environment
- Presentation by Tobacco Free Tompkins about Juul at the June 2018 BOH
- School Presentations with Reality Check – Spring 2019

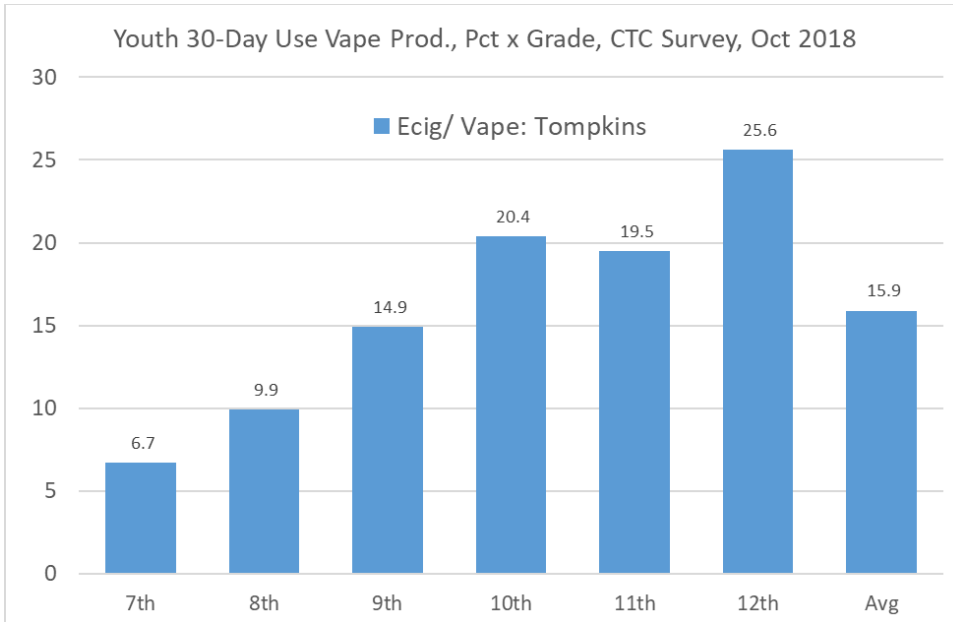
Additionally:

- Health Promotion in consultation with Tobacco Free Tompkins will continue Social Media messaging, pulling from expert content (CDC, NYS DOH)
 - Example: July 22 post about e-cigarettes and flavored tobacco
- ATUPA – Health Promotion/Tobacco Free Tompkins and Environmental Health will determine how ATUPA funds will be used to build awareness about the dangers of e-cigarette use through marketing, radio ads, etc.
- The protocol for ATUPA minor checks currently focuses on the purchase of vape/electronic cigarette devices, if the retailer sells these products.

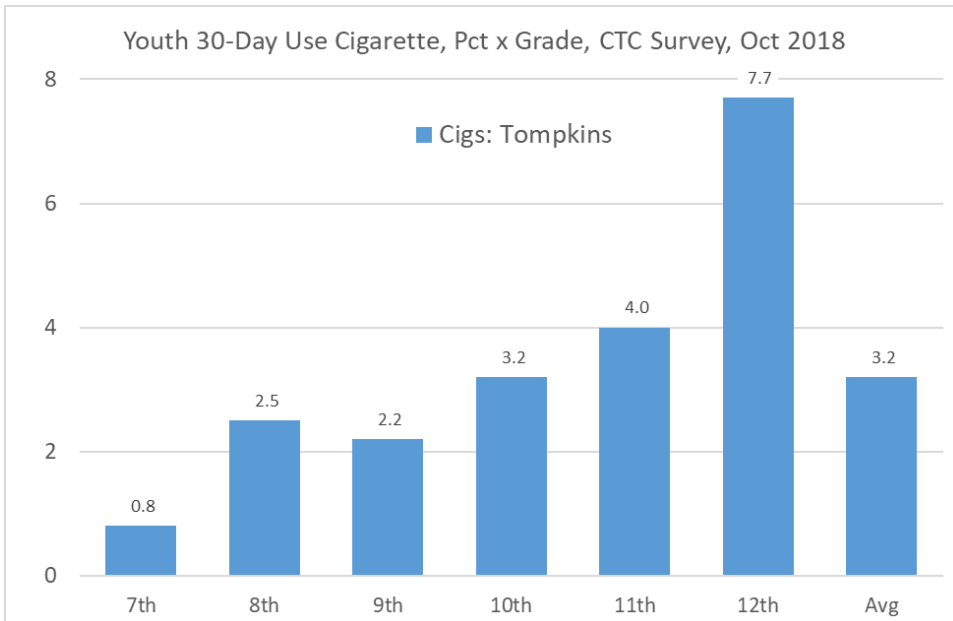
Recent [Press Release from Governor Cuomo](#), 9/15/2019:

- Announces emergency executive action to ban the sale of flavored e-cigarettes, except menthol.

Youth 30-day vape product use X grade, Pct. (CTC Survey, Oct 2018)



Youth 30-day cigarette use X grade, Pct. (CTC Survey Oct 2018)



Medical Director's Report Board of Health September 2019

Activities:

Drafted **press release** regarding smokable medical marijuana and the contradictions in terms that it presents.

Reviewed **rabies postexposure** prophylaxis forms.

Reviewed **incident reports** for the month.

Attended two meetings of the **Leading Change Initiative 2019** with Batiste Leadership which involved Senior Leadership as part of the process in pursuing the initiative of both mental health and public health taking further actions with regard to social determinates of health.

Presented information on THC and CBD to the **Health Care Planning Council** on September 9th. In attendance were about 50-60 individuals, representing many walks of life in our County.

Attended TCHD's **Community Health Quality Assurance meeting**. Agenda topics include items regarding clinical care in multiple programs of TCHD: MOMs, Lead, Community Health, and a review of any complaints (there were none), incidents, and a discussion of clinical care issues. At this meeting we had a productive discussion regarding increasing community awareness of the MOMs program, transition of care from incarceration in the jail to community, and case management of complex cases. Case management is a term that refers to an individual working with a client whose health care is complicated and whose health is at risk or is impaired partially due to social determinants of health and / or the complexity of their health care problem(s). The case manager seeks to ensure the client understands the plan for their care, is able to attend sessions with care givers and to minimize the negative impact of social determinants on that client's health at present and into the future. Social determinants include (but are not limited to) having adequate housing and transportation, adequate income (to provide for shelter, food, supplies, with some cushion sufficient to give reasonable security and, thus, allay anxiety and depression), education (particularly that related to understanding their situation), and access to health care.

There can be multiple case managers for a client. This can result when multiple organizations are involved (e.g.hospital, insurance company, DSS etc.). A need for coordination is obviously present between organizations and between case managers.

Met with Geoff Dunn of **Emergency Response** regarding AEDs and Narcan and the county's program. Mr. Dunn recently replaced Beth Harrington in this position. We reviewed the history of the program and its operational parameters.

Division for Community Health
September 24, 2019 Board of Health Meeting

Karen Bishop, Director of Community Health
August 2019 Report

Administration –

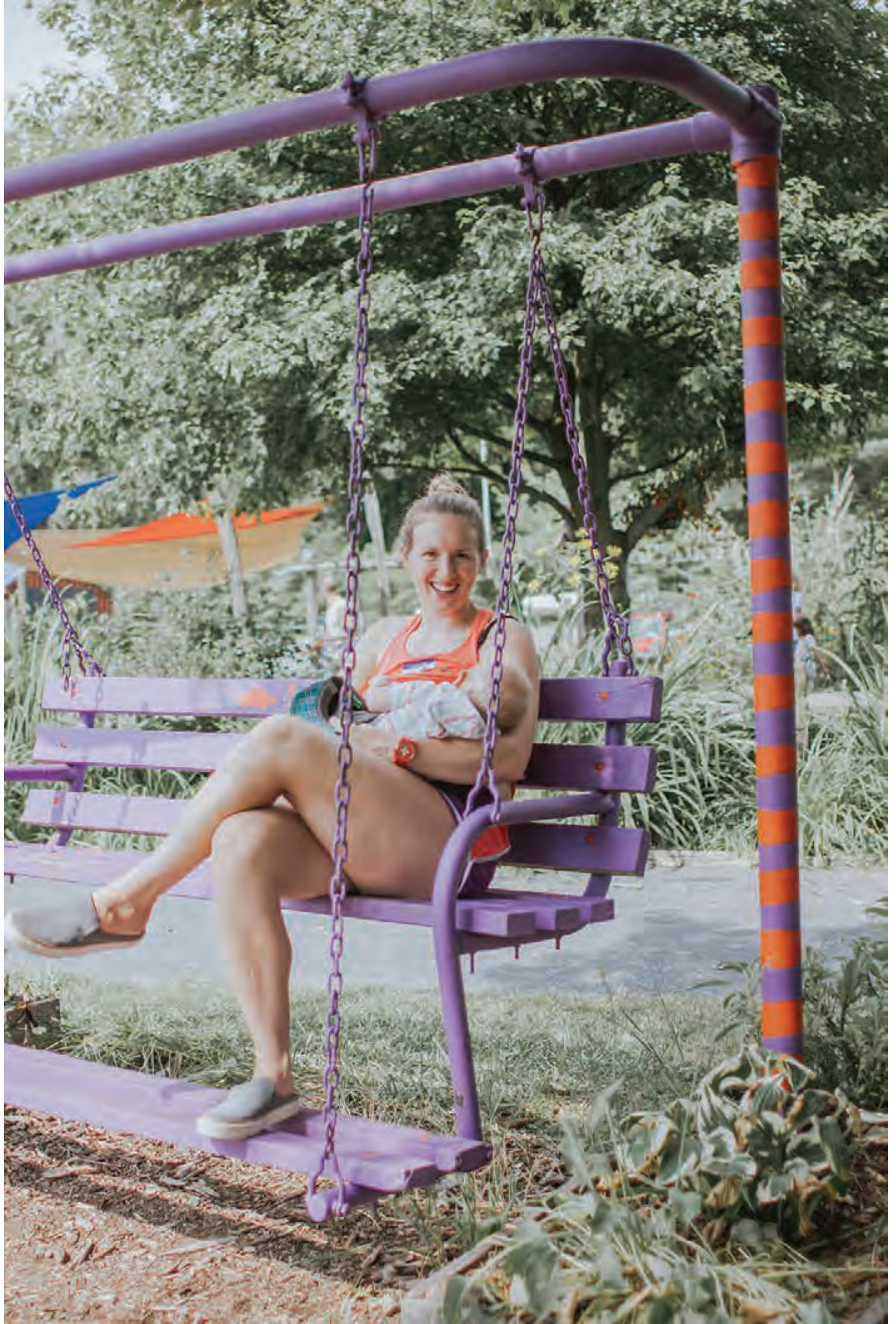
- Completed interviews for the vacant WIC Program Nutritionist position and recommended Cecilia Hagen-Revelins for hire to start 8/12/19.
- Participated in the required statewide LHCSA & LHD drill on communications on August 16.
- Interviewed and hired a temporary Project Assistant with a start date of August 26 to assist with electronically saving discharged program specific patient records currently stored in Cerner.
- Continued weekly conference calls with 10E11 and review of forms functionality in the electronic health record in preparation for anticipated go live October 1st.
- Created key guidance documents for staff reference on how to complete each form and identifies which forms to complete according to visit type performed in the electronic health record. These guidance documents are for staff use when we transition to the electronic health record.

Statistical Reports –

- Division statistical reports – see attached.
- Communicable disease reports for August and year to date – see attached.

WIC

- Caseload stats: August 2019
Enrollment (participant with active certifications) = 1206
Participation (participants show to WIC appointment & WIC benefits are issued) = 1072
Caseload utilization (% participants enrolled who have WIC benefits issued) = 88.7%; this is an increase from July 2019.
- WIC celebrated World Breastfeeding week as follows:
August 3, the WIC Peer Counselor partnered with the Ithaca Breastfeeding Coalition and participated in the 10th Annual Global BIG Latch-on event which took place at the Ithaca Children's gardens. See attached photos.
August 6, the WIC Breastfeeding Coordinator & Peer Counselor collaborated with the MOMS program and tabled at the Dewitt Park farmers market promoting breastfeeding.









Breastfeeding Support

WIC SUPPORTS BREASTFEEDING

Support for the World's Mothers

Breastfeeding is possible for every mother!

unf
UNIVERSITY OF NORTH FLORIDA

September 2019 BOH Report

Community Health Services

By Melissa Gatch, Supervising Community Health Nurse

Continuing Education/Community Presentations-

- CHS nursing staff continue to participate in weekly immunization training webinars (June-October) on the CDC sponsored Pink Book series.

Lead Poisoning Prevention- No open lead cases.

Immunizations-

- During August and September Health Department staff have fielded many phone calls helping students, parents, school nurses and provider offices prepare for back-to school immunizations, especially in light of the removal of the religious exemption on June 13, 2019. We are seeing an increase in scheduled clinic visits and in phone calls pertaining to those who are affected by the removal of the religious exemption. As we talk with area school nurses, we are hearing that most students with religious exemptions are now getting vaccinated. Some parents have continued to request a delayed vaccination schedule, and much education has been given to parents and providers regarding the need to provide catch-up immunizations based on the ACIP guidelines. Over the last few months we have provided immunization education and outreach to providers, school administrators and school nurses via blast fax and emails keeping them updated on the new law and providing guidance on writing valid medical exemptions. We also issued a press release on *Back to School Immunizations*, a letter to the editor on *What Qualifies as a Medical Exemption* and ran a radio ad for back to school immunizations.

Communicable Disease-

- **Measles outbreak in NYS:** As of September 11, 2019 the case count was **406** in NYS with the most recent case onset date 8/19/19. In NYC the case count was **649** with the outbreak now declared over as 2 incubation periods have occurred since the last case.
- **Anaplasmosis/Babesiosis:** Two cases of Anaplasmosis in August. Case #1 in an 84 year old female with no recent travel history; reported spending significant time outdoors gardening. Symptoms included fever, hypoxia and thrombocytopenia. Case #2 was in a 66 year old male with no recent travel history; reported multiple tick attachments. Case with complaint of fever, malaise, headache and joint pain. One case of Babesiosis in a 68 year old male with travel history to Ohio. Symptoms included fever, anemia, thrombocytopenia, rash and headache. All three cases were treated and have recovered.
- **Legionellosis:** Two cases during August. Case #1 in a 93 year old male who presented to local ER with fever, cough, and dehydration; admitted with pneumonia. Potential exposures included living near a local water plant and exposure to construction sites. Case #2 in a 80 year old male presented to local ER after a fall and was admitted with SOB, cough, rib fracture and pleural effusion. No specific exposure was identified. Both cases were discharged from the hospital and have recovered.
- **HIV Testing/Counseling:** During the month of August, the Health Department offered **5** clinic dates at multiple testing sites. There were **9** people tested; there were no positive results.
- **Health Advisories and Informational Messages Blast Faxed to Providers:**

- Mosquito Borne Activity
- Measles Exposures in NYS
- Unexplained Vaping- associated Pulmonary Illness

Tuberculosis- (1 active TB case)

63 year old male 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. In December 2018 sputum 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 that client was moving back to NY to be with his family and case was admitted to TCHD for TB case management on April 26. Sputum culture showed drug resistance to Rifampin with sensitivity to all other first and second line medications. Negative Mtb culture conversion documented after 3 months of treatment. Case has had a difficult time with reported medication adverse side effects which required medication adjustments. Case is now on 3 drug treatment and is tolerating present regime. He has been followed daily for DOT, except weekends. Treatment will continue through December.

