

**AGENDA
Tompkins County Board of Health
Rice Conference Room
Tuesday, October 22, 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 September 24, 2019 Minutes (2 mins.)

12:06 IV. Dual Department Head Update – County Administration (13 mins.)

12:19 V. CSB/BOH Joint Meeting scheduled for November 4, 2019 (2 mins.)

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

12:30 VII. Reports (15 mins.)

Administration

Children with Special Care Needs

Health Promotion Program

County Attorney’s Report

Medical Director’s Report

Environmental Health

Division for Community Health

CSB Report

12:45 VIII. New Business

12:45 ***Environmental Health*** (35 mins.)

Enforcement Action:

1. Resolution #EH-ENF-19-0032 – Authorize Warrant to Vacate 100 Smith Road, T-Newfield, Violations of Tompkins County Sanitary Code and Multiple Public Health Director Orders (15 mins.)
2. Resolution #EH-ENF-19-0028 – The Maté Factor Café, T-Ulysses, Violations of Subpart 14-2 of New York State Sanitary Code (Temporary Food) (5 mins.)
3. Resolution #EH-ENF-19-0033 – Robert Mente, 71 Bishop Road, T-Newfield, Violation of Article VI of Tompkins County Sanitary Code (Sewage) (5 mins.)
4. Resolution #EH-ENF-19-0038 – Taste of Thai Express, C-Ithaca, Violations of BOH Orders #EH-ENF-19-0024 and Subpart 14-1 of New York State Sanitary Code (Food) (10 mins.)

1:20 ***Administration*** (5 mins.)

1. Establish Board of Health Nominating Committee (5 mins.)

1:25 ***Adjournment***

MINUTES
Tompkins County Board of Health
September 24, 2019
12:00 Noon
Rice Conference Room

Present: Shawna Black; Melissa Dhundale, MD; Susan Merkel; Janet Morgan, PhD; and Christina Moylan, PhD, President

Staff: Liz Cameron, Director of Environmental Health; Samantha Hillson, Director of Health Promotion Program; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Deb Thomas, Director of Children with Special Care Needs; and Shelley Comisi, Administrative Assistant

Excused: Karen Bishop, Director of Community Health; Brenda Grinnell Crosby, Public Health Administrator; David Evelyn, MD, MPH, Board of Health Member; Edward Koppel, MD, Board of Health Member; Michael McLaughlin, Jr., Board of Health Member; and Jonathan Wood, County Attorney

Guests: Amie Hendrix, Deputy County Administrator; Skip Parr, Senior Public Health Sanitarian; Jordan Puryear, Representative of the Finger Lakes GrassRoots Festival; and Elaine Springer, Representative of the Finger Lakes GrassRoots Festival

Call to Order: Dr. Moylan called the regular meeting of the Board of Health (BOH) to order at 12:04 p.m. She announced the administrative action to appoint a nominating committee has been removed from the agenda.

Privilege of the Floor: Jordan Puryear and Elaine Springer spoke to the BOH on behalf of the Finger Lakes GrassRoots Festival organization. Mr. Puryear mentioned GrassRoots has been working with the Health Department on the requirements for mass gatherings for several years. He believes the organization has come a long way in its efforts to improve their work model and communication. As the group continues those efforts, there is the feeling of being caught between the requirements of the mass gatherings law and those of the campground law. Some of the deficiencies are related to the layout of campsites: size, lane widths, tent spacing, etc. Currently, GrassRoots is operating within the mass gathering rules but not exactly meeting the campground rules. Elaine Springer added she met with Environmental Health (EH) staff in August. After the meeting, GrassRoots started the planning process for next year. They are discussing ways to address staff/performer camping issues and to use photos to make maps more accurate. She expressed her appreciation for an early start to the process.

Approval of August 27, 2019 Minutes: Ms. Merkel moved to approve the minutes of the August 27, 2019 meeting as written; seconded by Dr. Dhundale. The motion carried unanimously.

