

MINUTES
Tompkins County Board of Health
March 13, 2012
12:00 Noon
Rice Conference Room

Present: Mr. Will Burbank; Mr. Brooke Greenhouse; Dr. James Macmillan, President; Mr. Patrick McKee; and Mr. Michael McLaughlin, Jr.

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

Excused: Ms. Janet Morgan; Ms. Sylvia Allinger, Director of CSCN; and Mr. Jonathan Wood, County Attorney

Guests: Mr. Chris Bordlemay, Manager of the Water Treatment System, Cornell University; Dr. Amy DiFabio, Guthrie Clinic; Dr. Patricia Meinhardt, OEM Consultation; and Mr. Steven Kern, Sr. Public Health Sanitarian

Privilege of the Floor: Mr. Chris Bordlemay, Manager of the Water Treatment System at Cornell University

Dr. Macmillan called the regular meeting of the Board of Health to order at 12:09 P.M.

Privilege of the Floor: Mr. Bordlemay, Manager of the Water Treatment System at Cornell University, offered to answer questions from the Board regarding the pending enforcement action. He stated Cornell is required to test for lead and copper in drinking water between June 1 and September 30, 2011; however, they missed the deadline. The test results, submitted in November, were good; just not done on time. It was an oversight due to staffing changes and also being short-staffed. Mr. Bordlemay noted he assumes responsibility for missing the deadline. As a result, changes have been implemented: (1) upon receipt, the Health Department monitoring plan will be entered into Cornell's calendar program, and (2) the sampling requirements will be incorporated into their management system for environmental and operational issues.

Approval of February 14, 2012 Minutes: Mr. Greenhouse moved to approve the minutes of the February 14, 2012 meeting as written, seconded by Mr. McLaughlin, and carried unanimously.

Introduction of Physicians Appointed to the BOH: Mr. Kruppa introduced the physicians who are awaiting HHS and Legislative approval to serve on the Board. Hopefully, this will occur by the April meeting. He asked each physician to discuss her background and interest in serving on the Board.

- Dr. Patricia Meinhardt noted she is an occupational and environmental medicine physician with training in general preventive medicine and public health. Over the past twenty years, her experience covered areas from rabies control to sewage and

water quality issues. She has a philosophy of thinking and acting globally and wants to offer her assistance on the various issues brought before the Board. She complimented everyone on their commitment to working with less and doing more which is probably the future of public health. She looks forward to getting to know everyone and working together as a team.

- Dr. Amy DiFabio stated she is a pediatrician with the Guthrie Healthcare system. As she embarks on her public health career, she is applying to master's degree programs in public health. While her interest is in maternal and child health, she is excited to learn about the broader impact of the Board's activities. She believes advocacy starts with one patient that can be expanded to a system. That belief, along with the opportunity to help the community, attracted her to this group. She thanked members for the invitation and looks forward to contributing to the Board.

Financial Summary: Ms. Grinnell Crosby distributed the Supplemental 2011 Financial Summary. While this is close to final, she stated adjustments will be made through April before the auditors arrive. Part of this is driven by one of our Class A mandates, the Preschool Special Education account. The state directs when to bill. Since services have not been billed, revenue cannot be posted for the period. Fringe adjustments still need to be made at the County level, but there does not seem to be any glaring issues.

Ms. Grinnell Crosby noted the February 2012 report had some program errors so staff is working to identify the problem. The new printouts for 2012 will contain more lines. Contractual will be separated into Supplies and Contractual sections to match the County's format; thereby, making it easier to reconcile with the County.

She added the 4th Quarter State Aid claim is filed, but not paid yet. The final approved application has not been received from the State.

There was discussion regarding an evaluation of the financial impact resulting from the reduction/closing of the CHHA:

- Spending will look lower in the Community Health Services lines, attributable to loss of staff.
- It could be up to 2 years after closure, depending upon payments from insurance companies and changes in Medicaid, before the financial impact is seen.
- As the fiscal years come to a conclusion, it will be easier to compare and evaluate the impact. The first step of that evaluation will be during the 2013 budget process.
- The utility of a review of the situation includes considering it a model about making assumptions that may change.

Administration Report: Mr. Kruppa reported on two separate wood stove smoke complaints received by the Health Department. Later, he will be briefing the Health and Human Services Committee on the matter. He stated:

- Residents living within the city limits of Ithaca have been burning wood in their homes as an alternate fuel source. Smoke from their chimneys has been causing distress for their neighbors.
- The City of Ithaca received complaints so their Code Enforcement staff initially investigated.
- The Health Department also received complaints and responded by sending staff to visit the sites.

- In both cases, the wood stoves and chimneys were permitted by the City; both were EPA certified to the current required standard; and both homeowners were educated about ways to reduce smoke emissions from their chimneys.
- Staff has witnessed both stoves functioning properly with little to no smoke coming out of the chimneys.
- Regulations in the Tompkins County Sanitary Code, the City and State rules are broad, generic nuisance type codes.
- At this point, letters have been sent to both complainants outlining the steps taken and informing them we will not pursue enforcement from the public health side of this issue.
- The complaint process has closed internally, but the complainants are still concerned and have been calling their elected officials.
- Any change will be a legislative change within the City or the County to determine whether or not this is an appropriate activity within the confines of those jurisdictions.