LTBI (Latent Tuberculosis Infection): There were **21** Tuberculin Screening Tests (TST) placed during the month of August; all negative results.

N.Y.S. Department of Health
 Division of Epidemiology
 Communicable Disease Monthly Report*, DATE: 03SEP19
 Rates are defined as: Cases/100,000 population/Month

County=TOMPKINS Month=August

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	0	0.0	0	0.0	0	0.0
BABESIOSIS**	1	11.5	0	0.0	0	0.0	1	11.5	0	0.0
CAMPYLOBACTERIOSIS**	3	34.4	3	34.4	3	34.4	2	22.9	3	34.4
CRYPTOSPORIDIOSIS**	1	11.5	2	22.9	0	0.0	1	11.5	1	11.5
ECOLI SHIGA TOXIN**	1	11.5	1	11.5	1	11.5	0	0.0	1	11.5
EHRlichiosis (CHAFEENSIS)**	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
ENCEPHALITIS, OTHER	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
ENCEPHALITIS, POST	0	0.0	1	11.5	0	0.0	0	0.0	0	0.0
GIARDIASIS	3	34.4	4	45.8	2	22.9	2	22.9	3	34.4
HEPATITIS B,CHRONIC**	0	0.0	1	11.5	4	45.8	1	11.5	2	22.9
HEPATITIS C,ACUTE**	2	22.9	0	0.0	0	0.0	0	0.0	0	0.0
HEPATITIS C,CHRONIC**	4	45.8	8	91.6	9	103.1	3	34.4	7	80.2
INFLUENZA A, LAB CONFIRMED	0	0.0	0	0.0	2	22.9	0	0.0	1	11.5
INFLUENZA B, LAB CONFIRMED	1	11.5	0	0.0	0	0.0	0	0.0	0	0.0
LEGIONELLOSIS	2	22.9	1	11.5	0	0.0	0	0.0	0	0.0
LYME DISEASE** ****	11	126.0	9	103.1	20	229.0	10	114.5	13	148.9
MALARIA	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
MENINGOCOCCAL**	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
PERTUSSIS**	0	0.0	5	57.3	0	0.0	0	0.0	2	22.9

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
ROCKY MTN SPOT FEVER**	0	0.0	0	0.0	0	0.0	1	11.5	0	0.0
SALMONELLOSIS**	2	22.9	1	11.5	2	22.9	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	0	0.0	0	0.0	1	11.5	0	0.0
STREP, GROUP B INVASIVE	0	0.0	0	0.0	1	11.5	2	22.9	1	11.5
TUBERCULOSIS***	1	11.5	1	11.5	0	0.0	0	0.0	0	0.0
SYPHILIS TOTAL.....	2	22.9	3	34.4	2	22.9	0	0.0	2	22.9
- P&S SYPHILIS	0	0.0	2	22.9	1	11.5	0	0.0	1	11.5
- EARLY LATENT	0	0.0	0	0.0	1	11.5	0	0.0	0	0.0
- LATE LATENT	2	22.9	1	11.5	0	0.0	0	0.0	0	0.0
GONORRHEA TOTAL.....	4	45.8	9	103.1	7	80.2	14	160.3	10	114.5
- GONORRHEA	4	45.8	9	103.1	7	80.2	14	160.3	10	114.5
CHLAMYDIA	27	309.2	37	423.7	41	469.5	29	332.1	36	412.2

*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: 03SEP19

Through August

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	1	1.4	1	1.4	1	1.4
ANAPLASMOSIS**	7	10.0	5	7.2	5	7.2	0	0.0	3	4.3
BABESIOSIS**	2	2.9	0	0.0	1	1.4	1	1.4	1	1.4
CAMPYLOBACTERIOSIS**	23	32.9	21	30.1	14	20.0	13	18.6	16	22.9
CRYPTOSPORIDIOSIS**	5	7.2	10	14.3	11	15.7	6	8.6	9	12.9
DENGUE FEVER**	0	0.0	0	0.0	1	1.4	0	0.0	0	0.0
ECOLI SHIGA TOXIN**	2	2.9	2	2.9	4	5.7	2	2.9	3	4.3
EHRlichiosis (CHAFEENSIS)**	0	0.0	0	0.0	1	1.4	0	0.0	0	0.0
EHRlichiosis (UNDETERMINED)**	1	1.4	0	0.0	0	0.0	0	0.0	0	0.0
ENCEPHALITIS, OTHER	1	1.4	2	2.9	3	4.3	1	1.4	2	2.9
ENCEPHALITIS, POST	0	0.0	1	1.4	1	1.4	1	1.4	1	1.4
GIARDIASIS	16	22.9	15	21.5	4	5.7	10	14.3	10	14.3
HAEMOPHILUS INFLUENZAE, NOT TYPE B	3	4.3	3	4.3	0	0.0	2	2.9	2	2.9
HEPATITIS B,CHRONIC**	4	5.7	7	10.0	19	27.2	9	12.9	12	17.2
HEPATITIS C,ACUTE**	4	5.7	3	4.3	3	4.3	4	5.7	3	4.3
HEPATITIS C,CHRONIC**	29	41.5	50	71.6	44	63.0	37	53.0	44	63.0
INFLUENZA A, LAB CONFIRMED	743	1063.4	462	661.2	390	558.2	331	473.8	394	563.9
INFLUENZA B, LAB	28	40.1	560	801.5	147	210.4	80	114.5	262	375.0

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
CONFIRMED										
INFLUENZA UNSPECIFIED, LAB CONFIRMED	1	1.4	0	0.0	2	2.9	2	2.9	1	1.4
LEGIONELLOSIS	3	4.3	1	1.4	2	2.9	2	2.9	2	2.9
LISTERIOSIS	0	0.0	1	1.4	0	0.0	1	1.4	1	1.4
LYME DISEASE** ****	38	54.4	41	58.7	54	77.3	34	48.7	43	61.5
MALARIA	0	0.0	0	0.0	1	1.4	1	1.4	1	1.4
MENINGITIS, ASEPTIC	1	1.4	1	1.4	3	4.3	1	1.4	2	2.9
MENINGOCOCCAL**	0	0.0	0	0.0	0	0.0	1	1.4	0	0.0
MUMPS**	0	0.0	2	2.9	0	0.0	0	0.0	1	1.4
PERTUSSIS**	6	8.6	12	17.2	6	8.6	0	0.0	6	8.6
ROCKY MTN SPOT FEVER**	0	0.0	0	0.0	1	1.4	2	2.9	1	1.4
SALMONELLOSIS**	6	8.6	12	17.2	8	11.5	8	11.5	9	12.9
SHIGELLOSIS**	0	0.0	1	1.4	0	0.0	7	10.0	3	4.3
STREP, GROUP A INVASIVE	3	4.3	3	4.3	1	1.4	3	4.3	2	2.9
STREP, GROUP B INVASIVE	6	8.6	5	7.2	3	4.3	6	8.6	5	7.2
STREP, GROUP B INV, EARLY/LATE ONSET	0	0.0	1	1.4	0	0.0	0	0.0	0	0.0
STREP PNEUMONIAE, INVASIVE**	3	4.3	4	5.7	4	5.7	8	11.5	5	7.2
TUBERCULOSIS***	2	2.9	3	4.3	1	1.4	0	0.0	1	1.4
YERSINIOSIS**	2	2.9	1	1.4	0	0.0	0	0.0	0	0.0
ZIKA VIRUS (SYMPTOMATIC)**	0	0.0	0	0.0	0	0.0	2	2.9	1	1.4
SYPHILIS TOTAL.....	15	21.5	10	14.3	9	12.9	8	11.5	9	12.9
- P&S SYPHILIS	6	8.6	4	5.7	4	5.7	2	2.9	3	4.3
- EARLY LATENT	7	10.0	3	4.3	1	1.4	4	5.7	3	4.3

Disease	2019		2018		2017		2016		Ave (2016-2018)	
	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate	Freq	Rate
- LATE LATENT	2	2.9	3	4.3	4	5.7	2	2.9	3	4.3
GONORRHEA TOTAL.....	55	78.7	78	111.6	47	67.3	41	58.7	55	78.7
- GONORRHEA	55	78.7	77	110.2	47	67.3	41	58.7	55	78.7
- GONORRHEA,DISSEMINATED	0	0.0	1	1.4	0	0.0	0	0.0	0	0.0
CHLAMYDIA	297	425.1	301	430.8	279	399.3	232	332.1	271	387.9
CHLAMYDIA PID	0	0.0	1	1.4	1	1.4	0	0.0	1	1.4
OTHER VD	1	1.4	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	72	61	69							
# of Client Admissions	19	12	18	12	27	15	15	18					136	143	181
# of Client Discharges	12	17	11	15	22	22	10	3					112	152	217
Maternal & Infant Office Visit**	5	2	11	5	2	6	6	9					46	79	99
Maternal & Infant Home Visit	68	48	59	60	87	57	64	66					509	618	918
Total Home & Office Visits	73	50	70	65	89	63	70	75	0	0	0	0	555	697	1017

SafeCare															
# of Clients in program	8	9	10	8	9	9	5	4					35	14	
# Home Visits	12	7	16	12	11	8	5	9					80	186	

On-Call (Weekend) Nursing Visits to Patients															
Maternal & Infant On Call Visits	0	0	0	0	0	0	0	0					0	0	0
Rabies On Call Vaccinations	1	1	0	0	1	2	4	10					19	50	36
TB DOT On Call Visits	0	0	0	0	3	0	0	0					3	18	9
Total # On-Call Visits	1	1	0	0	4	2	4	10	0	0	0	0	22	68	45

Total Home, Office, SafeCare, On-Call Visits	86	58	86	77	104	73	79	94	0	0	0	0	657	951	1062
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Childbirth Education															
# of Childbirth Education Classes	0	0	0	0	0	0	0	0						0	3
# of Childbirth Education Moms*	0	0	0	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	12	12	25					158	344	274
Immunization Clients Served: Age19 +	20	20	16	16	16	10	11	20					129	610	599
Total Immunization Clients	43	29	46	37	42	22	23	45	0	0	0	0	287	954	873
Immunizations Administered: Children	44	19	58	53	40	18	22	63					317	606	553
Immunizations Administered: Age 19 +	28	26	18	19	18	13	13	26					161	663	668
Total Immunizations Administered	72	45	76	72	58	31	35	89	0	0	0	0	478	1269	1221
# of Influenza Immunizations	17	3	9	4	0	0	0	0					33	661	591
# of All Other Immunizations	55	42	67	68	58	31	35	89					445	608	630
Rabies Vaccination Program (Internal data, reporting to NYSIIS may be ongoing)															
Post-Exposure Clients	2	5	4	2	2	11	14	41					81	167	139
Post-Exposure Vaccinations	5	13	6	3	5	24	30	98					184	352	277
Tuberculosis Program															
Cumulative Active TB clients	2	2	2	3	3	3	3	3					2	7	5
Active TB Admissions	0	0	0	1	0	0	0	0					1	5	4
Active TB Discharges	0	1	0	0	0	0	1	1					3	4	3
Current Active Clients	2	1	1	2	2	2	1	1					N/A	N/A	N/A
TB Direct Observe Therapy Home Visits	21	10	0	4	21	15	16	19					106	417	353
# of Tuberculosis Screening Tests	11	10	21	14	12	21	21	21					131	236	231
Anonymous HIV Counseling & Testing Clinics															
# of HIV Clinics - including Walk-Ins	10	10	13	9	11	11	7	5					76	97	89
# of Clients Counseled & Tested	1	8	15	17	6	6	2	9					64	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-
.....

Children with Special Care Needs Highlights August 2019

Staff Activities

Staff Committees & Meetings

- CSCN Software committee meets weekly (Michele Card, Cindy Lalonde, Barb Wright, Matt Phillips, Deb Thomas, Greg Potter IT Director and Roger Cotrofeld, IT
- Weekly meetings for building of checklists for the software with Roger Cotrofeld and the committee.
- Software committee collaboration meeting with Hear 2 Learn Agency from Syracuse 8/8/19
- CSCN Staff meeting on 8/19/19

Staff Training

- Margo Polikoff participated in 'Moving the Needle on Health' Webinar on 8/21/19
- Staff participated in Sexual Harassment Webinar—various dates
- Staff attended Survey Climate Meeting on 8/13/19
- Barb Wright & Erin Worsell participated in NYSDOH Insurance Responsibilities in the EIP Webinar – 8/21/19 & 8/22/19
- Diane Olden attended 'Reducing Racial Disparities' on 8/22/19

