

## MINUTES

### Tompkins County Board of Health

October 25, 2016

12:00 Noon

Rice Conference Room

**Present:** Will Burbank; Brooke Greenhouse; Edward Koppel, MD; James Macmillan, MD, President; Michael McLaughlin, Jr.; Susan Merkel; and Janet Morgan, PhD

**Staff:** Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Jonathan Wood, County Attorney; and Shelley Comisi, Administrative Assistant II

**Excused:** Brenda Grinnell Crosby, Public Health Administrator; David Evelyn, MD, MPH, Board of Health Member; and Deb Thomas, Senior Community Health Nurse, Children with Special Care Needs

**Guests:** Chuck Andrews, Operator of Macarollin Food Truck; Skip Parr, Senior Public Health Sanitarian; and Celeste Rakovich, Community Health Nurse, Community Health Services

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

**Approval of September 27, 2016 Minutes:** Dr. Morgan moved to approve the minutes of the September 27, 2016 meeting as written; seconded by Ms. Merkel; and carried unanimously.

**Financial Summary:** Ms. Grinnell Crosby was not present for the meeting. In her absence, Mr. Kruppa provided an update on the budget process. The County Legislature has approved a tentative budget that is headed for a public hearing. The budget submitted by the Health Department was approved and included the over-target request (OTR) for an Environmental Health (EH) half-time public health sanitarian. After the public hearing, the Legislature will vote on the budget in November.

**Privilege of the Floor:** Chuck Andrews, operator of the Macarollin Food Truck, presented his case to the Board. During an inspection at the Apple Harvest Festival, the Health Department checked the temperature of the macaroni and cheese in his steam table. Mr. Andrews stated he is not arguing that the food was out-of-temperature. His concern is the small sample size of food that was checked. Temperature is lost quickly when the food is not dense. He pointed out his staff was not serving that small amount but was in the process of preparing more macaroni and cheese. In pleading his case, he emphasized this situation does not represent the philosophy or quality of his operation.

In response to questions from Dr. Morgan and Mr. McLaughlin about the steam table, Mr. Andrews described it as a standard full-sized steam table with a sheet pan that holds approximately 25 to 28 servings.

Mr. Greenhouse asked whether changes in the food service operation were made before the next inspection. Mr. Andrews confirmed there have been changes: (1) the steam table is covered with a lid to retain heat longer when staff is not in serving mode, and (2) holes were drilled in the lid for thermometers to be inserted to monitor temperature all the time.

Addressing Mr. Burbank's question about two prior inspections in June when food was observed out-of-temperature, Mr. Andrews said that was a different problem due to a new manager who lacked experience.

**Administration Report:** Mr. Kruppa reported:

- The next Board meeting will be December 6, 2016. A festive lunch will be provided in recognition of the contribution members make to the BOH.
- Nina Saeli, our Public Health Preparedness Coordinator, has been focusing on several activities to ensure TCHD is ready to respond in an emergency. She works with professors at Ithaca College (IC) to provide students with in-class coursework around emergency response and hands-on experience participating in IC's annual Point of Dispensing (POD) exercise. Last week, IC successfully conducted its POD event. Hopefully IC officials will sign an agreement to be a closed POD partner. Another continuing activity is training volunteers in the Medical Reserve Corps to supplement our staffing needs for a large-scale POD.
- Representatives from the New York State Association of County Health Officials (NYSACHO) met with Paul Francis to discuss State Aid. As the health policy official in Governor Cuomo's office, Mr. Francis asked questions about issues confronting public health departments. Our group felt confident that it was a good meeting. Next week the plan is to present our message to State Senate staff and the Assembly Ways and Means staff. The results of those efforts will be known when the State budget is discussed.

**Medical Director's Report:** Dr. Klepack provided an update on the Zika virus. The Centers for Disease Control and Prevention (CDC) is advising all pregnant women to avoid traveling to Miami-Dade County. The guidance has expanded from the original neighborhoods identified as being high risk to include all parts of the County.

Referring to the section of the Medical Director's Report describing the webinar on gun violence, Mr. Burbank was struck with the speaker's assertion that "guns don't kill people; people kill people." Dr. Klepack clarified that he paraphrased what the speaker was

essentially saying. From a public health perspective, the most important part of the lecture addressed the need to be culturally sensitive to groups. To have some impact on gun violence, public health should have an awareness of what cultures are thinking in order to address the issue. Starting a dialogue about deaths, injuries and improving safety will be our community's best hope to have some momentum as time goes by.

**Division for Community Health Report:** Ms. Bishop:

- Introduced Celeste Rakovich who recently joined the team as a Community Health Nurse. She brings years of maternal/child nursing experience. Her language skills include speaking Spanish and Russian. She will be providing health education/outreach in the community, developing materials for staff use, and managing the rabies vaccination program.
- Updated the communicable disease report. With two additional suspect cases of tuberculosis, our nurses are currently involved in three cases. It is unusual to have three cases at one time.
- Announced Michelle Hall has been hired to be the Director of the Women, Infants and Children (WIC) Program starting November 7th. She brings 20 years of WIC program experience.
- Reported the WIC program is implementing a new bloodless hemoglobin test. A sensor fits over the individual's finger and indirectly measures the person's hemoglobin through the nail bed.