Dual Department Head Update – County Administration: Amie Hendrix, Deputy County Administrator, updated the Board regarding the joint study of the Public Health and Mental Health departments. The task force has shared their research and recommendations with County Administration to compile before the County Administrator makes his final recommendation. The next steps in the process: (1) the task force will come together in mid-October to review and finalize the report, (2) the Community Services Board (CSB) meeting with BOH members on November 4th will discuss the recommendation, (3) a special Health and Human Services (HHS) meeting in mid-November will put forward legislative action based on the recommendation, and (4) the full Legislature will make a decision in December. Another piece being considered is rolling the report out to staff. Staff participated and are still a part of the process. Direct reports were interviewed and a survey was sent to staff members in both departments. There was a good response rate.

Dr. Moylan emphasized BOH members should attend the CSB meeting on November 4th at 5:30 p.m. in the 6th floor Mental Health Board Room. She will send out an email to all BOH members reminding them to put the meeting on their calendars. It will be the only opportunity for both boards to discuss this report together. As the report goes forward, it is important to ensure everyone has a chance to be a part of the process; to be informed and to have input.

Financial Summary: Speaking for Ms. Grinnell Crosby who was not present for the meeting, Mr. Kruppa stated there is nothing significant to report. The department is on track in each of the programs. Ms. Hillson has submitted the Healthy Neighborhoods Program (HNP) grant renewal for another five years. It is the only outstanding program grant that would have a budgetary impact anytime soon.

Administration Report: Mr. Kruppa explained the appointment of a nominating committee was removed from the agenda because it is not needed at this time. Ms. Black and Mr. McLaughlin are the Board members who have terms expiring at the end of the year. As the representative for the Legislature, Ms. Black's position is appointed by the Legislature. Mr. McLaughlin serves as the representative for the City of Ithaca so the Mayor is involved in filling the position. Mr. Kruppa will reach out to Mr. McLaughlin to see if he is interested in continuing to serve.

Health Promotion Program Report: Ms. Hillson announced:

- The Healthy Neighborhoods Program is currently fully staffed with two new members: Jasmine Williams, Project Assistant, and Diana Crouch, Healthy Neighborhoods Education Coordinator.
- Tompkins County Health Department (TCHD) has a small amount of flu vaccine for the clinics at McGraw House and Lifelong. Once the department receives its full allotment of vaccine, a press release will go out announcing the schedule for additional flu clinics.

Medical Director's Report: Dr. Klepack reported he has been collaborating with TCHD staff on press releases about vaping, vaping-related illnesses and deaths, and the issue with medical cannabidiol (CBD). The department will be putting out a press release soon.

Discussion ensued about Governor Cuomo's emergency executive action to ban the sale of flavored e-cigarettes for the next 90 days. Highlights from the discussion:

- Ms. Black inquired about the timing and enforcement of the ban. Mr. Kruppa explained the Governor took emergency executive action which allows him to take immediate steps. The ban must go through the regulatory process to be extended. There is a criminal component for retailers selling flavored e-cigarettes. The New York State Department of Health (NYSDOH) has not issued guidance on their expectations yet but EH will be enforcing the ban with the assistance of the New York State Police.
- In response to Ms. Merkel's question asking if the ban is limited to *selling* flavored liquid for the devices, Mr. Kruppa answered it also includes *possession* by the vendors. The flavored liquid is not allowed anywhere in the facility. Ms. Cameron noted all vaping stores must be registered with Alcohol, Tobacco and Firearms by October 1st. EH staff will be able to identify and regulate stores.
- Dr. Klepack reiterated that people are getting sick on this product and sometimes dying. In cases where the patient becomes ill, physicians are urged to notify Poison Control and to send the product for testing. Health officials are still looking for a common ingredient causing the illness. They are warning adults, adolescents and children not to use any vaping devices whether flavored or non-flavored.
- Ms. Cameron pointed out the ban on flavored oil is trying to keep those products away from youth. It is not necessarily associated with vaping deaths.

Division for Community Health Report: Ms. Bishop was not present for the meeting. On her behalf, Mr. Kruppa was pleased to announce Community Health Services (CHS) is "going live" with its electronic health record (EHR) system on October 1st. Staff has been working for five years to accomplish this. Since the vendor is a behavioral health EHR system, it took time to build the entire system for public health.

Children with Special Care Needs Report: Ms. Thomas had nothing to add to the written report.