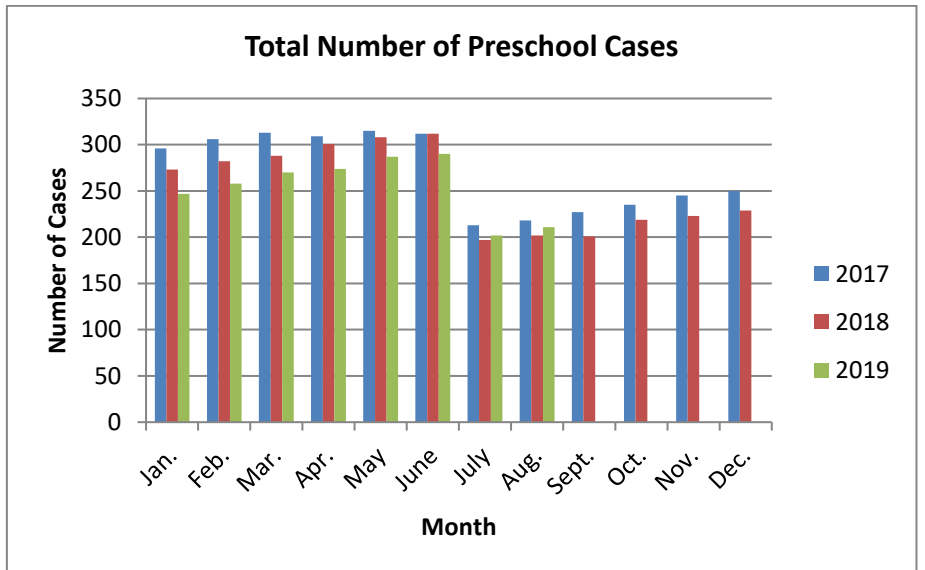
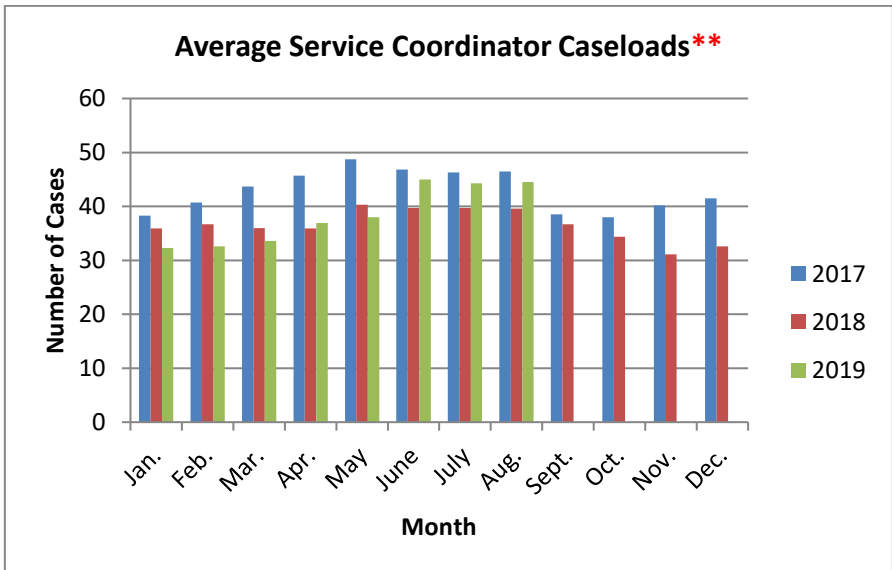
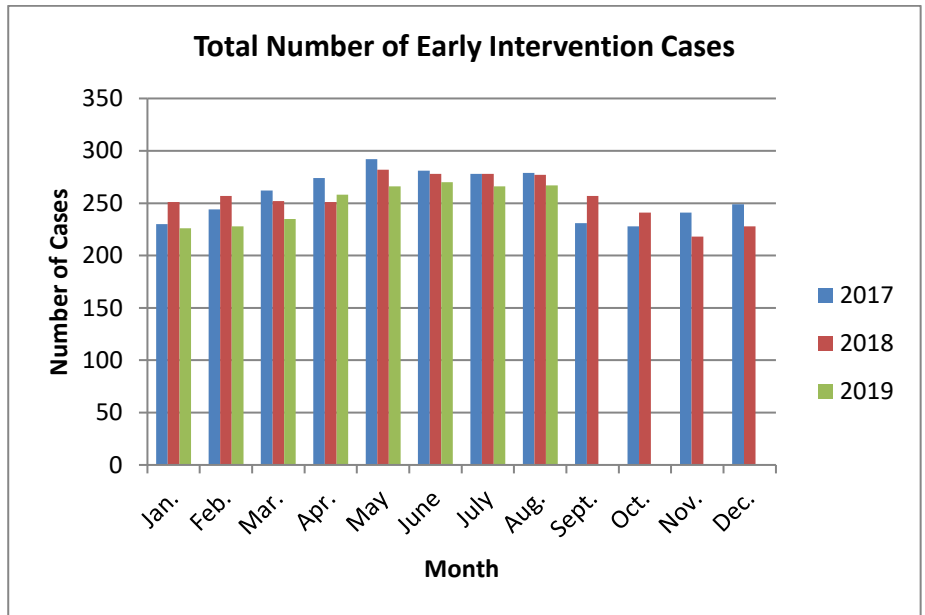
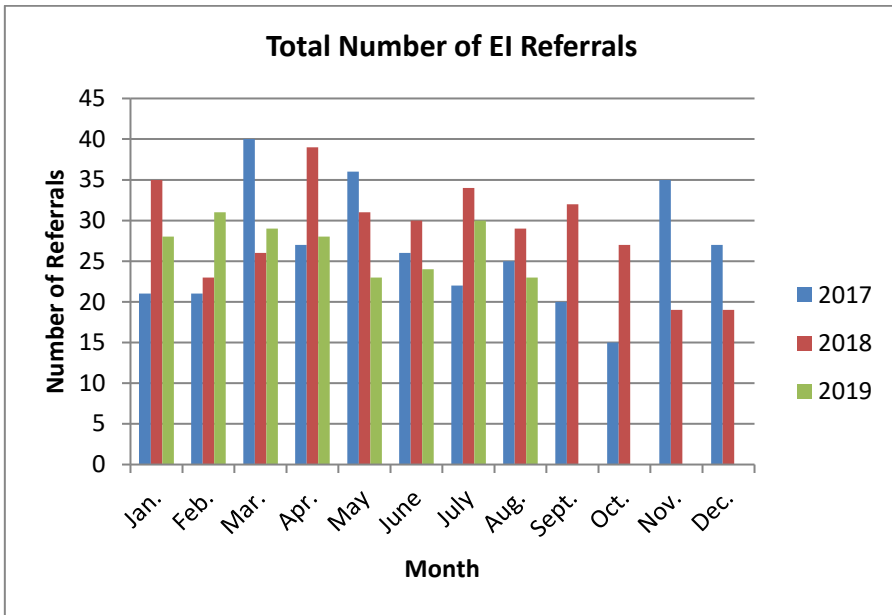
Division Managers

- Climate Survey results meeting with TCHD managers 8/13/19
- Cindy LaLonde, Barb Wright and Deb Thomas participated in the NYS DOH BEI All County Conference Call 8/22/19

Deb Thomas:

- Senior Leadership Meeting 8/7/19
- CSCN program meeting with Frank Kruppa 8/7/19
- Interview with new provider for Special Instruction Teacher-Carol Bobertz 8/1/19
- Interviewed by Ithaca College OT research and development for new technology mobility device 8/5/19
- S2AY Network Early Childhood meeting 8/6/19
- Meeting with County Attorney regarding a Provider issue 8/9/19
- CHA and CHIP meeting with Senior Leadership 8/14/19
- Interviewed by County Task Force on Integration of PHD and MDH 8/14/19
- Meeting with Greg Potter, IT Director and Alanna Congden from County Clerk's office on scanning of EI records 8/19/19
- Phone interview with Jeanette Batiste Harrison for the Kresge project 8/20/19

Statistics Based on Calendar Year



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

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

EARLY INTERVENTION PROGRAM

Number of Program Referrals	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
Initial Concern/reason for referral:														
-- DSS Founded Case	1	2				1	3	2					9	9
-- Gestational Age		1						1					2	10
-- Gestational Age/Gross Motor													0	1
-- Cognitive Delay													0	0
-- Global Delays						1							1	4
-- Hearing			1			1							2	7
-- Physical														
-- Feeding	1	2	1	3	2		2	3					14	13
-- Feeding & Gross Motor	1	2					1						4	1
-- Feeding & Social Emotional													0	0
-- Gross Motor	3	6	5	5	5	4	2	11					41	52
-- Gross Motor & Feeding					2								2	6
-- Gross Motor & Fine Motor	1												1	3
-- Fine Motor													0	3
-- Social Emotional	1	1	1	2		1	1						7	11
-- Social Emotional & Adaptive													0	0
-- Speech	18	15	20	15	12	12	14	5					111	181
-- Speech & Feeding			1	1									2	5
-- Speech & Fine Motor		1											1	1
-- Speech & Gross Motor				2	2	1	3	1					9	13
-- Speech & Sensory													0	1
-- Speech & Social Emotional	2					2							4	9
-- Adaptive													0	0
-- Adaptive/Sensory						1							1	3
-- Adaptive/Fine Motor													0	0
-- Qualifying Congenital / Medical Diagnosis		1					4						5	4
-- Child Find (At Risk)													0	5
Total Number of Early Intervention Referrals	28	31	29	28	23	24	30	23	0	0	0	0	216	342

Caseloads	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
Total # of clients qualified and receiving svcs	199	196	208	227	241	243	240	245						
Total # of clients pending intake/qualification	27	32	27	31	25	27	26	22						
Total # qualified and pending	226	228	235	258	266	270	266	267	0	0	0	0		
Average # of Cases per Service Coordinator	32.3	32.6	33.6	36.9	38.0	45.0	44.3	44.5	0.0	0.0	0.0	0.0		

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

EARLY INTERVENTION PROGRAM

Family/Client visits	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
-- Intake visits	22	27	33	25	24	18	22	23					194	293
-- IFSP Meetings	30	42	41	32	48	45	25	30					293	451
-- Amendments	13	4	14	17	25	35	23	20					151	237
-- Core Evaluations	19	16	27	17	24	17	23	24					167	270
-- Supplemental Evaluations	6	1	4	6	4	5	8	7					41	106
-- DSS Visit	0	0	0	0	0	0	0	0					0	0
-- EI/OD visits	0	0	1	0	0	0	0	0					1	19
-- Observation Visits	45	41	51	49	59	43	48	64					400	571
-- CPSE meetings	6	7	5	5	2	15	16	4					60	81
-- Program Visit	0	2	0	1	1	2	0	0					6	2
-- Family Training/Team Meetings	1	0	0	5	1	2	0	1					10	10
-- Transition meetings	8	25	6	9	2	7	4	15					76	103
-- Other Visits	2	0	0	1	4	4	0	0					11	10
IFSPs and Amendments														
# of Individualized Family Service Plans Completed	30	42	36	31	48	45	25	30						461
# of Amendments to IFSPs Completed	20	14	20	22	25	47	24	22						349
Services and Evaluations Pending & Completed														
Children with Services Pending														
-- Audiological	0	0	0	1	0	0	1	0						
-- Feeding	1	1	0	4	4	3	0	0						
-- Nutrition	0	0	0	1	0	0	0	0						
-- Occupational Therapy	4	3	2	1	6	0	3	0						
-- Physical Therapy	1	2	2	2	1	2	3	2						
-- Social Work	0	0	2	3	3	2	0	2						
-- Special Education	1	4	1	4	1	0	0	4						
-- Speech Therapy	5	6	6	13	13	8	0	4						
# of Supplemental Evaluations Pending	5	4	10	9	6	15	15	9	0	0	0	0		
Type:														
-- Audiological	0	1	3	5	1	1	3	1						
-- Developmental Pediatrician	2	0	0	0	0	5	0	2						
-- Diagnostic Psychological	0	0	0	0	0	4	5	3						
-- Feeding	0	0	2	0	1	1	0	1						
-- Physical Therapy	2	1	0	0	1	1	0	0						
-- Speech	0	1	3	1	1	1	2	1						
-- Occupational Therapy	1	1	2	3	2	2	5	1						
-- Vision	0	0	0	0	0	0	0	0						
-- Other	0	0	0	0	0	0	0	0						

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

EARLY INTERVENTION PROGRAM

Services and Evaluations Pending & Completed (continued)	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
# of Supplemental Evaluations Completed	6	4	7	13	8	5	9	12	0	0	0	0	64	129
Type:														
-- Audiological	0	1	3	5	3	1	0	3					16	33
-- Diagnostic Psychological	0	1	0	0	0	1	0	2					4	4
-- Developmental Pediatrician	0	0	0	0	0	0	0	1					1	3
-- Feeding	1	0	0	3	1	0	2	0					7	12
-- Occupational Therapy	3	1	2	0	4	1	2	4					17	36
-- Physical Therapy	0	1	0	3	0	2	2	0					8	10
-- Speech Therapy	2	0	2	2	0	0	3	2					11	31
-- Vision	0	0	0	0	0	0	0	0					0	0
-- Other	0	0	0	0	0	0	0	0					0	0
Diagnosed Conditions														
Autism Spectrum														
-- Children currently diagnosed:	1	2	1	2	2	3	4	5						
-- Children currently suspect:	16	15	15	17	13	13	17	15						
Children with 'Other' Diagnosis														
-- Agenesis of Corpus Collosum	1	1	1	1	1	2	0	1						
-- Apraxia	0	0	0	1	0	0	0	1						
-- Athrogryposis	1	1	1	1	1	1	1	1						
-- Brain Anomalies	1	1	1	1	0	1	1	1						
-- Cardiac Anomaly	1	1	0	0	0	0	0	0						
-- Cerebral Palsy (CP)	2	2	2	3	2	2	1	1						
-- Chromosome Abnormality	0	0	1	1	1	1	0	0						
-- Cleft Lip/Palate	1	1	1	1	0	0	0	0						
-- Congenital CMV	1	1	1	1	1	1	1	0						
-- Cri Du Chat	1	1	1	1	0	0	0	0						
-- Crouzon Syndrome	1	1	1	1	1	1	1	1						
-- Cystic Fibrosis	1	1	1	1	1	0	0	0						
-- Duchenne's	0	0	0	0	0	1	0	0						
-- Down Syndrome	3	3	3	3	2	3	3	2						
-- Dysmorphic Features	1	1	0	0	0	0	0	0						
-- Ectrodactyly	0	0	0	0	0	0	1	1						
-- Epilepsy	0	0	0	1	1	1	0	0						
-- Feeding Difficulties	24	15	19	21	26	33	26	27						
-- GERD	0	0	0	3	5	5	4	2						
-- Hearing Loss	4	4	4	4	3	4	2	3						
-- Hip Dysplasia	0	1	1	0	0	0	0	0						
-- Hirschsprung	1	1	1	1	0	0	0	0						
-- Hydrocephalus	2	1	1	1	0	0	2	0						
-- Hypotonia	3	3	3	3	2	2	2	3						
-- Impulse Control Disorder	0	0	0	0	1	1	1	0						
-- Kallman Syndrome	0	0	0	0	0	1	0	0						
-- Krabbe's Disease	0	0	0	0	0	0	0	1						

**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
-- Leukodystrophy	0	1	1	0	1	1	0	0						
-- Macrocephaly	2	2	2	2	1	1	1	1						
-- Malabsorption	0	0	0	0	0	1	0	1						
-- Microcephaly	1	1	1	1	0	1	1	1						
-- Noonan's Syndrome	1	1	1	1	1	1	1	1						
-- Osteogenesis Imperfecta	1	1	1	1	0	0	0	0						
-- Plagiocephaly	1	2	2	1	3	2	1	1						
-- Polymicrogyria (PMG)	1	1	1	0	0	1	1	1						
-- Prematurity	15	13	14	14	19	23	20	19						
-- Pyriform Aperture Stenosis w/ Hard Palate Cleft	1	1	1	1	1	1	1	1						
-- Reduction of Upper Limb	0	1	1	1	1	1	1	1						
-- Spina Bifida	1	1	1	1	1	1	1	1						
-- Te Fistula	0	1	0	0	0	0	0	0						
-- Torticollis	3	4	3	4	4	4	3	3						
-- Vanishing White Matter Disease	0	0	0	0	0	0	1	0						

Early Intervention Discharges														
-- To CPSE	0	0	0	0	0	2	2	63					67	78
-- Aged out	2	0	1	3	3	1	1	1					12	4
-- Declined	2	2	2	4	5	4	5	7					31	67
-- Skilled out	1	0	2	1	6	6	4	5					25	39
-- Moved	3	2	2	5	3	1	3	2					21	25
-- Not Eligible	7	4	6	7	9	10	7	9					59	118
-- Other	0	2	0	0	2	2	2	1					9	28
Total Number of Discharges	15	10	13	20	28	26	24	88	0	0	0	0	224	359

Child Find														
Total # of Referrals	0	0	0	0	0	0	0	0					0	14
Total # of Children in Child Find	8	7	6	3	3	3	3	3						
Total # Transferred to Early Intervention	0	0	0	0	0	0	0	0					0	5
Total # of Discharges	2	2	1	3	0	1	0	0					9	2

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

PRESCHOOL SPECIAL EDUCATION PROGRAM

Clients Qualified and Receiving Services	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
Children per School District														
-- Ithaca	120	125	129	132	136	136	107	107						
-- Dryden	53	57	61	63	66	70	46	53						
-- Groton	15	18	21	21	21	20	11	11						
-- Homer	0	0	0	0	0	0	1	1						
-- Lansing	18	18	19	18	19	18	10	10						
-- Newfield	24	24	24	24	27	28	18	18						
-- Trumansburg	15	14	14	14	16	16	8	10						
-- Spencer VanEtten	1	1	1	1	1	1	1	1						
-- Newark Valley	1	1	1	1	1	1	0	0						
-- Odessa-Montour	0	0	0	0	0	0	0	0						
-- Candor	0	0	0	0	0	0	0	0						
-- Moravia	0	0	0	0	0	0	0	0						
-- Cortland	0	0	0	0	0	0	0	0						
Total # of Qualified and Receiving Services	247	258	270	274	287	290	202	211	0	0	0	0		

