CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
July 25, 2017

PRESENT:
Gregory Schultz, MD
Rosemary Anthony, RN
William G. Howard, MD
Joseph Brennan
Robert Lambert, MD
James Gensel, PE
Mary Ann Baker, RN
Ken Sobel, MD

ABSENT:
Mari Delaney, DVM
Kevin Wicks, DDS

STAFF PRESENT:
Robert Page
Peter Buzzetti III
Rebecca Becroft, RN
Lisa Buckley, RN
Lisa Kruckow, RN
Thomas Kump, PE
Harry Shepard
Terence Lenhardt, MD
Dawn Bush
Pat Tremaine, RN

INVITED GUESTS:
Shante Tranchant, Catholic Charities
Thomas Dubel, Legal Aid
Margaret Pease, AMS Pediatrics
John Pastrick, CC Legislator
Rev. Aola R. Jackson, CC Legislator
Rick Madl, CC Legislator
Donna Draxler, CC Legislator

Prior to the meeting the CCBH received the following:

1. Agenda for July 25, 2017 CCBH Meeting
2. CCBH Meeting Minutes from April 25, 2017
3. Environmental Health Services Report for April, May & June 2017
5. Public Health Nursing Report For July 25, 2017
7. Lead Grants Flyer
8. CHHA Report July 2017
10. Hearing Report – Tall Tales Bar & Restaurant
11. Hearing Report – Horseheads High School

CALL TO ORDER
CCBH President Dr. William G. Howard called the meeting to order at approximately 7:30 PM.

1. APPROVAL OF MINUTES FOR DECEMBER 6, 2016 & APRIL 25, 2017 MEETINGS

It was discovered that the minutes from the December 6, 2016 meeting were never formally approved as there was not a quorum at the January 2017 meeting, so they are being added to the motion for approval.
RESOLUTION: A motion was made by Dr. Sobel and seconded by Ms. Baker that both the minutes of the December 6, 2016 and April 25, 2017 Board of Health meetings be approved and accepted as presented. **Motion approved.**

**AYES:**
- Gregory Schultz, MD
- Rosemary Anthony, RN
- William G. Howard, MD
- Joseph Brennan
- Robert Lambert, MD
- James Gensel, PE
- Mary Ann Baker, RN
- Ken Sobel, MD

**NAYES:**
- None

**ABSENT:**
- Mari Delaney, DVM
- Kevin Wicks, DDS

2. **SPECIAL PRESENTATION – CHILDHOOD LEAD POISONING IN ELMIRA**

Dr. Howard introduced both Dr. Stanley Schaffer and Jennifer Becker from the Western New York Lead Poisoning Resource Center (WNYLPRC). Dr. Schaffer provided an overview of lead poisoning in general and stressed that collaboration is the major key to moving forward with this important health problem. He noted that “housing” is the main source of lead in children. Other sources of lead for children could be soil, industrial areas in the community, water supply, occupations of parents, and hobbies. The lead problem was in the headlines nationally with the Flint, Michigan water supply issues. Low-income children have been shown to be a greater risk for a variety of factors. The action level for lead exposure started off at 40 micrograms per deciliter (ug/dl) in the early 70’s. It has gradually dropped over time to the most recent level of 5 ug/dl that was set in 2012. However, since there are no known health benefits to lead, there is not really any safe level when it comes to lead. Some of the health problems that have been tied to elevated levels of lead in children include irreversible loss of IQ, auditory processing delays, ADHD, emotional dysregulation, as well as some societal issues including a higher school dropout rate, delinquency, and incarceration. There was also a study that showed a correlation with standardized test results over long periods of time whereby as the lead levels in children increased the corresponding scores on SAT exams decreased. Dr. Schaffer introduced Jennifer Becker who provided more information on what was happening in New York State. She mentioned that the WNYLPRC covered 9 counties including Chemung. The most severe cases of lead poisoning (>45 ug/dl) have the primary attention of the Center, so when the 3 severe cases observed in 2015 were all from Chemung County, it raised a flag. Ms. Becker reviewed a brief timeline of events that had an impact on lead levels in children. In 1978 lead was banned from paint. The Kennedy Valve Grant was implemented in 2008 and continued for about 3 years. A report was prepared by Katrina Korfmacher in 2009 entitled Childhood Lead Poisoning in Chemung County: Building Local Capacity and Coalitions. One point from that report was that the existing approaches to reducing lead hazards in children’s homes are not adequate to protect our children. Ms. Becker then provided some examples of communities in NYS that have been successful in addressing children’s lead poisoning. In Monroe County (Rochester) a collaboration between several agencies occurred that resulted in a lead ordinance being enacted in 2005 that has shown to be quite successful. Another example was mentioned in Utica, New York and a third example was mentioned from Chautauqua County (Jamestown). An
interesting statistic is that for every dollar invested in addressing lead hazards in a community, it yields a return of between $17 and $221. Next, Rebecca Becraft, Supervisor of PH Nursing provided some statistics on lead testing results in Chemung County. Finally, Thomas Kump, Director of Environmental Health discussed the environmental assessment component of children that have been identified with elevated blood lead levels.

3. FINANCIAL REPORT

Harry Shepard referred to the report for financial activities that was distributed to the CCBH in advance of the meeting. Mr. Shepard mentioned that everything has been business as usual. There were no questions for Mr. Shepard.

4. SERVICES REPORTS

A. ENVIRONMENTAL HEALTH SERVICES – Thomas Kump mentioned that there were reports for April, May and June 2017 sent to BOH members in advance of the meeting. One member questioned the date provided for the anticipated retirement of the DEHS. Mr. Kump explained that it was a typographical error in the June 2017 EHS Highlights Report and that the correct date was May 30, 2018. There were no further questions for Mr. Kump.