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

Environmental Health Report: Ms. Cameron reported:

- The *Environmental Health Highlights* report was not completed before the packet was posted online. Prior to the meeting, it was sent electronically to Board members with a paper copy distributed at the meeting (Attachment 1).
- Some typographical errors were identified in the GrassRoots draft resolution. When the enforcement action is discussed, EH staff requests the changes on the

revised page (Attachment 2) be incorporated on page five of draft resolution #EH-ENF-19-0025.

- EH staff is meeting internally to discuss the approach for enforcing Governor Cuomo's ban on the sale of flavored e-cigarettes.
- New York State has lowered the statutory standard for elevated blood lead levels (BLL) to 5 µg/dL. The new standard, taking effect on October 1st, will impact the department's caseloads and resources. Staff in EH and CHS are meeting to plan for implementation.

Comments about program mandates: According to Mr. Kruppa, state aid funds a small portion of the costs of program mandates so the County is bearing most of the financial burden. Ms. Black mentioned the New York State Association of Counties (NYSAC) passed a resolution to send to the Governor that calls for more time and more funds to be allocated to counties to implement the lower blood lead level standard. She will share the resolution with Mr. Kruppa.

Report on the Community Services Board (CSB) Meeting: Since no one from the BOH attended the CSB meeting on September 9th, Mr. Kruppa provided a brief summary. CSB members received an update from Ms. Hendrix on the task force's Public Health and Mental Health departmental review. Then there was a discussion on the Mental Health budget. Revenues improved significantly at the Mental Health Clinic which has allowed for some growth without needing new resources from the County. A position was designed that would have education and outreach capacity at Mental Health and could support Public Health if the departments are integrated.

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): Ms. Cameron explained that last year EH brought separate enforcement actions for water, the mass gathering, and holding tanks. In response to requests from the BOH and GrassRoots organizers, EH staff changed the format to create one enforcement action. The large document provides the past enforcement history and summarizes the issues that developed this past year. The main issues: (1) EH never received final as-built drawings for the onsite water system with correct map locations so staff could only issue temporary approval, (2) during pre-operational inspections there were significant deficiencies requiring staff to be sent out on multiple days, and (3) during the festival itself there were continued violations for campsite spacing, campers in unapproved areas, and concerns about accessing security. There is a proposed penalty of \$3,000 which is a minor increase from last year.

Dr. Moylan referred to the page (Attachment 2) that should replace page five of draft resolution #EH-ENF-19-0025. The requested corrections to typographical errors are found in the bullet points.

Dr. Morgan moved to accept the resolution as amended by the revised page five; seconded by Ms. Black.

Ms. Cameron answered questions from Board members regarding mass gathering and campground codes:

- Culture Camp offers workshops and camping onsite for the four days prior to the festival. It falls under the campground code so camping permits issued under this code have specific requirements for campsite spacing. The mass gathering permit is for the entire festival. It is not parcel specific and does not have specific camping requirements. The direction from the State is to use the campground code as guidance for the mass gathering camping requirements.
- GrassRoots organizers laid out the setup for the campsites in the mass gathering application which was approved by TCHD. The violation is that they did not follow this approved layout and did not meet separation distances in multiple locations.

Board members asked about the \$3,000 penalty:

- According to Ms. Cameron, there were many violations and the proposed maximum fine could have been much higher. Staff looked at last year's penalty and increased it by \$800. Hopefully the lower fine will facilitate the organizers putting resources into accurate geo-referenced maps and more paid security. Mr. Kruppa commented many of the violations are repeat violations from year to year. When considering the totality of the situation, staff looked at ways to achieve the goal of maintaining compliance as well as offering GrassRoots the ability to invest in necessary improvements.
- Ms. Cameron pointed out there were noteworthy positive improvements in the plans this year. Also, there was the development of a Unified Command Post which improved communication between EMTs and police. However, issues with the water situation and the implementation of the plan remain concerns for EH staff.

Several Board members were interested in hearing more information about security at GrassRoots:

- Ms. Cameron summarized that it is not so much a safety concern but rather an implementation issue. GrassRoots tried using volunteers but that has not been effective. The volunteers were supposed to oversee campsite setup but that did not happen. At times, they could not be located when issues needed to be corrected to provide emergency access in some areas. Paid security is needed to address issues quickly. GrassRoots has historically had paid security. Organizers are being asked to increase the number of paid security staff.
- To be clear, Mr. Kruppa emphasized this is about event security not about law enforcement response. It is about needing to have a presence to correct issues to ensure emergency access. Improvement is needed in that area.