Services Provided	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec		
Services /Authorized by Discipline														
-- Speech Therapy (individual)	144	146	165	168	170	169	88	93						
-- Speech Therapy (group)	11	12	13	18	20	20	0	0						
-- Occupational Therapy (individual)	48	51	55	63	67	68	49	51						
-- Occupational Therapy (group)	2	3	4	5	6	6	0	0						
-- Physical Therapy (individual)	23	24	25	25	27	28	15	15						
-- Physical Therapy (group)	0	0	0	0	0	0	0	0						
-- Transportation														
-- Birnie Bus	30	30	29	29	30	30	26	27						
-- Ithaca City School District	42	43	43	43	42	42	41	39						
-- Parent	4	4	5	5	5	6	6	7						
-- Service Coordination	24	27	26	27	31	31	18	18						
-- Counseling (individual)	36	42	43	47	52	49	30	34						
-- 1:1 (Tuition Program) Aide	6	6	6	6	6	6	0	0						
-- Special Education Itinerant Teacher	31	32	32	36	34	34	26	27						
-- Parent Counseling	30	32	34	36	36	34	12	14						
-- Program Aide	1	1	1	2	3	6	1	0						
-- Teaching Assistant	0	0	0	0	0	0	0	0						
-- Audiological Services	4	4	4	5	5	5	2	2						
-- Teacher of the Deaf	2	2	2	3	3	3	1	2						
-- Music Therapy	0	0	0	0	1	1	1	1						
-- Nutrition	4	4	5	5	5	5	4	4						
-- Skilled Nursing	0	0	0	0	0	0	0	0						
Total # of children rcvg. home based related svcs.	171	171	194	197	211	215	130	139						

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

PRESCHOOL SPECIAL EDUCATION PROGRAM

Number of Children Served Per School District Attending Tuition Based Programs	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
-- Ithaca	42	43	43	43	42	42	42	41						
-- Dryden	18	18	18	18	18	18	16	17						
-- Groton	2	2	2	2	2	1	1	1						
-- Lansing	3	3	3	3	3	3	1	1						
-- Newfield	5	5	5	5	5	5	5	5						
-- Trumansburg	6	6	5	6	6	6	7	7						
-- Odessa-Montour	0	0	0	0	0	0	0	0						
-- Spencer VanEtten	0	0	0	0	0	0	0	0						
-- Moravia	0	0	0	0	0	0	0	0						
-- # attending Franziska Racker Centers	46	47	46	47	46	45	44	45						
-- # attending Ithaca City School District	30	30	30	30	30	30	28	27						
Total # attending Special Ed Integrated Tuition Progr.	76	77	76	77	76	75	72	72	0	0	0	0		

Municipal Representation Committee on Preschool Special Education	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2019 Totals	2018 Totals
-- Ithaca	19	18	26	31	25	12	9	13					153	205
-- Candor	0	0	0	0	0	0	0	0					0	0
-- Dryden	9	5	5	7	20	0	6	1					53	102
-- Groton	1	0	2	1	5	4	1	0					14	22
-- Homer	0	0	0	0	0	1	0	0					1	0
-- Lansing	2	0	0	0	7	5	1	0					15	15
-- Newfield	1	1	2	4	3	1	0	3					15	40
--Trumansburg	1	0	4	0	0	0	0	3					8	21



Finger Lakes Marine Service, Inc,
44 Marina Road
Lansing, NY 14882
Phone: 607-533-4422
Fax: 607-533-0070

RECEIVED
SEP 09 2019



To: Health department,

I do not agree with this penalty what's so ever. We used John Anderson as per your request. The plans that we were given were not up to date it was very hard to get the parts and get someone down here that could put together this water system correctly. As we got into the plans, we were told by more then one professional that these plans are not addressable for our current situation. Besides going through the Health department, we also had to have approval from DEC and Army corps of engineering to get there ok before we started any water lines across the marina waters. There was more to this delay then us being fined for non-completion well John Anderson was on vacation during the time of consent to do the water approval.

Thank you
Barry Ford



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

September 13, 2019

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

**Re: Tompkins County Board of Health Draft Resolution #EH-ENF-19-0025
Violation of Board of Health Orders and Public Health Director's Orders
Res #EH-ENF-18-0038 (Campgrounds and Mass Gathering)
Res and PHDO #EH-ENF-19-0018 (Mass Gathering)
Res #EH-ENF-18-0039 (Water Supply)
Res and PHDO #EH-ENF-19-0017 (Water Supply)
PHDO #EH-NOV-19-0034 (Water Supply)
PHDO #EH-NOV-19-0036 (Water Supply)
Finger Lakes GrassRoots Festival of Music and Dance; T-Ulysses and V-Trumansburg**

Dear Ms. Springer:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, September 24, 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, BOH and PHD Orders Resolutions cited above

pc: F:\EH\MASS GATHERING\Facilities\GrassRoots\2019\Enforcement\GR 2019 Draft BOH Resolution.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
Lissa Farrell; Charles Guttman, Esq.; Supervisor T-Ulysses; CEO-T-Ulysses; Anne Koreman, TC Legislature;
TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott
Freyburger, PH Engineer; Kristee Morgan; Becky Sims; Skip Parr; Brenda Coyle; Clayton Maybee
scan: Signed copy to Accela #EH-ENF-19-0025

DRAFT RESOLUTION # EH-ENF-19-0025 FOR

**Finger Lakes GrassRoots Festival of Music and Dance
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
PO Box 941, Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operates campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) and a Mass Gathering subject to Subpart 7-4 of the NYSSC; **and**

Whereas, Subparts 7-3 and 7-4 of the NYSSC for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system and that approval be obtained before placing a system into service; **and**

Whereas, GrassRoots operated Culture Camp at the Trumansburg Fairgrounds (Onsite) and Across The Way from July 14, 2019, to July 17, 2019, and operated the Finger Lakes GrassRoots Festival of Music and Dance from July 17, 2019, to July 22, 2019; **and**

Whereas, on December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0038 ordered GrassRoots to submit the initial Mass Gathering application by April 1, 2019. Whereby the application was to include the following:

1. An engineering report that complies with Section 7-4.7 of the NYSSC.
2. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
3. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
4. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

Whereas, on December 4, 2018, Resolution #EH-ENF-18-0039 ordered GrassRoots to submit approvable plans for the drinking water systems at Onsite and Across the Way by February 15, 2019, and to submit an approvable disinfection plan for these systems by February 15, 2019; **and**

Whereas, on April 25, 2019, PHDO #EH-ENF-19-0017, followed on May 28, 2019, by Resolution #EH-ENF-19-0017, found that GrassRoots failed to comply with Resolution #EH-ENF-18-0039 and ordered GrassRoots to submit approvable plans for the drinking water systems at Onsite and Across the Way by April 30, 2019, and to comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings; **and**

Whereas, on April 29, 2019, PHDO #EH-ENF-19-0018, followed on May 28, 2019, by Resolution #EH-ENF-19-0018, found that GrassRoots failed to comply with Resolution #EH-ENF-18-0038 and ordered GrassRoots to submit an approvable application and Engineering Report no later than May 8, 2019, and to comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings; **and**

Whereas, on May 14, 2019, PHDO #EH-NOV-19-0034, found that the water plans GrassRoots submitted on April 30, 2019, and revised on May 8, 2019, for Onsite and Across the Way were non-responsive to many of Environmental Health Division comments and ordered GrassRoots to submit approvable plans for the water systems and for the distribution systems' disinfection no later than May 16, 2019; **and**

Whereas, on May 24, 2019, PHDO #EH-NOV-19-0036, found that the water plans that GrassRoots submitted on May 22, 2019, for Onsite and Across the Way continued to fail to address significant Environmental Health Division comments on the plans and ordered GrassRoots to submit approvable plans for the water systems and for the distribution systems disinfection no later than May 28, 2019; **and**

Whereas, on June 14, 2019, the Environmental Health Division approved plans for the water systems at Onsite and at Across The Way with conditions including:

- that the distribution system pressures and flow rates be measured under peak flow conditions prior to Completed Works documentation (As-Built Drawings and form DOH-5025), and
- that the final approved base maps are to be used on the water system As-Built Drawings and are to be provided to the Environmental Health Division with the Engineer's Certification by July 10, 2019; **and**

Whereas, GrassRoots generally complied with these conditions for the water system at Across The Way and the Environmental Health Division issued an Approval of Completed Works for the Across The Way water system on July 15, 2019; **and**

Whereas, GrassRoots failed to submit As-Built Drawings with an approved base map for Onsite and an Approval of Completed Works was not issued for the Onsite water system as required prior to its use; **and**

Whereas, the Campground Permit for Culture Camp-Onsite issued on July 13, 2019, and the Mass Gathering Permit issued on July 17, 2019, allowed temporary use of the Onsite water system based on a field evaluation of the system and receipt of satisfactory water samples; **and**

Whereas, GrassRoots made modifications to the water system at Onsite (adding unapproved flow splitters) without TCHD approval; **and**

Whereas, these modifications invalidated the disinfection process for water spigots connected to the lines where flow splitters were added, resulting in GrassRoots being required to post "Do Not Drink" signs and provide potable water coolers with water spigots at the locations of the affected water spigots during Culture Camp; **and**

Whereas, the Onsite water system did not have the number of water spigots noted on the approved water plans and therefore camping during Culture Camp had to be limited to the camp sites within 250' of a water spigot to comply with Subparts 7-3 requirements and the Mass Gathering operated without the approved number of spigots; **and**

Whereas, the Environmental Health Division was unable to complete the scheduled pre-operational campground inspection at Onsite on July 12, 2019, due to the number of significant deficiencies identified which included:

- multiple access roads were not completely laid out,
- unapproved changes to the water system which required additional disinfection and sampling,
- numerous campsites were not marked out,
- holding tanks were not present,
- handwash stations were not present at portable toilets; **and**

Whereas, Environmental Health staff were unable to complete the scheduled pre-operational campground inspection at Across The Way on July 12, 2019, due to the number of significant deficiencies identified which included:

- the site was not laid out as shown on the approved map (this situation continued for the duration of Culture Camp and the Festival),
- multiple access roads were not completely laid out and/or were not the required width,
- numerous campsites were not marked out,
- check valves on the water distribution system spigots had been removed, and
- no portable toilets or handwash stations were present; **and**

Whereas, Environmental Health staff had to conduct a second pre-operational inspection for both locations on July 13, 2019; **and**

Whereas, the camping permits issued for Culture Camp both for Onsite and for Across The Way included a one-year waiver from the minimum size and separation requirements for campsites less than 1250 square feet on the condition that a minimum 5' separation is maintained between structures and that cooking, open flames, and fires are not allowed at these sites; **and**

Whereas, on July 15, 2019, Environmental Health staff were unable to complete the scheduled pre-operational inspection for the Mass Gathering due to the number of deficiencies identified and had to conduct a second pre-operational inspection on July 16, 2019. These deficiencies included:

- Not all emergency roads were marked out,
- GrassRoots could not layout the over 300 tent camping sites indicated on the Onsite map and modifications to the site plan were required,
- The 8' high section markers were not in place,
- Occupied campsites were not marked out (for example, some locations behind the infield stage and in performer camping),
- Campers were camping in locations not shown on the approved maps behind the infield stage, next to the grand stand and between the hospitality tent and the beer garden,
- Campsite separation distances and size were not adequate in multiple areas,
- Oversize tents and/or canopies were noted in the Onsite tent camping area,

- The completed as-builts for the water system Onsite had not been submitted,
- Not all utility sinks were connected, and
- Handwash units were not located by the portable toilets; **and**

Whereas, GrassRoots submitted a generally approvable application and engineering report for the Mass Gathering but failed to implement many of the plans identified in these documents during operation of the festival; **and**

Whereas, Environmental Health staff conducted inspections on each day that the Mass Gathering was in operation; **and**

Whereas, Environmental Health staff identified violations each day of the Mass Gathering that persisted for the duration of the festival. These violations included:

- the site layout for campsites and access roads for Across the Way and Onsite and for the water system and some other aspects Onsite differed from the final maps submitted in the application,
- multiple tent size and separation violations. This was especially apparent in the vendor camping area where tents and tarps were generally touching or overlapping, the performer camping area, and tent camping Onsite,
- tents were set up in unapproved locations without adequate emergency access,
- trees or other obstacles were blocking (in the middle of) access lanes,
- roaming security was often difficult to find and critical violations were often not corrected in a timely manner,
- the section markers were either not present or were not installed as noted in the approved application and engineering report,
- lack of adequate lighting along the ShureSave path at Across The Way,
- attendees Onsite made unapproved modifications to parts of the water system (multiple flow splitters and hoses were connected by attendees without approval or adequate backflow device); **and**

Whereas, approved camping set up and monitoring procedures were not followed; the unapproved modifications to the site layout resulted in fewer campsites being available Onsite and at Across The Way; the reduced number of campsites available at Across The Way resulted in emergency campsites being set up on Friday night in the parking area to accommodate campers; and inadequate security logs were maintained; **and**

Whereas, a number of the deficiencies and concerns noted in the 2019 inspections have been present in prior years including the lack of preparation for scheduled pre-operational inspections, inaccurate site maps, lack of responsiveness in correcting identified violations, security staff not following approved procedures and/or being not visible or unavailable, and difficulty establishing, maintaining, or correcting campsite size, separation distance, or location violations and controlling campsite set-up; **and**

Whereas, the Board of Health has the authority to fine up to \$500 for each violation (including each tent spacing or size violation) and this fine can be assessed for every day that the violation continues; **and**

Whereas, the maximum penalty was not assessed in this Order but failure to comply with the deadlines and requirements included in this Order could result in daily fines as noted above; **and**

Whereas, failure to comply with the mass gathering and camping requirements in 2020 could result in daily fines as noted above; **and**

Whereas, if lack of preparation and readiness by GrassRoots results in an unsatisfactory pre-operational inspection conducted 48 hours in advance of Culture Camp in 2020, the Environmental Health Division will not issue a permit for the unsatisfactory Culture Camp location(s) (Onsite and/or Across The Way); **and**

Whereas, an unsatisfactory pre-operational inspection means all or part of the following:

- accurate site maps including locations of required facilities (access roads, campsites, sanitary facilities, etc) have not been submitted and approved
- access roads are not laid out as shown on approved maps
- campsites and sections are not laid out and marked as shown on approved plans and described in the application and narrative report
- asbuilts and satisfactory water samples have been submitted for the water system(s) and the Environmental Health Division has issued an Approval of Completed Works or other approval for each site
- portable toilets, handwash stations, and approved grey water tanks are onsite and connected
- section markers and cooking/no cooking signs are installed as described in the approved application and narrative report
- no red critical violations are observed; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That the Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator, is ordered to:**

1. Pay a penalty of \$3000 for these violations, **due by November 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department (TCHD).); **and**

Website and Program

2. Update the website with language approved by the TCHD thirty days in advance of starting festival ticket sales and **no later than October 1, 2019**. The language must notify viewers of key requirements and changes for 2020 and highlight attendee consequences to violations.
3. Include language notifying attendees of key requirements and changes for 2020 and highlighting attendee consequences to violations in the festival program. This part of the program must be approved by the TCHD prior to publication; **and**

Site Maps

4. **By January 31, 2020**, prepare and submit draft geo-referenced maps of Onsite and Across the Way with all water spigots, hydrants, large trees, roadways and pedestrian pathways and campsites identified. All campsites for attendees, performers, and vendors must be marked out and numbered.
5. **By February 21, 2020**, prepare and submit final geo-referenced maps of Onsite and Across the Way with all water spigots, hydrants, large trees, roadways and pedestrian pathways and campsites identified. All campsites for attendees, performers, and vendors must be marked out and numbered.
6. **By August 24, 2020** (after the festival), submit as-built maps for Onsite and Across the Way; **and**