Ms. Cameron added the only regulations having a standard are NYSDEC's opacity standard which is 20 percent or less. When NYSDEC made a field visit, there was a small amount of smoke, but it was not a violation.

Highlights from a lengthy discussion among Board Members:

- The health complaints are asthma, environmental sensitivities, and allergies.
- The complainants maintain they have documentation of the health impacts. It is difficult to show changes in their health are specifically caused by the smoke from the neighbor's chimney.
- The Health Department does not have the capability to measure opacity; however, staff has attempted to visit when complainants reported smoke. By the time staff arrived, there was visible smoke but not to the extent it had been earlier.
- The residents with the wood stoves have been cooperative by allowing staff access to their homes, and trying to take appropriate steps to solve the issue. These residents are using the equipment properly as far as staff can observe and document.
- Ms. Cameron is working on a draft document that will outline for the public and staff how complaints will be handled in the future.
- The Code is vague so it needs to be refined. In the weeks ahead, the Legislature will look at County standards. The City of Ithaca needs to look at their rules for wood burning as well.
- Need to identify that this is a problem for the community as a whole so that it is a community based solution.
- Ms. Cameron has been looking at ordinances adopted in other communities. She found ones based on local air pollution conditions that cause adverse conditions, but nothing that bans or regulates wood stoves in a dense environment.

Medical Director's Report: Dr. Klepack reported:

- Pertussis cases continue to be sporadic in multiple areas throughout the County. He recognized Karen Bishop for a wonderful job compiling and sending letters to the appropriate school districts and physicians. She highlighted the role of

vaccination as a mode of preventing pertussis issues. It seems to be under control, but is a continuing issue.

- The Associated Press article reports on New York State Assembly's inclusion of a health impact study of hydrofracking in their budget proposal for the State. Assemblywoman Barbara Lifton proposed the study. This request for health impact studies is consistent with earlier Board discussions.

Division for Community Health: Ms. Connors provided an additional update on pertussis. There have been 15 reported cases since January 1st. The majority of cases are in children ages 8 to 13 with a few cases in adults. Last week, the Department sent a press release that was picked up by local media. Staff is discussing the possibility of an in-service for school nurses on communicable disease response. The focus would be on helping school nurses identify the main communicable diseases, symptoms, follow up, and procedures to coordinate with the Health Department and medical providers.

Children with Special Care Needs Report: Ms. Allinger was not present at the meeting. In her absence, Mr. Kruppa referred to a handout outlining the "Early Intervention Reform Proposal" in Governor Cuomo's budget. The report was included for the Board's reference. Mr. Kruppa noted he attended a NYSACHO meeting on bill review. At that time, there was a feeling the bill may not move forward in its entirety. The change in that program may not be as radical as originally proposed.

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

Environmental Health Report: Ms. Cameron reported:

- Jane Daum, Public Health Sanitarian, has submitted her resignation effective March 16th. She has been with the Division for many years and will be missed.
- The Conference of Environmental Health Directors met with New York State Department of Environmental Conservation to discuss gas drilling and human health resource needs. NYSDEC provided direction to participants on presenting information for their review. As a result of the meeting, NYSACHO and the Conference of Environmental Health Directors are compiling the information on program requirements and resource needs.
- There should be funding for treating hydrilla this year, but currently nothing definite for future funding. It is anticipated to be \$700,000 to a million dollars per year for the next 5 to 8 years to eradicate this invasive aquatic plant.

Resolution #11.1.31 – Cornell University Water Treatment System, C-Ithaca: Violation of Subpart 5-1 of the New York State Sanitary Code (Public Water Supply – lead and copper): Ms. Cameron stated Cornell University's Public Water System is required to take samples for lead and copper every 3 years during a specific period of time. The annual monitoring statement and reminder were sent to them; however, they missed the deadline. Cornell submitted samples taken at a later time in the year. Staff consulted with the State Health Department that ruled the samples unacceptable.

Mr. Greenhouse moved to accept the resolution as written, seconded by Mr. McLaughlin, and carried unanimously.

Resolution #12.19.2 – Vincent Bruno, Mecklenburg Road, T-Enfield: Violation of Article VI of the Tompkins County Sanitary Code (Sewage): Ms. Cameron reported on a failed sewage system located on property owned by one individual and managed by another. The two parties have been negotiating a land contract. Action was taken against the property owner. The owner has been cooperative in pumping the septic tank and submitting a sewage system permit application when the manager failed to submit that application. While progress has been made in the replacement of the sewage system, it is uncertain whether it will be completed by March 15th as stipulated in the agreement.

Mr. Greenhouse moved to accept the resolution as written, seconded by Mr. McLaughlin, and carried unanimously.

Adjournment: At 1:11 P.M. Mr. McLaughlin moved to adjourn the meeting, seconded by Mr. Greenhouse, and carried unanimously.