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

Resolution #EH-ENF-19-0031 – ICSD-Boynton Middle School, C-Ithaca, Violation of Subpart 14-1 of New York State Sanitary Code (Food): Ms. Cameron reported this was a summer feed site. There was an issue about maintaining proper temperature of the

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milk that was stored in a cooler without ice. EH staff did not take normal enforcement action but worked with the school district to ensure appropriate food safety training. EH is willing to offset the penalty of \$400 if the school district develops a training program for the young people who are working at these summer feed sites.

Ms. Merkel moved to accept the resolution as written; seconded by Ms. Black.

Mr. Parr answered questions from Board members:

- The school district has submitted a training program. It is being reviewed by the EH food program manager.
- Procedures were not being followed and there were no thermometers. During the inspection, the inspector was told the milk is held throughout the day. Without thermometers and ice in the cooler, the milk is going to be out of temperature. According to procedures, milk should be served within an hour and that was not happening. On the third inspection they were in compliance. These summer feeds are throughout the county. EH staff did not find any issues with the other locations.

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

Resolution #EH-ENF-19-0034 – Mitsuba Hibachi Sushi Restaurant, V-Lansing, Violations of BOH Orders #EH-ENF-18-0040 and Subpart 14-1 of New York State Sanitary Code (Food): Mr. Parr noted the food out of temperature violation was a violation of BOH orders. In addition, there was a second critical violation. The suggested penalty of \$1,000 breaks down to \$800 for violation of BOH orders and \$200 for the additional critical violation that was not addressed in the previous BOH orders.

Ms. Black moved to accept the resolution as written; seconded by Dr. Morgan. The motion carried unanimously.

Resolution #EH-ENF-19-0035 – Dryden Queen Diner, V-Dryden, Violations of BOH Orders #EH-ENF-18-0025 and Subpart 14-1 of the New York State Sanitary Code (Food): Ms. Cameron stated the diner had sliced tomatoes out of temperature which was a violation of BOH orders from 2018.

Dr. Dhundale moved to accept the resolution as written; seconded by Ms. Black. The motion carried unanimously.

Adjournment: Ms. Black moved to adjourn the meeting; seconded by Dr. Dhundale. The meeting adjourned at 1:09 p.m.

ENVIRONMENTAL HEALTH DIVISION

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ENVIRONMENTAL HEALTH HIGHLIGHTS

August 2019

Outreach and Division News

Hydrilla: Treatment of the hydrilla patch adjacent to Stewart Park continued in August with weekly applications of fluridone. Plant monitoring is being conducted to determine the effectiveness of the treatment.

A new patch of rooted hydrilla was identified just south of Cornell's Merrill Sailing Center towards the end of the month and it was treated with a single application of chelated copper as a contact herbicide and the first of two treatments with fluridone to minimize the ability of the damaged plants to set tubers. A second fluridone treatment will be applied early in September and plant monitoring will take place thereafter to verify the effectiveness of that treatment. The additional treatment is being conducted as part of the Army Corps of Engineers' hydrilla treatment project in Cayuga Lake.

Cayuga Heights Wastewater Treatment Facility Release: EH was informed that a release from the Cayuga Heights Wastewater Treatment Plant at 951 East Shore Drive was discovered on the night of August 21. The discharge was stopped by approximately 3:30 a.m. on August 22. It is estimated that approximately 1000 gallons of supernatant was released from the sludge digestors at the plant. Supernatant is the liquid over the settled solids in the digestors. The liquid was observed in the roadway ditch flowing south before entering a culvert. The Village of Cayuga Heights worked with the New York State Department of Environmental Conservation (NYSDEC) on cleanup of the ditch. Cayuga Heights reported that the NYSDEC saw no evidence of a plume where the culvert entered Cayuga Lake. EH worked with Samantha Hillson to issue a press release to make members of the public who could be drinking untreated water or who swim in the lake aware of the discharge.