Inspections

7. Complete the layout of roadways and pedestrian pathways **at least a week in advance of the Culture Camp pre-operational inspection.** The TCHD must be notified when the roadways and pathways are ready for inspection.
8. After the roadways and pathways are laid out and **at least 5 days in advance of the Culture Camp pre-operational inspection,** all campsites (including attendee, staff, vendor, and performer campsites) must be laid out and numbered. The TCHD must be notified as soon as the campsites are ready for inspection;
9. Complete construction and installation of services and facilities including installation of 8' high reflective section markers, water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, **at least at least 48 hours prior to the commencement of the event; and**

Security

10. Provide names and contact information for four paid security staff (two for Onsite and two for Across the Way) to accompany TCHD inspectors during all inspections. Names and contact information by must be provided **one week prior to the start of the festival.**
11. Prior to the Culture Camp pre-operational inspection, submit a field summary identifying the responsibilities of each security unit. Each security staff must have these on their person when conducting inspections.
12. Identify a specific security person to oversee performer and vendor camping during camping setup. This shall be the security person's sole responsibility until all campsites in this area are set up.
13. Identify two specific security staff to oversee onsite tent camping during camping setup. This shall be the security person's sole responsibility until all campsites in this area are set up.
14. Identify one specific security staff person to oversee tent camping Across the Way in the Knoll and in the woods.
15. Assign volunteer security only to the infield camping area onsite. Volunteer security may assist paid security with tent camping when necessary.
16. Have security t-shirts available at the Culture Camp pre-operational inspection.
17. **By May 15, 2020,** provide a security schedule that shows an acceptable level of presence at all sites by paid security; **and**

Camping

18. Delineate and label all campsites in the field. Assign a specific campsite to a camper at the time of purchase. Note that multiple sites cannot be purchased and combined into larger sites.
19. Require all performers and vendors to select their numbered camping sites **by July 14, 2020.**
20. Prohibit campsite set-up in the tent, vendor and performer camping areas onsite unless the designated security person(s) is present.
21. Ensure that all Onsite tent sites are a minimum of 15' x 15'.
22. Require all oversize tents that are set up in the Onsite tent camping area to move within 2 hours of notice to a designated oversize tent area.
23. Submit a waiver request **by March 1, 2020,** to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2020; **and**

Mass Gathering Application

24. **By November 2, 2019,** submit revised and accurate 2019 festival attendee and campsite numbers including number of 4-day regular tickets sold, number of 4-day youth tickets sold, number of

- regular and youth tickets sold each day, number of volunteers, performers, vendors, and staff, number of camping tickets sold by campsite type and location both pre-day and at the gate sales.
25. Attend a pre-application meeting at the Health Department no later than **January 18, 2020**.
 26. Submit the initial Mass Gathering application **by March 1, 2020**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC.
 - b. Updated and approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2020.
 27. Submit the complete final application **by June 3, 2020**. (Once the final application is submitted and approved, no changes will be approved); **and**

Water Supply

28. **By February 21, 2020**, submit approvable plans for the drinking water systems at Onsite prepared by a design professional licensed in New York State. The plans for the water system must include a spigot(s)/water bottle filling stations for EMS, additional spigots or GrassRoots-installed flow splitters associated with the Trumansburg Fairground permanent water supply for tent camper use, and show that the minimum pressure of 20 psi will be present at all locations in the water supply. The Onsite plans must number each spigot and flow splitter location and include locations that can be used for sprinkler connections if needed. The Onsite plans must be for a permanent water system unless a statement is submitted by the Fairground owner/operator that they will not allow it.
29. Not purchase materials, construct, connect, or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department.
30. Submit an approvable distribution system disinfection plan (storage and start-up procedures) for the temporary water distribution systems at Onsite **by February 21, 2020**.
31. Coordinate with the Trumansburg Festival Association regarding use/access to the Fairgrounds by other groups during the time period that GrassRoots also has access to/use of the Fairgrounds and take actions approved by the design professional for the water system and by TCHD to protect the water system if needed.
32. Conduct pressure testing in the presence of a TCHD representative prior to operation of the Across the Way water system.
33. Submit certification of start-up procedures for Onsite and Across the Way **by July 1, 2020**.
34. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 1, 2020; and**

General

35. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.
36. Comply with all permit conditions in the 2020 mass gathering and campground permits issued to Finger Lakes GrassRoots Festival.
37. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.



Your Partner for a Healthy Community

Frank Kruppa
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ENVIRONMENTAL HEALTH DIVISION

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RESOLUTION # EH-ENF-18-0038 FOR

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operated campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) from July 15, 2018, through July 18, 2018, **and**

Whereas, Subpart 7-3 of the NYSSC for Campgrounds states plans and specifications required by the permit-issuing official shall be submitted to the permit-issuing official. Construction, enlargement, development, improvement or conversion shall not commence until required plans or specifications have been approved by the permit-issuing official; **and**

Whereas, Subpart 7-3.8(b) requires that campsites shall be a minimum of 1250 sq. ft. with 5' clearance between the boundaries of the campsite and camping structures; **and**

Whereas, on July 14, 2018, Tompkins County Health Department (TCHD) issued Campground Permits # EH-CG-18-353 for Onsite and # EH-CG-18-354 for Across the Way with conditions that campsites less than 1250 sq. ft. were required to maintain 5' between structures (no fires/cooking were allowed at these sites); **and**

Whereas, on July 17, 2018, GrassRoots submitted revised campground plans for Across the Way that differed from the approved plans; **and**

Whereas, there were multiple observations of camping separation distances violations during the inspection on July 17, 2018; **and**

Whereas, GrassRoots' oversight and enforcement of camping separation distances was significantly improved compared to 2017 and these violations were generally corrected by GrassRoots; **and**

Whereas, GrassRoots, operated a mass gathering subject to Subpart 7-4 of the NYSSC during the period of July 18, 2018, through July 23, 2018; **and**

Whereas, Subpart 7-4 requires that:

- The application for a permit be submitted at least 45 days before the first day of the gathering and the application shall include all plans, reports, and specifications.
- All construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, be completed at least at least 48 hours prior to the commencement of the event; **and**

Whereas, GrassRoots submitted a mass gathering permit application on May 2, 2018, and completed payment of the permit fee on July 10, 2018; **and**

Whereas, a complete permit application including the engineering report and final maps was not submitted prior to the start of the festival; **and**

Whereas, revisions to the campground at Across the Way, were provided to the TCHD during the pre-operational inspection on July 17, 2018, for the mass gathering; **and**

Whereas, deficiencies noted during the pre-operational inspection on July 17, 2018, included incomplete plumbing for the greywater tank for the showers and utility sinks at Across the Way, insufficient number of portable toilets and handwash stations, insufficient signage, incomplete fencing, flow restrictors on water faucets were not secured, and inadequate lighting; **and**

Whereas, due to the number of significant deficiencies identified during the pre-operational inspection, the mass gathering permit was not issued prior to the start of the festival and GrassRoots was operating without a permit until the permit was issued after the re-inspection on July 18, 2018; **and**

Whereas, the number of significant deficiencies identified during the pre-operational inspection required the Tompkins County Health Department to essentially conduct a complete reinspection on July 18, 2018; **and**

Whereas, the Tompkins County Health Department was made aware of emergency medical situations connected with the mass gathering that were not reported to the GrassRoots medical personnel; **and**

Whereas, campsite spacing violations were observed especially at the start of the festival; **and**

Whereas, there were significant improvements in the operation of the mass gathering especially with respect to the violations cited in 2017 (security, flammables); **and**

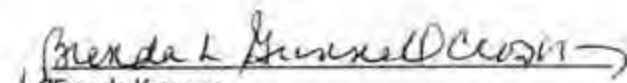
Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:**

1. Pay a penalty of \$800 for these violations, due **by January 15, 2019; and**
2. Attend a pre-application meeting at the Health Department no later than **January 18, 2019; and**
3. Submit a waiver request **by March 1, 2019**, to be approved by the NYSDOH if campsites less than 1250 sq. ft. will be proposed for 2019; **and**
4. Submit the initial Mass Gathering application **by April 1, 2019**. The application must include the following:
 - a. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
 - b. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
 - c. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
 - d. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

5. Submit complete final application **by June 3, 2019**. (Once the final application is submitted and approved, no changes will be approved); **and**
6. Complete construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least at least 48 hours prior to the commencement of the event; **and**
7. Comply with all permit conditions in future mass gathering and campground permits issued to Finger Lakes GrassRoots Festival; **and**
8. Comply with all provisions of Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

This action was adopted by the Tompkins County Board of Health at its regular meeting on December 4, 2018.


Frank Kruppa
Public Health Director

12/6/18
Date



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RESOLUTION # 18-0039 FOR

**Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Subparts 7-3 and 7-4 of the New York State Code (NYSSC) for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system; **and**

Whereas, under Subpart 5-1 of the NYSSC, disinfection that is inadequate to destroy harmful microorganisms or maintain a specified chlorine residual is a public health hazard; **and**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) modified and constructed public water systems without approval at Onsite and Across the Way; **and**

Whereas, the use of flow restriction and vacuum breakers were required in order to meet the required minimum water pressure of 20 psi; **and**

Whereas, the Health Department approved as-built plans for the water systems with conditions on July 13, 2018, allowing temporary operation of the system; **and**

Whereas, GrassRoots failed to adequately disinfect the temporary water supply lines Onsite in the infield area, resulting in a positive bacteriological test result and the addition of a condition on their campground permit that no camping be allowed in the infield area or any area on the new water line and that these water spigots be posted "Do Not Use;" **and**

Whereas, because of the lack of sufficient potable water, the Onsite campground permit was issued for only 40 sites; **and**

Whereas, 92 Onsite campsites were observed in use during the inspection on July 17, 2018; **and**

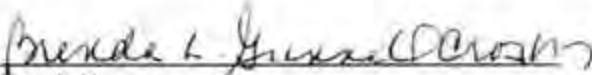
Whereas, camping was observed Onsite in the infield during the inspection on July 17, 2018; **and**

Whereas, Elaine Springer, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 16, 2018, agreeing that GrassRoots violated these provisions of the New York State Sanitary Code and the Tompkins County Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:**

1. Pay a penalty of \$1,500 for these violations, **by January 15, 2019; and**
2. **By February 15, 2019**, submit 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**
3. Not purchase materials, construct or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department; **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 **by February 15, 2019; and**
5. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 3, 2019; and**
6. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

**This action was adopted by the Tompkins County Board of Health at its regular meeting on
December 4, 2018.**


Frank Kruppa
Public Health Director

12/6/18
Date

ENVIRONMENTAL HEALTH DIVISION
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PUBLIC HEALTH DIRECTOR ORDERS # 19-0017 FOR

Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886

Whereas, Subparts 7-3 and 7-4 of the New York State Code (NYSSC) for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system; **and**

Whereas, on January 22, 2019, Tompkins County Board of Health Resolution #EH-ENF-18-0039 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit approvable plans for the drinking water systems at Onsite and Across the Way by February 15, 2019, and to submit an approvable disinfection plan for these systems by February 15, 2019; **and**

Whereas, GrassRoots submitted plans for the water systems on or about February 19 and February 20, 2019; **and**

Whereas, the Tompkins County Health Department (TCHD) was unable to approve the plans as submitted and provided comments to GrassRoots on the Onsite water system on March 7, 2019, and on the Across The Way water system on March 8, 2019, with a response deadline of April 1, 2019; **and**

Whereas, on April 1 and April 2, 2019, GrassRoots submitted insufficient revised plans that failed to address most of the TCHD comments; **and**

Whereas, on April 12, 2019, the TCHD notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, the April 12, 2019, notification to GrassRoots stated that the revised Onsite and Across the Way water plans did not address the March 7 and 8, 2019, TCHD comments on the water plans; **and**

Whereas, GrassRoots failed to submit revised water plans by April 24, 2019; **and**

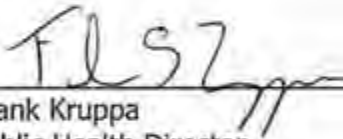
Whereas, in addition to other deficiencies, the draft water plans currently show water spigots that are in camp sites and roadways; therefore, changes must be made to either the spigot locations or the camp site and roadway locations; **and**

Whereas, the lack of approved water plans affects the entire review and approval of the GrassRoots Mass Gathering application since GrassRoots cannot submit approvable maps and other application materials until the water plans are finalized and approved; **and**

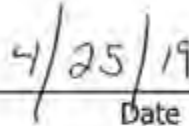
Whereas, the failure to submit approvable water plans is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Ordered, by The Tompkins County Public Health Director, that Finger Lakes GrassRoots Festival Org., Inc. must:

1. Submit approvable plans for the Onsite and Across the Way water systems as soon as possible and **no later than 4:00 p.m. on April 30, 2019**. The plans must satisfactorily address the requirements in Resolution #EH-ENF-18-0039 and the comments provided to GrassRoots by the Tompkins County Health Department on March 7 and 8, 2019.



Frank Kruppa
Public Health Director



Date

RESOLUTION # 19-0017 FOR

**Finger Lakes GrassRoots Festival – Water Supply
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Owner/Operator
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Subparts 7-3 and 7-4 of the New York State Code (NYSSC) for Campgrounds and Mass Gatherings state that campgrounds and mass gatherings with potable water supply must comply with Subpart 5-1 and that plans be submitted at least 30 days in advance of construction or modification to a water system; **and**

Whereas, Subpart 5-1 of the NYSSC requires plans be approved prior to making, installing, constructing or modifying a public water system; **and**

Whereas, on December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0039 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit approvable plans for the drinking water systems at Onsite and Across the Way by February 15, 2019, and to submit an approvable disinfection plan for these systems by February 15, 2019; **and**

Whereas, GrassRoots submitted plans for the water systems on or about February 19 and February 20, 2019; **and**

Whereas, the Tompkins County Health Department (TCHD) was unable to approve the plans as submitted and provided comments to GrassRoots on the Onsite water system on March 7, 2019, and on the Across The Way water system on March 8, 2019, with a response deadline of April 1, 2019; **and**

Whereas, on April 1 and April 2, 2019, GrassRoots submitted insufficient revised plans that failed to address most of the TCHD comments; **and**

Whereas, on April 12, 2019, the TCHD notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, the April 12, 2019, notification to GrassRoots stated that the revised Onsite and Across the Way water plans did not address the March 7 and 8, 2019, TCHD comments on the water plans; **and**

Whereas, GrassRoots failed to submit revised water plans by April 24, 2019; **and**

Whereas, Public Health Directors Orders were issued on April 25, 2019, requiring approvable plans to be submitted by April 30, 2019; **and**

Whereas, in addition to other deficiencies, the draft water plans currently show water spigots that are in camp sites and roadways; therefore, changes must be made to either the spigot locations or the camp site and roadway locations; **and**

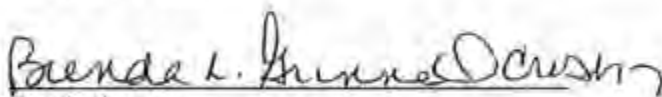
Whereas, the lack of approved water plans affects the entire review and approval of the GrassRoots Mass Gathering application since GrassRoots cannot submit approvable maps and other application materials until the water plans are finalized and approved; **and**

Whereas, the failure to submit approvable water plans is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:**

1. Pay a penalty of \$500 for these violations, due **by July 15, 2019; and**
2. Submit approvable plans for the Onsite and Across the Way water systems as soon as possible and **no later than 4:00 p.m. on April 30, 2019.** The plans must satisfactorily address the requirements in Resolution #EH-ENF-18-0039 and the comments provided to GrassRoots by the Tompkins County Health Department on March 7 and 8, 2019; **and**
3. Not purchase materials, construct or operate the water systems at Onsite or Across the Way without approval from the Tompkins County Health Department; **and**
4. Implement the disinfection procedures so that bacteriological samples for the water systems at Onsite and Across the Way can be collected **by July 3, 2019; and**
5. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