B. PUBLIC HEALTH CLINICS REPORT – Rebecca Becraft had provided a report that was distributed to the CCBH in advance of the meeting. There was no further discussion.

C. HOME HEALTH AGENCY REPORT – Lisa Buckley had provided a report that was provided in advance of the meeting. There was no further discussion.

OLD BUSINESS

None

NEW BUSINESS

1. EHS Hearing – Roundin’ Third Regale – Mr. Shepard mentioned that a summary of this hearing was provided to the CCBH in advance of the meeting. EHS presented evidence of repeat violations of not properly cold holding potentially hazardous foods. The respondent had originally voiced their intention of accepting the Stipulation Offer but never paid the associated penalty and also did not attend the hearing. The operator has closed the facility and gone out of business. Mr. Shepard recommended that in light of the circumstances that a fine of $200 be ordered against the respondent.
RESOLUTION: A motion was made by Dr. Sobel and seconded by Dr. Lambert that a fine of $200 be ordered against the operator of Roundin’ Third Regale for failure to properly cold hold potentially hazardous food items. **Motion approved.**

AYES: Gregory Schultz, MD  
Rosemary Anthony, RN  
William G. Howard, MD  
Joseph Brennan  

NAYES: None

ABSENT: Mari Delaney, DVM

2. **EHS Hearing – Tall Tales Bar & Restaurant** – Mr. Shepard mentioned that a summary of this hearing was provided to the CCBH in advance of the meeting, but that it was not included in the initial mailing as the hearing had not yet occurred at the time of the initial mailing. EHS presented evidence of repeat violations of failing to properly cool potentially hazardous foods. The respondent had originally voiced their intention of accepting the Stipulation Offer but never paid the associated penalty and also did not attend the hearing. The operator has since closed the facility and gone out of business. Mr. Shepard recommended that in light of the circumstances that a fine of $200 be ordered against the respondent.

RESOLUTION: A motion was made by Mr. Gensel and seconded by Ms. Baker that a fine of $200 be ordered against the operator of Tall Tales Bar & Restaurant for failure to properly cool potentially hazardous food items. **Motion approved.**

AYES: Gregory Schultz, MD  
Rosemary Anthony, RN  
William G. Howard, MD  
Joseph Brennan  

NAYES: None

ABSENT: Mari Delaney, DVM  

3. **EHS Hearing – Horseheads High School** – Mr. Shepard mentioned that a summary of this hearing was provided to the CCBH in advance of the meeting, but that it was not included in the initial mailing as the hearing had not yet occurred at the time of the initial mailing. EHS presented evidence of repeat violations of condensate in the cooler being allowed to drip onto food items. The respondent spoke of multiple efforts made to prevent condensate from dripping onto food items. They also mentioned that contact was made with NYSDOH who informed them that this would no longer be considered a critical violation as had been done in the past and that it should be recorded as a non-critical violation since there was a protective barrier between the condensate and...
the food items. Mr. Shepard recommended that in light of the information from the NYSDOH regarding the “type” of violation that occurred and that the original claim of a critical violation by EHS, that the case be dismissed. Mr. Kump added that the matter of whether it was a critical or noncritical violation wasn’t as important as the fact that a condition existed that was a violation. Furthermore, the most important factor was that the facility has committed to providing a permanent fix to the condensate problem that will be implemented prior to the start of the school year in September.

**RESOLUTION:** A motion was made by Mr. Brennan and seconded by Ms. Baker that the enforcement action initiated by EHS against Horseheads High School be dismissed in that the violation cited didn’t technically exist. **Motion approved.**

**AYES:**
Gregory Schultz, MD
Rosemary Anthony, RN
William G. Howard, MD
Joseph Brennan
Robert Lambert, MD
James Gensel, PE
Mary Ann Baker, RN
Ken Sobel, MD

**NAYES:**
None

**ABSENT:**
Mari Delaney, DVM
Kevin Wicks, DDS

The CCBH continued the discussion on lead poisoning to see if a determination could be made as to what the next steps could be to address the problem. There is much more that can be done through collaboration with other agencies, but without additional funding, it would not be feasible. Current staffing is only available to perform currently expected activities, so an increase in expected activities would lead to a need for additional staffing. Mr. Gensel stated that he knows of some current funding that is available that might be utilized for these types of activities. The problem with funding opportunities is that there usually is not a lot of time available between the posting of availability of funding opportunities and the deadline for submitting requests. Also, the time and effort needed to prepare a complete grant application package is sometimes not feasible. The other downside to some grant opportunities is that if you are awarded a grant, there are typically many constraints on how the money can be spent and management of the grant becomes an added burden in and of itself. Mr. Page stated that staff from CCHD would reach out to the members of the current local lead coalition and report back to the CCBH at the next meeting how that group could be enhanced such that more meaningful outcomes could be realized.

**ADJOURNMENT**

**RESOLUTION:** A motion was made by Dr. Lambert and seconded by Ms. Anthony that this meeting of the Chemung County Board of Health be adjourned. **Motion approved.**

**AYES:**
Gregory Schultz, MD
Rosemary Anthony, RN
William G. Howard, MD
Joseph Brennan
Robert Lambert, MD
James Gensel, PE
Mary Ann Baker, RN
Ken Sobel, MD
NAYES: None

ABSENT: Mari Delaney, DVM  Kevin Wicks, DDS

The meeting was adjourned at approximately 8:57 PM.

Next meeting: Board of Health Meeting
September 26, 2017 @ 7:30 PM
Health Department Conference Room