100 Smith Road: During July, EH staff investigated a complaint of a heating fuel spill, sewage on top of the ground and a leak in the water system at 100 Smith Road in Newfield. EH staff confirmed the presence of surfacing sewage and the existence of an unacceptable water supply. The NYSDEC responded to investigate and address the heating fuel spill. The residence is rented to tenants, and the owner was non-responsive to a Notice of Violation and Public Health Director's Orders to abate the unsanitary conditions. In consultation with the County Attorney, on September 9 we issued an Order to Show Cause, signed by Frank Kruppa, in accordance with Article V - Nuisances and General Sanitation - of the Tompkins County Sanitary Code. This order required the property owner to show up for a hearing at the Health Department on September 16 to explain why the situation did not constitute a nuisance or conditions dangerous to the health of the tenants. The owner did not appear for the hearing. An Order to Abate has since been issued, which will be followed by an Order to Vacate if there is no response from the owner.

GrassRoots: On August 6, Frank Kruppa and Liz Cameron attended the "Hot Wash/After Action" meeting with others who participated in the Unified Command Post for GrassRoots. Some changes for next year that were discussed include vehicle/traffic changes to try to minimize traffic volume inside the festival as well as some changes for improved traffic flow outside the fairgrounds; improved communication from paid security and from GrassRoots staff to the command post; and either a new location or repeaters to enhance the radio signal due to the lack of reception inside the Command Post. Overall, the Command Post worked well and is planned to be used for future festivals.

On August 21, Liz Cameron, Becky Sims, Kristee Morgan, Scott Freyburger, and Clayton Maybee met with Elaine Springer from GrassRoots. Violations and related issues that occurred at this year's festival were discussed, along with proposed changes to security, camping set up and some other areas for the 2020 festival.

SWCD Grant Funds for Training: On August 8, Scott Freyburger, Adriel Shea, and Liz Cameron met with Jon Negley from the Soil and Water Conservation District (SWCD). Cortland County Environmental Health has conducted trainings/workshops for Cortland residents on the operation and maintenance of their onsite wastewater **treatment systems. The trainings included a voucher to put toward pumping the property owner's septic tank.** The training was conducted by Cortland EH staff with the vouchers being provided by the Cortland County SWCD using grant funds. In coordination with EH, the Tompkins County SWCD will be submitting a grant application to provide similar trainings and vouchers in Tompkins County in 2020. EH plans to modify the scope of the training to include both private water supply and sewage system operation and maintenance, with the vouchers going toward drinking water well sample testing for bacteria, nitrate and nitrite. Three workshops are proposed for 2020 for approximately 75 attendees (total).

Food Safety Training Provided: On August 29, René Borgella provided Food Safety training to the TCAction staff during their all staff event at TC3. René discussed several aspects of food safety, including food worker sanitation, prevention of illness and cross-contamination, food protection, and also took questions from the staff during the hour-long training.

Rabies and Bats Interview: On August 20, Cynthia Mosher was interviewed by Celia Clarke from WSKG. Celia Clark discussed a recent bat press release. Cynthia also provided information on when the public should be concerned and how to catch a bat.

Onsite Wastewater Treatment System (OWTS) and Drinking Water Interview: Scott Freyburger did a radio interview on HouseCALL hosted by Susan Lustick that aired on 8/3/19. They discussed OWTS and Residential Drinking Water.

IO Project Advisory Committee: On August 29, Liz Cameron attended the kickoff meeting for the Cayuga Lake Watershed Intermunicipal Organization (IO) Project Advisory Committee. The IO is launching this project to advance recommendations made in the Cayuga Lake Watershed Restoration and Protection Plan 2017. The Project Advisory Committee will help identify priority water quality improvement projects for funding. The goal is to advance on-the-ground projects that will protect and improve water quality in the lake and its tributaries. Since the Advisory Committee is composed of representatives from throughout the Cayuga Lake Watershed, future meetings will be conducted electronically, with an in-person option.

Water Resources Council Committees: Liz Cameron is the EH representative on the Tompkins County Water Resources Council (WRC) and serves on the WRC HABS and Watershed Rules and Regulations Committees. She attended meetings of both committees in August. Both committees are focusing on long term projects – the former is investigating long term actions to minimize the formation of HABS and the latter is looking into the possibility of Watershed Rules and Regulations for the City of Ithaca water supply, Cornell University water supply, or Cayuga Lake/Bolton Point water supply.