**This action was adopted by the Tompkins County Board of Health at its regular meeting on
May 28, 2019.**


for Frank Kruppa _____ 5/30/19
Public Health Director Date

PUBLIC HEALTH DIRECTOR ORDERS #EH-ENF-19-0018 FOR

**Finger Lakes GrassRoots Festival – Campgrounds and Mass Gathering
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Operator/Owner
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operates campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) and a Mass Gathering subject to Subpart 7-4 of the NYSSC; **and**

Whereas, on January 22, 2019, Tompkins County Board of Health Resolution #EH-ENF-18-0038 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit the initial Mass Gathering application by April 1, 2019. Whereby the application was to include the following:

1. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
2. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
3. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
4. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

Whereas, GrassRoots submitted an incomplete application on April 1 and 2, 2019; **and**

Whereas, on April 12, 2019, the Tompkins County Health Department (TCHD) notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, GrassRoots failed to submit the majority of the missing application items by April 24, 2019; **and**

Whereas, additional comments were provided by the TCHD on April 23, 2019, on the Mass Gathering Application narrative and an updated application addressing these comments is due by May 8, 2019; **and**

Whereas, GrassRoots has not paid the fees associated with plan reviews or permit applications for the 2019 operating year, of which some are due immediately as relayed to GrassRoots on April 12, 2019; **and**

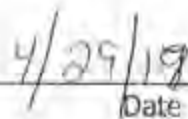
Whereas, the failure to submit a complete permit application is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Ordered, by The Tompkins County Public Health Director, that Finger Lakes GrassRoots Festival Org., Inc. must:

1. Submit the missing components of the Mass Gathering Application identified in the April 12, 2019 email as soon as possible and **no later than 4:00 p.m. on May 3, 2019**. The items must be complete and satisfactorily address the requirements in Resolution #EH-ENF-18-0038 and the comments provided to GrassRoots by the Tompkins County Health Department on April 12, 2019; **and**
2. Submit a revised and complete application and Engineering Report as soon as possible and **no later than 4:00 p.m. on May 8, 2019** that satisfactorily addresses the comments provided by the Tompkins County Health Department on April 23, 2019; **and**
3. Submit all plan review and permit fees by the following deadlines:
 - a. Water Plan fees **by May 15, 2019**;
 - b. Holding Tank Fees **by May 30, 2019**; and
 - c. Mass Gathering and Campground permit fees **by June 3, 2019**.



Frank Kruppa
Public Health Director



Date

RESOLUTION # 19-0018 FOR

**Finger Lakes GrassRoots Festival – Mass Gathering Application
Elaine Springer, Finger Lakes GrassRoots Festival Org., Inc., Operator/Owner
1 County Fairgrounds Driveway & Falls Road
Trumansburg, NY 14886**

Whereas, Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots), operates campgrounds subject to Subpart 7-3 of the New York State Code (NYSSC) and a Mass Gathering subject to Subpart 7-4 of the NYSSC; **and**

Whereas, on December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0038 ordered the Finger Lakes GrassRoots Festival Org., Inc. (GrassRoots) to submit the initial Mass Gathering application by April 1, 2019. Whereby the application was to include the following:

1. An engineering report that complies with Section 7-4.7 of the NYSSC. Submission by a NYS licensed design professional may be required if this submission is inadequate. The engineering report must include the appropriate environmental assessment form as prescribed by State Environmental Quality Review (SEQR) for a Type 1 action for construction at Across the Way.
2. Plan changes to medical oversight that include coordination between law enforcement and onsite medical services.
3. Plan must incorporate pertinent preparedness and security recommendations from the June 2018 NYS Mass Gathering Planning Guide.
4. Approvable procedures for Onsite and Across the Way for ensuring that campsite spacing will be enforced as campsites are being set up in 2019; **and**

Whereas, GrassRoots submitted an incomplete application on April 1 and 2, 2019; **and**

Whereas, on April 12, 2019, the Tompkins County Health Department (TCHD) notified GrassRoots that the mass gathering application submitted was incomplete. In addition, TCHD identified items that GrassRoots needed to address and submit for approval by April 24, 2019, to avoid further enforcement; **and**

Whereas, GrassRoots failed to submit the majority of the missing application items by April 24, 2019; **and**

Whereas, additional comments were provided by the TCHD on April 23, 2019, on the Mass Gathering Application narrative and an updated application addressing these comments is due by May 8, 2019; **and**

Whereas, GrassRoots has not paid the fees associated with plan reviews or permit applications for the 2019 operating year, of which some are due immediately as relayed to GrassRoots on April 12, 2019; **and**

Whereas, the failure to submit an approvable application is endangering the ability of the TCHD to approve the Mass Gathering permit application and issue the operating permit for the festival; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health, That Finger Lakes GrassRoots Festival Org., Inc., Owner, is ordered to:

1. Pay a penalty of \$500 for these violations, due **by July 15, 2019; and**
2. Submit the missing components of the Mass Gathering Application identified in the April 12, 2019 email as soon as possible and **no later than 4:00 p.m. on May 3, 2019**. The items must be complete and satisfactorily address the requirements in Resolution #EH-ENF-18-0038 and the comments provided to GrassRoots by the Tompkins County Health Department on April 12, 2019; **and**
3. Submit a revised and complete application and Engineering Report as soon as possible and **no later than 4:00 p.m. on May 8, 2019**, that satisfactorily addresses the comments provided by the Tompkins County Health Department on April 23, 2019; **and**
4. Submit all plan review and permit fees by the following deadlines:
 - a. Water Plan fees **by May 15, 2019;**
 - b. Holding Tank Fees **by May 30, 2019;** and
 - c. Mass Gathering and Campground permit fees **by June 3, 2019; and**
5. Comply with all provisions of Subpart 5-1 of the New York State Sanitary Code and Subparts 7-3 and 7-4 of the New York State Code for Campgrounds and Mass Gatherings.

This action was adopted by the Tompkins County Board of Health at its regular meeting on May 28, 2019.

for Brenda L. Gunn-Doran 5/30/19
Frank Kruppa Date
Public Health Director



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

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:

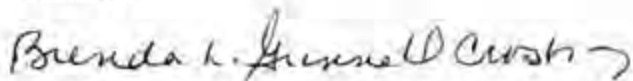
- Approvable plans for the water systems and for the distribution systems disinfection (both for storage and start-up) must be received by the Health Department **no later than 4 p.m. on May 16, 2019**. Refer to the attached document that lists previous comments, noted deficiencies, and additional comments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



for 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



Your Partner for a Healthy Community

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Public Health Director
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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.***

Not addressed 5/13/2019.

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.***

Not addressed 5/13/2019.

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.***

Not addressed 5/13/2019.

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.***

Not addressed 5/13/2019.

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.***

Not addressed 5/13/2019.

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.***

Not addressed 5/13/2019.

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.



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director
55 Brown Road
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ENVIRONMENTAL HEALTH DIVISION
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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.

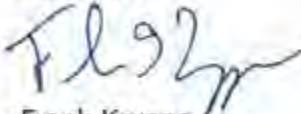
Fingerlakes GrassRoots Festival is ordered to comply with the following Public Health Directors Orders:

- 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
scan: Signed copy to the F drive

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.***
6. 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

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.***

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.***

Not addressed 5/13/2019.

5/24/19: addressed

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.***

Not addressed 5/13/2019.

5/24/19: addressed

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.

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.***

Not addressed 5/13/2019.

5/24/19: under review

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.***

Not addressed 5/13/2019.

5/24/19: Addressed

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.

5/24/19: under review

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



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

September 6, 2019

Beth Krause
Child Nutrition Program
1601 N. Cayuga Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0031
ICSD-Boynton Middle School, C-Ithaca**

Dear Beth Krause:

Thank you for signing the Stipulation Agreement on September 5, 2019, for the Summer Feed operation located at the Ithaca Children's Garden.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, September 24, 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

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

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\ICSD - Boynton\Summer Feed\Draft Res 19-0031.docx
ec: Tompkins County Board of Health (via; Shelley Comisi, TCHD)
Mayor C-Ithaca; Anna Kelles, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-19-0031 FOR

**ICSD – Boynton Middle School, Ithaca Children’s Garden Summer Feed
Ithaca City School District/Beth Krause, Owner/Operator
1601 N. Cayuga 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 accurate thermometers to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding; **and**

Whereas, on August 2, 2019, and August 6, 2019, the Tompkins County Health Department (TCHD) observed critical violations, where the Ithaca City School District (ICSD)- Boynton Middle School’s Summer Feed operation located at the Ithaca Children’s Garden failed to maintain an accurate thermometer; **and**

Whereas, on August 8, 2019, the TCHD observed no critical violations at the ICSD- Boynton Middle School’s Summer Feed operation located at the Ithaca Children’s Garden, **and**

Whereas, Beth Krause, Operator, signed a Stipulation Agreement with Public Health Director’s Orders on September 5, 2019, agreeing that the ICSD- Boynton Middle School’s Summer Feed operation located at the Ithaca Children’s Garden violated this provision of the New York State Sanitary Code; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Ithaca City School District, Owner, is ordered to:**

1. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cold holding at the Ithaca Children’s Garden Summer Feed operation; **and**
2. A. 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.)* **OR,**
B. Provide training procedures developed for staff at summer feed operations that at a minimum includes temperature requirements for both hot and cold holding, use of a thermometer to evaluate food temperatures, and outlines actions to take when temperatures are not in compliance. This document must be provided to the Health Department for review **by October 15, 2019; and**
3. Ensure that all food service staff at each summer feed operation location are trained annually regarding temperature control and use of a thermometer to evaluate food temperatures. Staff training should be documented with a signed certification after the training has been completed by

each employee. Certification records must remain on file for the current year and provided to the Department upon request; **and**

4. 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
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STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0031

**ICSD – Boynton Middle School, Ithaca Children’s Garden Summer Feed
Ithaca City School District/Beth Krause, Owner/Operator
1601 N. Cayuga St.
Ithaca, NY 14850**

I, Beth Krause, as a representative for ICSD-Boynton Middle School, agree that on August 2, 2019, and August 6, 2019, the Summer Feed operation located at the Ithaca Children’s Garden 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 cold holding.

I 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 cold holding at the Ithaca Children’s Garden Summer Feed operation; **and**
2. A. 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.) OR,*
B. Provide training procedures developed for staff at summer feed operations that at a minimum includes temperature requirements for both hot and cold holding, use of a thermometer to evaluate food temperatures, and outlines actions to take when temperatures are not in compliance. This document must be provided to the Health Department for review **by October 15, 2019; and**
3. Ensure that all food service staff at each summer feed operation location are trained annually regarding temperature control and use of a thermometer to evaluate food temperatures. Staff training should be documented with a signed certification after the training has been completed by each employee. Certification records must remain on file for the current year and provided to the Department upon request; **and**
4. 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: Beth Krause Date: 9/5/19

Ithaca City School District is hereby ordered to comply with these Orders of the Public Health Director.

Signed: Frank Kruppa Date: 9/5/19
for Frank Kruppa
Public Health Director



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

ENVIRONMENTAL HEALTH DIVISION
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0031
ICSD – Boynton Middle School, Ithaca Children’s Garden Summer Feed
Ithaca City School District/Beth Krause, Owner/Operator
1601 N. Cayuga St.
Ithaca, NY 14850

September 2019

Date	Action
09/05/2019	TCHD met with representatives from ICSD to discuss enforcement process and violations. Stipulation agreement was signed.
08/22/2019	Stipulation agreement sent by TCHD to ICSD. Office conference scheduled for 9/5/19.
08/08/2019	Inspection by TCHD. No critical violations noted.
08/06/2019	Re-inspection by TCHD at Ithaca Children’s Garden Summer Feed Satellite Feeding Site. Violations: See attached inspection report.
08/02/2019	Inspection by TCHD at Ithaca Children’s Garden Summer Feed Satellite Feeding Site. Violations: See attached inspection report.
07/31/2019	Inspection by TCHD of ICSD – Boynton Middle School Summer Feed Preparation Site. No violations were observed.

Food Service Establishment Inspection Summary Report

Operation: ITHACA CHILDRENS GARDEN - SUMMER FEED (ID: 998293)
Facility Name: ICSD - BOYNTON MIDDLE SCHOOL
Facility Code: 54-AA31 Facility Email: Beth.Krause@icsd.k12.ny.us
Facility Address: 1601 North Cayuga Street, Ithaca, NY 14850

To the Attention of:

Beth Krause
ITHACA CITY SCHOOL DISTRICT
Child Nutrition Program
1601 N Cayuga St
Ithaca, NY 14850
Email: beth.krause@icsd.k12.ny.us

Inspection

Date: August 2, 2019 09:43 AM
Inspector: Katherine Walker (kwalker@tom-pkins-co.org)
Responsible Person: Galen Smyth

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: Accurate food thermometer not available. Upon further questioning, operator stated they were also not sent one with yesterdays food delivery.
Correction: Accurate thermometer must be available during all points of food service.

NO ADDITIONAL VIOLATIONS REPORTED

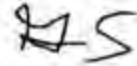
Additional Information Collected During Inspection

Comments: Part 1: One Critical Violation Observed of item 2E
Part 2: No Violations Observed
Re-inspection required.

Milk observed in a cooler with no ice at 41.5 F. Operator stated that milk is consumed in the morning and throughout the day. Advised him to add ice to the cooler to maintain temperatures, which was done. Discussed the importance of maintaining proper food temps for potentially hazardous foods.



Inspector: Katherine Walker (kwalker@tompkins-co.org)



Received by: Galen Smyth

Food Service Establishment Inspection Summary Report

Operation: ITHACA CHILDRENS GARDEN - SUMMER FEED (ID: 998293)
Facility Name: ICSD - BOYNTON MIDDLE SCHOOL
Facility Code: 54-AA31 Facility Email: Beth.Krause@icsd.k12.ny.us
Facility Address: 1601 North Cayuga Street, Ithaca, NY 14850

To the Attention of:

Beth Krause
ITHACA CITY SCHOOL DISTRICT
Child Nutrition Program
1601 N Cayuga St
Ithaca, NY 14850
Email: beth.krause@icsd.k12.ny.us

Re-Inspection

Date: August 6, 2019 10:01 AM
Inspector: Katherine Walker (kwalker@tom-pkins-co.org)
Responsible Person: Galen Smyth

Summary

Number of Public Health Hazards Found:	1
Number of Public Health Hazards NOT Corrected:	1
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

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: Accurate thermometer not available. No probe thermometer available. Ambient thermometer in cooler is broken.
Correction: An accurate probe thermometer must be provided at all points of service of potentially hazardous food.


NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: One critical violation observed of item 2E.
Part 2: No Violations Observed
Reinspection required.
Milk out for service in an igloo cooler at 44 degrees. No ice or ice packs present to maintain temperature.
Underage operator in charge of the food stand is unable to monitor food safety due to lack of probe thermometer and broken ambient air thermometer. Previous conversations with operator indicated that some campers drink the milk throughout the day and they have no way to determine when it should be taken out of service.