**Children with Special Care Needs Report:** Ms. Thomas was not present for the meeting. Mr. Kruppa announced interviews for the new Director are scheduled to begin next week.

**4th Annual Community Conversation on Mental Health – A Culture of Wellness:** Mr. Kruppa publicized the event taking place on October 25th from 7 to 9 p.m. in the Borg-Warner Room at the Tompkins County Public Library. He will be one of four panelists speaking on wellness and how it affects mental health.

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

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

- The rains have helped the drought situation. Fall Creek stream flow may be stabilizing at a close to normal rate. Six Mile Creek is below normal but looks to be stabilizing. Staff will continue to monitor. The situation has improved but additional rains are needed.
- In the highlights report, the dog being quarantined after having contact with a skunk is hers. Her dog has a rabies vaccination waiver due to an autoimmune disease. It has been an educational experience as she is going through the process of confining her pet.

Dr. Macmillan asked for an explanation of the modified quarantines that were issued. Although the normal quarantine period is six months, Ms. Cameron stated there is a

modified quarantine period of 45 days for dogs who have previously been vaccinated and are revaccinated after the exposure. Mr. Parr added the modified quarantine allows flexibility to put appropriate measures in place when it is not a strict quarantine. The quarantine may be modified to 45 days but the animal is to be harbored with caution for the remainder of the six month period.

**Resolution #ENF-16-0023 – City of Ithaca Public Water System, C-Ithaca, Violations of Subpart 5-1 of the New York State Sanitary Code (Water):** Ms. Cameron reported the City of Ithaca has had ongoing water quality issues, especially color issues that started in June. After receiving a complaint in early July, TCHD staff contacted the City. One explanation for the discoloration is related to the drought that changed the water characteristics at the intake to the City’s water treatment system. They had violations for color, manganese and turbidity. In the Notice of Violation, TCHD put in requirements that the City conduct sampling and maintain communication with TCHD. She pointed out reasons for the requirements: TCHD was not receiving the City’s in-house sampling results in a timely manner to determine whether there was a public health concern; there was some confusion and disagreement on the sampling locations; and there was a massive water main break that was not reported to TCHD staff. Recently, there was a violation for total trihalomethanes (TTHMs). The TTHM violation is at the Cliff Park water storage tank so it does not affect the entire City; only residents in that area.

Since there were multiple violations and TCHD was not getting comprehensive information in a timely manner from the City, a Draft Resolution was issued. She referred to the revised Time Table of Compliance dated October 17, 2016 (Attachment 1) that was distributed to members prior to the Board meeting. The City has seen this modified version and has agreed to it. They have issued the required public notifications and are providing TCHD with more information.

Mr. Greenhouse moved to accept the resolution as written along with the revised Time Table of Compliance; seconded by Mr. McLaughlin.

A lengthy discussion ensued regarding the City’s need to improve their communication procedures with TCHD. During the discussion, Mr. Greenhouse suggested modifying the resolution to require the City to develop a clear communication plan for notifying TCHD and to communicate with their staff the importance and responsibility for notifying TCHD.

Ms. Merkel believes the requirement to have a formal plan for reporting to TCHD is already in the resolution. She referred to the language in red near the bottom of the Time Table of Compliance. She supported accepting the proposed resolution as written.

Dr. Morgan offered a friendly amendment to change *should* to **must** in the Required Action section written in red font near the bottom of the Time Table of Compliance that would read as follows: “*Submit a report that outlines the criteria to be used to determine when a water system disturbance may cause water quality issues in the distribution system that **must** be reported to the TCHD and the process for notifying the TCHD.*” Mr. Greenhouse and Mr. McLaughlin accepted the friendly amendment; seconded by Dr. Koppel.

Ms. Cameron commented this is a reasonable approach to address a complex problem involving a fragmented process within the City. It is the role of the water system to

communicate with their users about the problems with their system. TCHD's role is to address any public health concerns. The City is aware of the issues and has a desire to correct them.

As part of the earlier discussion, Board members had discussed whether the fine should have been increased but went with the amount in the resolution with the expectation that the City will make the necessary changes in its communication protocol. Mr. Burbank requested this be conveyed to the City, and Ms. Cameron remarked language to that effect could be put in the cover letter that is sent with the adopted resolution.

Ms. Cameron noted one other modification to the resolution. The date in the Resolved #2 section should be changed to read: "*Meet the requirements of the attached Time Table of Compliance dated **October 17, 2016.***"

The vote on the resolution, as amended, carried unanimously.

**Resolution #ENF-16-0025 – Macarollin Food Truck, C-Ithaca, Violation of BOH Orders #ENF-16-0012 and Subpart 14-4 of the New York State Sanitary Code (Food):** Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Morgan; and carried unanimously.

**Adjournment:** At 1:25 p.m. Dr. Macmillan moved to adjourn the meeting.