Training:

On July 31, Adriel Shea, Scott Freyburger, Anne Wildman, Jasmine Williams, Chris Laverack, Liz Cameron, and Mik Kern attended the 6th Annual Finger Lakes Harmful Algal Bloom Symposium in Geneva. The symposium included presentations by NYSDEC and other technical specialists and a panel discussion by several lake association representatives.

On August 13, René Borgella, as part of the Diversity and Inclusion Infusion Committee, presented their recommendations to the Workforce, Diversity, and Inclusion Committee of the Legislature (WDIC). The recommendations are a result of the Diversity and **Inclusion Infusion committee's work since the beginning of 2019 following the 2018 Workplace Climate Survey of the County's Workforce.**

On August 13, most Environmental Health non-managerial staff attended a mandatory Climate Survey session.

On August 20, Janice Koski completed attended the mandatory cyber security training.

Rabies Control Program

There were two confirmed cases of rabies in Tompkins County during August 2019. A skunk was found in a livestock enclosure with multiple unvaccinated animals. The owner was able to shoot the skunk and it was submitted to the Wadsworth Laboratory, and confirmed positive for rabies. All vaccinated animals on the property received booster vaccinations and all unvaccinated animals were vaccinated and placed under quarantine. Various reports of aggressive skunks occurred within the city of Ithaca. Due to the number of reports received for specific locations, the Health Department requested assistance from the Tompkins County SPCA to capture skunks at two locations. One skunk was euthanized and submitted to the Wadsworth Laboratory after having bitten a person. It was confirmed positive for rabies and the person received treatment. Skunks from other reports were not able to be captured, however reports of dead skunks were received in some of the reported areas. No bites were reported for those skunks.

Key Data Overview				
	This Month	YTD 2019	YTD 2018	TOTAL 2018
Bites ¹	37	232	220	306
Non Bites ²	73	148	212	226
Referrals to Other Counties	4	23	29	37
Submissions to the Rabies Lab	60	170	196	222
Human Post-Ex Treatments	44	91	131	144
Unvaccinated Pets 6-Month Quarantined ³	10	12	3	3
Unvaccinated Pets Destroyed ⁴	0	0	0	0
Rabid Animals (Laboratory Confirmed)	2	8	13	18

¹"Bites" include all reported bites inflicted by mammals and any other wounds received while saliva is present.

²"Non-bites" include human exposures to saliva of potentially rabid animals. This also includes bats in rooms with sleeping people or young children where the bat was unavailable for testing.

³When an otherwise healthy, unvaccinated pet has contact with a rabid animal, or suspect rabid animal, that pet must be quarantined for 6 months or euthanized. Quarantine must occur in a TCHD-approved facility (such as a kennel) at the owner's expense. If the pet is still healthy at the end of 6 months, the exposure did not result in rabies and the pet is released.

⁴ Pets must be euthanized if they are unvaccinated and have been in contact with a rabid or suspect rabid animal and begin to display signs consistent with rabies. Alternatively, a pet is euthanized if a prescribed 6-month quarantine cannot be performed or the owners elect euthanasia instead of quarantine.

Reports by Animal Type												
	Bites				Animals sent to the NYS Rabies Laboratory				Rabid Animals			
	Mo	YTD 2019	YTD 2018	Total 2018	By TCHD	By Cornell	Totals		Mo	YTD 2019	YTD 2018	Total 2018
							Mo	YTD				
Cat	12	91	79	115	3	3	6	16	0	0	0	0
Dog	21	129	116	158	0	1	1	8	0	0	0	0
Cattle	0	0	1	1	0	0	0	3	0	1	0	0
Horse/Mule	0	0	0	0	0	0	0	0	0	0	0	0
Sheep/Goat	0	0	0	0	0	0	0	1	0	0	0	0
Domestic	0	0	0	0	0	0	0	0	0	0	0	0
Raccoon	2	3	3	5	2	0	2	6	0	1	3	5
Bats	1	4	5	10	46	0	46	115	0	1	3	7
Skunks	1	1	3	3	0	3	3	4	2	2	1	1
Foxes	0	1	6	6	0	0	2	7	0	3	3	3
Other Wild	0	3	7	8	1	1	2	10	0	0	1	2
Totals	37	232	220	306	52	8	33	170	2	8	11	18

Food Program

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<http://www.tompkinscountyny.gov/health/eh/food/index>) or through the Tompkins County Mapping Portal (<https://tompkinscounty.maps.arcgis.com/apps/Style/index.html?appid=2768bd8c8b584d8a9155b60281ba477b>). Inspections can be sorted to meet the needs of the viewer (by facility, date, etc.) by clicking on the column heading of interest. These are valuable tools for easily providing information to the public.