Inspector: Katherine Walker (kwalker@tompkins-co.org)



Received by: Galen Smyth

Photo



Caption

Broken ambient air thermometer



RECEIVED

SEP 06 2019

ITHACA CITY SCHOOL DISTRICT TOWN OF ITHACA, CATTARAUGUS COUNTY
HEALTH DEPARTMENT

400 Lake Street, P.O. Box 549, Ithaca, New York 14851-0549

Beth Krause
Food Service Director

Tel: (607) 274-2302
Fax: (607) 274-2279
E-mail: Beth.Krause@icsd.k12.ny.us

Stipulation Agreement and Orders #EH-ENF-19-0031

ICSD- Boynton Middle School, Ithaca Children's Garden Summer Feed

Ithaca City School District/Beth Krause, Owner/Operator

1601 N. Cayuga Street, Ithaca, NY 14850

I, Beth Krause, as a representative for ICSD-Boynton Middle School will ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures.

Each Summer Feeding site is provided with a USDA Summer Meals Food Safety Kit that I go over with the person in charge. This kit includes a Taylor 1" Bi-Therm Thermometer, a flip book Summer Meals Food Safety training guide, Posters and a Pen. (See photo)

Training procedures and the Summer Agreement were signed on 6/23/19 by Lauren Salzman, contact person at Ithaca Children's Garden. Breakfast Service Times reported to the state were from 9:00 am-9:30 am daily. Students should have been drinking milk only between those times. An approximate delivery time of food was 9:00 am each day.

(Please see all attachments)

Ice packets were purchased this summer but were not being used. I will ensure that they will be used next summer.

Beth Krause, 9/6/19

How to Use the Summer Meals Food Safety Kit

Spiral-bound training guide –

This training guide is a go-to resource for you to train your staff as well as to remind you of food safety best practices for your summer meals site.



Posters: Handwashing, Glove Use, and Food Safety Tips –

Post these around your site as a visual reminder of food safety best practices that help prevent the spread of foodborne illness.



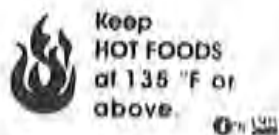
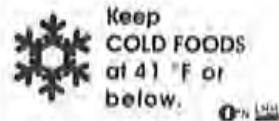
Food thermometer – Use this food thermometer to check the temperature of food. This ensures the food has reached a safe and appropriate temperature. Instructions for calibrating the thermometer are in the training guide.



Pen – This pen has a special message, "Remember to record temperatures." Use it as a reminder to record temperatures throughout your operation.



Magnets – Place these magnets on hot and cold holding equipment as a visual reminder of what temperatures food should be held in order to remain safe.



Pouch – This water resistant pouch holds all the items of the kit. It can also be used as a storage place for important documents such as logs and meal counts.



<http://www.theicn.org/safesummermeals>

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For more information, please contact helpdesk@theicn.org.

10/2018

To provide feedback on the Summer Meals Food Safety Kits please go to <https://www.surveymonkey.com/r/safesummermeals2019>.





Summer Food Service Program Agreement 2019

1. Key Personnel this year: **Beth Krause, Program Director & Monitor (274-2302, FAX 274-6836)**
Jennifer Doolittle, Operations Manager (274-2234, FAX 274-6836)
1601 N. Cayuga Street Ithaca NY 14850
2. Meal Counts & Ordering Process:
 - a. 1st day counts due **THURSDAY, JUNE 27th**. Call Jennifer at 274-2234 (leave message, available 24/7), or fax to 274-6836.
 - b. Update meal counts as you need, daily or weekly.
 - c. 1st week of camp, counts should be called in daily, no later than 6:00 am, or day before.
 - d. You must be relatively accurate w/meal counts.
 - e. Serving "Seconds" is only for serving any leftovers. **OUR MEAL COUNTS MUST BE CLOSE AND NOT INCLUDE SECONDS.**
 - g. **Meal Times (Any changes must have SED Approval)**
3. Accountability & Record Keeping Procedures:
 - a. Must be accurate
 - b. All paperwork is to be completed & returned on "**MONDAY'S**" (we will pick up when delivering Monday meals.) **EACH SITE MUST KEEP A COPY ON FILE OF ALL PAPERWORK SENT TO ICSD**
 - c. **BE AWARE OF STATE EDUCATION DEPARTMENT, USDA & HEALTH DEPARTMENT VISITS** (Call us when they arrive.)
 - d. In the event of a SED and/or USDA Audit, if meals are disallowed for reimbursement because of failure of the Camp to properly serve & record meals (including Field Trips not approved), the individual camp will be billed for the amount of reimbursement disallowed.
4. Identifying Meal Components:

Breakfast: ALL 3 Components (Grain, Fruit, Milk);
Lunch: 5 Components (Grain, Meat/Meat Alternate, Fruit, Vegetable & Milk);
(CHILDREN MUST TAKE AT LEAST 3 OF 5 ITEMS TO QUALIFY FOR REIMBURSEABLE LUNCH and 3 of the 4 ITEMS TO QUALIFY FOR A REIMBURSEABLE BREAKFAST)
5. Health & Sanitation Procedures:
 - a. **Keep Cold Food Cold & Hot Foods Hot**
 - b. Use Serving Gloves
 - c. Insure any and all food handlers are clean and aware of how to handle & distribute foods
 - d. If any foods spoil due to mischievous behavior including equipment turned off, the camp will be liable and billed for the lost foods. All foods are the property of USDA and the Ithaca City School District.
6. Income Qualification Forms
 - a. **If you intend on the ICSD FSP Free and Reduced Meal Applications as the Qualifying Criteria, a ROSTER (in EXCEL Format) of students attending camp & last school attended must be EMAIL By FRIDAY, June 21 TO: Beth Krause@ICSD.K12.NY.US**
 - b. **Master Rosters must be updated with new arrivals & departures.**
 - c. **At least 50% of Campers must qualify for Free or Reduced Price Meals for entire camp to receive free meals**
7. Tentative Delivery Times (See Attached)
8. Field Trips: Must Be Scheduled minimum of 5 Days in Advance (We are required to contact State Ed of any & all Field Trips) **FORMS HAVE TO BE IN TO STATE ED 48 HOURS BEFORE TRIP**

On behalf of Camp: Ithaca Childrens Garden, I have read the above information, rules and regulations and agree to abide by said information, rules & regulations.

Lauren Goff
Signature of Camp Representative

6/23/19
Date



1601 N. Cayuga Street
Ithaca, New York 14850
(607) 274-2302; Fax:

Beth Krause
Director, Child Nutrition Programs
Email: beth.krause@icsd.k12.ny.us

Summer Meals Program Delivery Schedule - 2019

(Times are Estimates &
Subject to Change)

Stop Number Camp Estimated Arrival Time

Depart 7:00 AM Truck

1	Newfield	7:15 AM
2	Enfield (Tremam Park)	8:00 AM
3	Southside	8:15 AM
4	Kids First	8:30 AM
5	Giac / BJM	8:45 AM
6	Belle Sherman /Annex	9:30AM

VAN

1	Northside	7:30 AM
2	Cay. Hgts @ LACS	7:45 AM
3	Enfield School	8:15 AM

Van Back to Boynton

Children's Garden	9:00 AM
Cass Park	9:45 AM
Stewart Park	10:15 AM



Child Nutrition is My Business

2019 SFSP CAMP INFORMATION FORM

1. CAMP NAME Ithaca Children's Garden - Teen Urban Farmers
2. DO YOU PLAN ON OPERATING YOUR PROGRAM THIS YEAR?
YES , NO
3. CONTACT PERSON Lauren Salzman, EMAIL ADDRESS lauren@ithacachildrensgarden.org
4. SITE ADDRESS 121 Turtle Lane
Ithaca NY 14850
5. PHONE NUMBER (585) 764 5682 11:30 - 12:30
6. ENROLLMENT usually ~12 (anywhere from 10-15) ↓
7. MEALS SERVED (Please Check) BREAKFAST , LUNCH , SNACK - Change to Breakfast 9-9:30am
via phone call June!
8. CAMP DATES: BEGINNING July 1, ENDING Aug 9

COMMENTS: We won't have the list of student names until mid June to determine FRL status.
Also- we are having the least possible waste (plastic, etc.) if there are options.

PLEASE MAIL FORM TO: ITHACA CITY SCHOOL DISTRICT
CHILD NUTRITION PROGRAM
1601 N. CAYUGA ST.
ITHACA, NY 14850
Beth.Krause@icsd.k12.ny.us

by 4/12/19

07/01/19 08/09/19 05/29/19 07/08/19 07/28/19 Boynton Middle School 1601 N. Cayuga St., Ithaca

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Partic/Enroll	CAP	Offer Vs Served	FOC	Menu Option	POS	Shifts
Breakfast	08:45am-09:45am	08:45am-09:45am	08:45am-09:45am	08:45am-09:45am	08:45am-09:45am	N/A	N/A	160	200	Yes		SFSPMP	1	1
Lunch	11:30am-12:30pm	11:30am-12:30pm	11:30am-12:30pm	11:30am-12:30pm	11:30am-12:30pm	N/A	N/A	160	200	Yes		SFSPMP	1	1

Ithaca Children'S Garden LEA Code Rural/Urban **Kosher** **Eligibility/Due** **Method of Service** **Site Type**
 121 Turtle Lane Ithaca, NY 14850 800000090194 Urban Household Income Application 2020 Satellite Closed Enrolled in Non-Needy Area
Milk Waiver N **Contract** N **Unitized Waiver** N **Mobile Route** N

SFSP Program Information [Click here if site not operating](#)

Start Date	End Date	Approval Date	1st Week Site Visit	4 Week Self Review by	Site Kitchen	Site Field Trips
07/01/19	08/09/19	05/29/19	07/08/19	07/28/19	Boynton Middle School 1601 N. Cayuga St., Ithaca	

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Partic/Enroll	CAP	Offer Vs Served	FOC	Menu Option	POS	Shifts
Breakfast	09:00am-09:30am	09:00am-09:30am	09:00am-09:30am	09:00am-09:30am	N/A	N/A	N/A	17	150	Yes		SFSPMP	1	1

Lehman Alternative Comm School LEA Code Rural/Urban **Kosher** **Eligibility/Due** **Method of Service** **Site Type**
 111 Chestnut St Ithaca, NY 14850-3099 610600010019 Urban Household Income Application 2020 Satellite Closed Enrolled in Non-Needy Area
Milk Waiver N **Contract** N **Unitized Waiver** N **Mobile Route**

SFSP Program Information [Click here if site not operating](#)

Start Date	End Date	Approval Date	1st Week Site Visit	4 Week Self Review by	Site Kitchen	Site Field Trips
07/01/19	08/16/19	05/29/19	07/08/19	07/28/19	Boynton Middle School 1601 N. Cayuga St., Ithaca	

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Partic/Enroll	CAP	Offer Vs Served	FOC	Menu Option	POS	Shifts
Breakfast	08:00am-09:30am	08:00am-09:30am	08:00am-09:30am	08:00am-09:30am	08:00am-09:30am	N/A	N/A	40	150	Yes		SFSPMP	1	1
Lunch	10:30am-11:30am	10:30am-11:30am	10:30am-11:30am	10:30am-11:30am	10:30am-11:30am	N/A	N/A	40	150	Yes		SFSPMP	1	1

NSLP Access National School Lunch Program details from NSLP Profile Link at the top of this page.

Mental Health Assoc. Of Tompkins Co. LEA Code Rural/Urban **Kosher** **Eligibility/Due** **Method of Service** **Site Type**
 301 South Geneva St Ithaca, NY 14850 800000059523 Urban Household Income Application 2020 Satellite Closed Enrolled in Non-Needy Area



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director

55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION
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Ph: (607) 274-6688
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STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0031

**ICSD – Boynton Middle School, Ithaca Children’s Garden Summer Feed
Ithaca City School District/Beth Krause, Owner/Operator
1601 N. Cayuga St.
Ithaca, NY 14850**

I, Beth Krause, as a representative for ICSD-Boynton Middle School, agree that on August 2, 2019, and August 6, 2019, the Summer Feed operation located at the Ithaca Children’s Garden 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 cold holding.

I 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 cold holding at the Ithaca Children’s Garden Summer Feed operation; and
2. A. 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.) OR,
B. Provide training procedures developed for staff at summer feed operations that at a minimum includes temperature requirements for both hot and cold holding, use of a thermometer to evaluate food temperatures, and outlines actions to take when temperatures are not in compliance. This document must be provided to the Health Department for review by October 15, 2019; and
3. Ensure that all food service staff at each summer feed operation location are trained annually regarding temperature control and use of a thermometer to evaluate food temperatures. Staff training should be documented with a signed certification after the training has been completed by each employee. Certification records must remain on file for the current year and provided to the Department upon request; **and**
4. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

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

Signed: _____ Date: _____

Ithaca City School District is hereby ordered to comply with these Orders of the Public Health Director.

Signed: _____ Date: _____
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

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CERTIFIED, REGULAR, & ELECTRONIC MAIL

September 9, 2019

Eric Jiang
Mitsuba Hibachi Sushi Restaurant INC
34 Arbor Drive
New Hartford, NY 13413

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-18-0034
Mitsuba Hibachi Sushi Restaurant, V-Lansing— Violation of Board of Health Orders**

Dear Eric Jiang:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, September 24, 2019**. On December 4, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0040 ordering Mitsuba Hibachi Sushi Restaurant, in addition to other requirements, to store potentially hazardous food under refrigeration at all times except during necessary preparation.

On August 16, 2019, the Tompkins County Health Department observed two critical violations of Subpart 14-1 of the New York State Sanitary Code including one that was a violation of the above Board of Health Order.