Routine facility inspections are conducted to protect public health. The inspections are made without advance notice to ensure that food processes are adequate, safe, and meet code requirements. It is important to keep in mind that inspections are only a "snapshot" in the entire year of a facility's operation and they are not always reflective of the day-to-day operations and overall condition of the operation.

The following inspections were conducted with no critical violation(s) noted:

AGAVA, T-Ithaca	Ithaca Yacht Club Luna, T-Ulysses
Asian Taste, Throughout Tompkins	Ithaca Zen Center, T-Danby
Borg Warner Bldg #2, T-Lansing	John Joseph Inn Restaurant, T-Lansing
Cactus Heads, Throughout Tompkins	Just Desserts, T-Ithaca
Casablanca Mediterranean Cuisine & Pizzeria, C-Ithaca	Khmer Angkor Commissary, T-Groton
CascaDeli – Colombia St. at Farmers Market, C-Ithaca	Lansing Pizzeria, T-Lansing
CascaDeli – Colombia St. Commissary, C-Ithaca	Little Creek Mobile Home Park – Summer Feed, V-Dryden
Casper's, V-Groton	Lucky Hare Brewing Company, C-Ithaca
Cedar View Golf Course, T-Lansing	Mama Said Hand Pies, C-Ithaca
Charlie's Charpit, Throughout Tompkins	Newman Golf Course, C-Ithaca
Cinemapolis, C-Ithaca	Not My Dad's Ice Cream, V-Trumansburg
Clubhouse Grille, V-Trumansburg	Osaka-Ya Catering, V-Groton
CU – Robert Purcell Dining Mobile Unit, C-Ithaca	Pre-K at Belle Sherman – Summer Feed, C-Ithaca
Dennis' Homemade Ice Cream, T-Newfield	The Rhine House, C-Ithaca
Dragonfly Grille, Throughout Tompkins	Roy Josef Cuban Food, Throughout Tompkins
Dryden Community Center Café, V-Dryden	Sacred Root Kava Lounge and Tea Bar, C-Ithaca
Dryden School Summer Feed, V-Dryden	Shahi Pakwan, C-Ithaca
Firelight Camps FSE, T-Ithaca	Shuck Yeah, Throughout Tompkins
Gifts & More, Throughout Tompkins	Silver Line Tap Room, V-Trumansburg
Gimme Coffee – CU, C-Ithaca	Subway Trumansburg #24825, T-Ulysses
Gorgers, C-Ithaca	Sunrise Samosas, Throughout Tompkins
Hatfield Catering, Throughout Tompkins	Sushi Osaka, C-Ithaca
Hawi Ethiopian, C-Ithaca	Thai Palace, Throughout Tompkins
Hillendale Golf Course, T-Enfield	Veronika's Pastries, Throughout Tompkins
Ice Cream Caboose, V-Groton	
Ithaca Yacht Club Bar, T-Ulysses	

The Hazard Analysis Critical Control Point (HACCP) Inspection is an opportunity for the establishment to have the health department review food processes in the facility to make sure that all potential hazards are identified and to assure that the best food safety practices are being used.

HACCP Inspections were conducted at the following establishments:

None in August

Re-Inspections are conducted at any establishments that had a critical violation(s) to ensure that inadequate or unsafe processes in a facility have been corrected.