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 (s) – Draft Resolution, Resolution EH-ENF-18-0040, and Case Summary

- pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Mitsuba\Enforcement\2019\Draft Res 18-0034.docx
Mitsuba Hibachi Sushi Restaurant, 2300 North Triphammer Road #3, Ithaca, NY 14850
- ec: Tompkins County Board of Health (via; Shelley Comisi & Abby Homer, TCHD)
Supervisor V-Lansing; Deborah Dawson, TC Legislature; Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan, TCHD; Skip Parr, TCHD; Brenda Coyle, TCHD
- scan: Signed copy to Accela



Your Partner for a Healthy Community

Frank Kruppa
Public Health Director

55 Brown Road
Ithaca, NY 14850-1247

ENVIRONMENTAL HEALTH DIVISION

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DRAFT RESOLUTION # EH-ENF-19-0034 FOR

**Mitsuba Hibachi Sushi Restaurant
Mitsuba Hibachi Sushi Restaurant Inc., Owner; Eric Jiang, Operator
2300 North Triphammer Road #3, V-Lansing
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain potentially hazardous foods at or below 45°F during cold storage; **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 December 4, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0040 ordered Mitsuba Hibachi Sushi Restaurant Inc. to store potentially hazardous food under refrigeration at all times except during necessary preparation or approved precooling procedures; **and**

Whereas, on August 16, 2019, the Tompkins County Health Department (TCHD) observed a rice roll at the sushi prep counter in a covered container at a temperature of 72°F. In addition, approximately two pounds of fish cakes were in a prep cooler at temperatures between 52°F and 54°F; **and**

Whereas, on August 16 2019, Mitsuba Hibachi Sushi Restaurant Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-18-0040; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Mitsuba Hibachi Sushi Restaurant Inc., Owner, is ordered to:**

1. Pay a penalty of \$1,000 for these violations, **due by November 15, 2019.** (Do Not submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Store poisonous and toxic materials in areas designated for such use and for no other purpose; **and**
3. Store potentially hazardous food under refrigeration at all times except during necessary preparation or approved precooling procedures; **and**
4. Provide an adequate amount of refrigeration storage to maintain potentially hazardous food at or below 45°F at all times during cold storage; **and**
5. Maintain potentially hazardous food at or below 45°F during cold holding, except smoked fish which must be at 38°F or below during cold holding; **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 **November 15, 2019; and**
7. After November 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**
8. 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
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RESOLUTION #EH-ENF-18-0040 FOR

**Mitsuba Hibachi Sushi Restaurant
Mitsuba Hibachi Sushi Restaurant Inc., Owner; Eric Jiang, Operator
2300 North Triphammer Road #3, V-Lansing
Ithaca, NY 14850**

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

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to store toxic chemicals to prevent the contamination of food; **and**

Whereas, it is a critical violation of Part 14-1 of the NYSSC to fail to provide enough refrigerated storage so that all potentially hazardous foods are cooled properly and stored below 45°F; **and**

Whereas, on August 28, 2018, the Tompkins County Health Department (TCHD) observed a can of gasoline on top of beverage containers by the back door, approximately ten pounds of cooked rice at the sushi prep station at a temperature of 81°F and approximately two pounds of mackerel and salmon in the sushi display cooler were observed at temperatures between 56°F and 58°F; **and**

Whereas, during a re-inspection on October 9, 2018, TCHD staff observed repeat critical violations where a can of gasoline was observed next to boxes of drinks in the dry storage area and fish in the sushi prep cooler was observed at temperatures between 50°F and 51°F; **and**

Whereas, Eric Jiang, Operator, signed a Stipulation Agreement with Public Health Director's Orders on November 6, 2018, agreeing that Mitsuba Hibachi Sushi Restaurant violated these provisions of the NYSSC; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Mitsuba Hibachi Sushi Restaurant Inc., Owner, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by January 15, 2019; and**
2. Store poisonous and toxic materials in areas designated for such use and for no other purpose; **and**
3. Store potentially hazardous food under refrigeration at all times except during necessary preparation or approved precooling procedures; **and**
4. Provide an adequate amount of refrigeration storage to maintain potentially hazardous food at or below 45°F at all times during cold storage; **and**
5. Provide proof of repair of the existing refrigerated storage units or provide proof of purchase of replacement refrigeration equipment that is commercial grade and meets NSF (National Sanitation Foundation) standards to the Health Department no later than **November 30, 2018; 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 December 4, 2018.

for Frank Kruppa
Public Health Director

12/5/18
Date



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

ENVIRONMENTAL HEALTH DIVISION
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0034

**Mitsuba Hibachi Sushi Restaurant
Mitsuba Hibachi Sushi Restaurant Inc., Owner; Eric Jiang, Operator
2300 North Triphammer Road #3, V-Lansing
Ithaca, NY 14850**

September 2019

Date	Action
08/16/2019	Inspection by TCHD. Violations: See attached inspection report.
03/13/2019	Re-inspection by TCHD. Violation cited on 02/06/2019 was corrected.
02/06/2019	Inspection by TCHD. Violations: Potentially hazardous foods were not stored under refrigeration. Product on a counter was observed to be at 67°F. Board of Health Action was not pursued because the nature of the violation itself varied quite a bit from the previous violations.
12/11/2018	Re-inspection by TCHD. Violations cited on 08/28/2018 and 10/09/2018 were corrected.
12/04/2018	BOH adopts Resolution EH-ENF-18-0040
10/09/2018	Re-inspection by TCHD. Violations: Toxic chemicals were stored so that contamination of food could occur. 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 50-51°F.
08/28/2018	Inspection by TCHD. Violations: Toxic chemicals were stored so that contamination of food could occur. Potentially hazardous foods were not stored under refrigeration. Product by the sushi counter was observed to be at 81°F. The facility has a waiver for time as a public health control for the product but was not completing the log sheets as required, and was not discarding the remaining food after the agreed upon period of time. 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 56-58°F.
03/28/2018	Re-inspection by TCHD. Violation cited on 09/26/2018 was corrected.
02/26/2018	Inspection by TCHD. Violations: Potentially hazardous foods were not kept below 45°F during cold holding. Product for service in a refrigerated storage unit was observed to be at 51°F.
11/01/2017	Re-inspection by TCHD. Violations cited on 10/17/2017 were corrected.
10/17/2017	Re-inspection by TCHD. Violations: An accurate thermometer was not available to evaluate temperatures of potentially hazardous foods. Potentially hazardous foods were not kept below 45°F during cold holding. Product for service in a refrigerated storage unit was observed to be at 50-53°F. Product by the sushi counter was observed to be at 112°F. The facility has a waiver for time as a public health control for the product but was not completing the log sheets as required.
09/21/2017	Field visit by TCHD to investigate a complaint received by TCHD. Violations: Potentially

Inclusion Through Diversity

	hazardous foods were not cooled by an approved method. Product on a tray in the kitchen was observed to be at 92-102°F.
09/05/2017	Inspection by TCHD. No critical violations were noted.
05/12/2017	Re-inspection by TCHD: Violations observed on 04/04/2017 were corrected.
04/04/2017	Inspection by TCHD. Violations: Food on premises was adulterated. Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in the top of a refrigerated storage unit was observed to be at 55°F. Potentially hazardous foods were not stored under refrigeration. Product by the sushi counter was observed to be at 115°F. The facility has a waiver for time as a public health control for the product but was not completing the log sheets as required. Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in hot holding was observed to be at 112°F.
10/13/2016	Re-inspection by TCHD: Violation observed on 09/21/2016 was corrected.
09/21/2016	Inspection by TCHD. Violations: Potentially hazardous foods were not stored under refrigeration. Product on a counter by the sink was observed at 78°F.
06/08/2016	Re-inspection by TCHD: Violation observed on 05/06/2016 was corrected.
05/06/2016	Inspection by TCHD. Violations: Potentially hazardous foods were not stored under refrigeration. Product on a counter for service was observed at 50-55°F.
10/29/2015	Inspection by TCHD. No critical violations were noted.
05/28/2015	Inspection by TCHD. No critical violations were noted.
12/09/2014	Inspection by TCHD. No critical violations were noted.
08/12/2014	Inspection by TCHD. No critical violations were noted.
11/20/2013	Inspection by TCHD. No critical violations were noted.
11/20/2013	Permit to Operate issued to Mitsuba Hibachi Sushi Restaurant Inc.

Food Service Establishment Inspection Summary Report

Operation: MITSUBA HIBACHI SUSHI RESTAURANT (ID: 851603)
Facility Name: MITSUBA HIBACHI SUSHI RESTAURANT
Facility Code: 54-AH83 Facility Email: mitsubaithaca@gmail.com
Facility Address: 2300 North Triphammer Road, Ithaca, NY 14850

To the Attention of:

Eric Jiang
MITSUBA HIBACHI SUSHI RESTAURANT INC
34 Arbor Dr
New Hartford, NY 13413
Email: mitsubaithaca@gmail.com

Inspection

Date: August 16, 2019 11:55 AM
Inspector: Clayton Maybee (cmaybee@tompkins-co.org)
Responsible Person: Chang Wei Jiang

Summary

Number of Public Health Hazards Found:	2
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: Observed a two pound package of fish cakes double stacked in the top of the left hand prep cooler in the kitchen at 52-54 degrees F. The fish cakes had been in the top of the prep cooler less than two hours and were moved to the bottom of the cooler for rapid chilling during the inspection.

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

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 rice roll at the sushi prep counter in a covered container at 72 degrees F. The rice roll was discarded during the inspection.

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

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: Food debris on and under shelves, below dishwasher, under sinks, on floor throughout the facility.

Action: Clean debris daily to aid in prevention and control of insect and rodent pests.

Additional Information Collected During Inspection

Comments: Two Part I Critical Item Violations 5A and 5C
Part II Blue Item Violation 11D

Re-inspection Required

Notes: 1. The log sheet had not been maintained for the sushi rice. The rice at the time of the inspection was over 135 degrees F. The temperature log should be filled out every time a fresh batch of sushi rice is brought out, per waiver conditions.

2. Fish in top of sushi display was 46 - 47 degrees F. Make sure cooler is turned on and working before the cooler is stocked with fish or other potentially hazardous foods.



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



Received by: Chang Wei Jiang



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

September 9, 2019

John Poulos
Dryden Queen Diner
22 Goodrich Way
Dryden, NY 13053

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0035
Dryden Queen Diner, V-Dryden– Violation of Board of Health Orders**

Dear John Poulos:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, September 24, 2019**. On September 25, 2018, the Tompkins County Board of Health adopted Resolution EH-ENF-18-0025 ordering you to maintain potentially hazardous food at or below 45°F at all times.

On August 29, 2019, the Tompkins County Health Department observed a critical violation of Subpart 14-1 of the New York State Sanitary Code where two cups of sliced tomatoes were in a flip-top cooler at temperatures of 55°F. 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-18-0025, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Dryden Queen Diner\Enforcement\2019\Draft Resolution 19-0035.docx
ec: Tompkins County Board of Health (via; Shelley Comisi and Abby Homer, TCHD)
Dryden-V CEO; Village of Dryden Mayor; Mike Lane, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela



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

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

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

DRAFT RESOLUTION # EH-ENF-19-0035 FOR

**Dryden Queen Diner
John Poulos, Owner/Operator
48 North Street, V-Dryden
Dryden, NY 13053**

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 below 45°F during cold holding; **and**

Whereas, on September 25, 2018, Tompkins County Board of Health Resolution #EH-ENF-18-0025 ordered John Poulos to maintain potentially hazardous food at or below 45°F during cold storage; **and**

Whereas, on August 29, 2019, the Tompkins County Health Department (TCHD) observed approximately two cups of sliced tomatoes available for service in a flip-top cooler at temperatures of 55°F; **and**

Whereas, on August 29, 2019, John Poulos, Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders #EH-ENF-18-0025; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That John Poulos, Owner/Operator, is ordered to:**

1. Pay a penalty of \$800 for these violations, **due by November 15, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. At all times, maintain potentially hazardous foods at or below 45°F during cold holding, except smoked fish which must be kept at 38°F or below; **and**
3. Prepare all potentially hazardous food using ingredients pre-chilled to 45°F or below prior to placing into coolers where food is available for service; **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

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RESOLUTION # EH-ENF-18-0025 FOR

**Dryden Queen Diner
John Poulos, Owner/Operator
48 North Street, V-Dryden
Dryden, NY 13053**

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 below 45°F during cold holding; **and**

Whereas, on May 21, 2018, and July 27, 2018, 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 below 45°F during cold holding. During the initial inspection and during the re-inspection, potentially hazardous foods (sliced tomatoes) were observed by the TCHD in the top of a sandwich unit at temperatures between 50°F and 58°F; **and**

Whereas, John Poulos, Owner/Operator, signed a Stipulation Agreement with Public Health Director's Orders on September 4, 2018, agreeing that Dryden Queen Diner violated this provision the NYSSC; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That John Poulos, Owner/Operator, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by November 15, 2018; and**
2. At all times, maintain potentially hazardous foods at or below 45°F during cold holding, except smoked fish which must be kept at 38°F or below; and
3. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

This action was adopted by the Tompkins County Board of Health at its regular meeting on September 25, 2018.


for Frank Kruppa
Public Health Director

9/26/18
Date



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

ENVIRONMENTAL HEALTH DIVISION
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CASE SUMMARY – FOR RESOLUTION # EH-ENF-19-0035

**Dryden Queen Diner
John Poulos, Owner/Operator
48 North Street, V-Dryden
Dryden, NY 13053**

September 2019

Date	Action
08/29/2019	Inspection by TCHD. Violations: See attached inspection report.
03/01/2019	Inspection by TCHD. No critical violations cited.
12/10/2018	Inspection by TCHD. No critical violations cited.
09/25/2018	BOH adopts Resolution # EH-ENF-18-0025.
07/27/2018	Re-inspection by TCHD. Violations: 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 50-58°F.
05/21/2018	Inspection by TCHD. Violations: 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 50-52°F.
12/14/2017	Inspection by TCHD. No critical violations cited.
06/27/2017	Re-inspection by TCHD. Violation cited on 05/26/2017 was corrected, no violations cited.
05/26/2017	Inspection by TCHD. Violations: 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 58°F.
12/22/2016	Re-inspection by TCHD. Violation cited on 12/12/2016 was corrected, no violations cited.
12/12/2016	Inspection by TCHD. Violations: Toxic chemicals were improperly stored so that contamination of food could occur.
06/23/2016	Inspection by TCHD. No critical violations cited.
08/28/2015	Inspection by TCHD. No critical violations cited.
04/03/2015	Re-inspection by TCHD. Violation cited on 3/10/2015 was corrected, no violations cited.
03/10/2015	Inspection by TCHD. Violations: Toxic chemicals were improperly stored so that contamination of food could occur.
11/24/2014	Re-inspection by TCHD. Violation cited on 11/10/2014 was corrected, no violations cited.
11/10/2014	Inspection by TCHD. Violations: Toxic chemicals were improperly stored so that contamination of food could occur.
10/08/2014	Re-inspection by TCHD. Violation cited on 09/08/2014 was corrected, no violations cited.
09/08/2014	Re-inspection by TCHD. Violations: Enough refrigerated equipment was not maintained so that potentially hazardous foods were kept below 45°F. Product in a refrigerated storage unit was observed to be at 48-54°F. Violation observed on 08/06/2014 was corrected.
08/06/2014	Inspection by TCHD. Violations: Potentially hazardous foods were not prepared as recommended using prechilled ingredients and not prechilled to 45°F or less before offered for service.
12/06/2013	Inspection by TCHD. No critical violations cited.
06/18/2013	Inspection by TCHD. No critical violations cited.
02/16/1996	Permit to Operate Dryden Queen Diner issued to John Poulos.

Inclusion Through Diversity

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: DRYDEN QUEEN DINER (ID: 312868)
Facility Name: DRYDEN QUEEN DINER
Facility Code: 54-AE95
Facility Address: 85 North Street, Dryden, NY 13053

To the Attention of:

John Poulos
22 Goodrich Way
Dryden, NY 13053

Inspection

Date: August 29, 2019 12:28 PM
Inspector: Rene Borgella (rborgella@tompkins-co.org)
Responsible Person: Evangelos Poulos

Summary

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

Reinspection is Required

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

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

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

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

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

Inspector Findings: Observed: In the flip top cooler across the range (not the salad station), cut tomatoes (approx 2 cups) were at 55°F. Interview with operator indicated that tomatoes had been cut less than one hour before being placed out for service.

Correction: Tomatoes were moved to walk in cooler for rapid chilling to 45°F or below before being put back in service.

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

FOOD NOT PROTECTED IN GENERAL

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

All or parts of the item are violations.

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

Inspector Findings: Observed in walk in cooler, one stainless pan of cooked meatballs on shelf was uncovered. Interview with operator indicated that the items were not cooling when observed.

Action: Keep food items covered to prevent them from possible adulteration.

IMPROPER SANITARY FACILITIES AND CONTROLS.

ITEM #12E WAS FOUND IN VIOLATION 1 TIME(S).

All or parts of the item are violations.

Code Requirements: Handwashing facilities inaccessible, improperly located, dirty, in disrepair, improper fixtures, soap, and single service towels or hand drying devices missing

Inspector Findings: Observed: At hand wash station located directly adjacent to kitchen wall/waitress station, there were no paper towels available.

Correction: Single service paper towels must be available at hand washing stations.

Additional Information Collected During Inspection

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

Reinspection required.

Comment: Discussed options for cutting and cooling tomatoes; discussed cooling methods and rates, including placing items in shallower containers to enhance cooling rates.

Operator would like some information and sinage for kitchen re. hot and cold holding and reheating and cooling.



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



Received by: Evangelos Poulos