The following re-inspections were conducted with no violations noted:

Carriage House Café, C-Ithaca	Mix Social Dining, C-Ithaca
Chili's Grill & Bar, C-Ithaca	Northside Community Center – Summer Feed, C-Ithaca
Chipotle Mexican Grill #1661, C-Ithaca	Ithaca
Crossroads Catering, V-Dryden	Pine Ridge Foods, Throughout Tompkins
Collegetown Bagels – East Hill Plaza, T-Ithaca	Rodeway Inn & Suites, T-Ithaca
CU – Trillium, C-Ithaca	Southworth Library – Summer Feed, V-Dryden
Groton Public Library – Summer Feed, V-Groton	Tibetan Cooking, Throughout Tompkins
Ithaca Children's Garden – Summer Feed, C-Ithaca	Yum Yum Korea, Throughout Tompkins

Critical violations may involve one or more of the following: the condition of food (e.g. food that may be at improper temperatures on delivery or damaged by rodents), improper food cooking and storage temperatures (e.g. food cooked to and/or held at improper temperatures), improper food preparation practices (e.g. preparing ready-to-eat foods with bare hands), and water and/or sewage issues (e.g. low disinfection levels in the water system). These critical violations relate directly to factors that could lead to food related illness.

Critical Violations were found at the following establishments:**Covert Country Store, Throughout Tompkins**

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 48-52°F. The products were rapidly chilled to 45°F or less before use.

Ithaca Children's Garden – Summer Feed, C-Ithaca

An accurate thermometer was not available to evaluate temperatures of potentially hazardous foods.

Southworth Library – Summer Feed, V-Dryden

Potentially hazardous foods were not kept at or below 45°F during cold holding. Products on a counter for customer use were observed to be at 50°F. The products were removed to refrigerated storage to be rapidly chilled to 45°F or less before use.

Tibetan Cooking, Throughout Tompkins

An accurate thermometer was not available to evaluate the temperatures of potentially hazardous foods. An accurate probe thermometer was provided by the Health Department during the inspection.

Allechant, V-Cayuga Heights

Food was adulterated on premises. The product was discarded during the inspection.

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 60°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Toads Too, V-Freeville

Food was adulterated on premises. The product was discarded during the inspection.

10-10 BBQ, Throughout Tompkins

An accurate thermometer was not available to evaluate potentially hazardous food temperatures.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Products in hot holding were observed to be at 100°F and 102°F. The products were rapidly reheated to 165°F or above before use.

Easy Wok, V-Lansing

Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in hot holding was observed to be at 102°F. The product was removed from service and rapidly reheated to 165°F or above before use.

Pine Ridge Foods, Throughout Tompkins

Potentially hazardous food was held for an improper period of time at an unacceptable temperature. Product in hot holding was observed to be at 122-137°F. Product was removed from service and rapidly reheated to 165°F or above.

Firehouse Subs, C-I thaca

Potentially hazardous foods were not prepared using prechilled ingredients and not prechilled to 45°F or less before service. Product for customer service was observed to be at 50°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Mitsuba, V-Lansing

Potentially hazardous foods were not kept at or below 45°F during cold holding. The product was removed from service and rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not stored under refrigeration. Product on a counter was observed to be at 72°F. The product was discarded during the inspection.

Waffle Frolic, C-I thaca

Toxic chemicals were improperly stored so that contamination of food could occur. Storage was rearranged during the inspection.

Blue Tusk Doughnuts, Throughout Tompkins

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 51°F. The product was rapidly chilled to 45°F or less during the inspection.

Pete's Cayuga Restaurant, C-I thaca

Food was adulterated on premises. Product was discarded during the inspection.

Panera Bread Bakery-Café #1381, C-I thaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 54°F. The product was moved to the walk-in to be rapidly chilled to 45°F or less before use.

Silky Jones, C-I thaca

Food was adulterated on premises. The product was discarded during the inspection.

An accurate thermometer was not available or used to evaluate potentially hazardous food temperatures.

Chanticleer, C-I thaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 53°F. The product was discarded during the inspection.

Liquid State Brewing Company, C-I thaca

Food was adulterated on premises. The product was discarded during the inspection.

An accurate probe thermometer was not available.

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 48°F. The product was rapidly chilled to 45°F or less during the inspection.

New York Garden, V-Groton

Potentially hazardous foods were not stored under refrigeration. Products on a counter was observed to be at 54°F. Product in a second location was also observed to be at 60°F. Product in a third location was observed to be at 65°F. All products were moved to the walk-in cooler to be rapidly chilled to 45°F or less before use.

Dryden Queen Diner, V-Dryden

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 55°F. The product was removed from service and rapidly chilled to 45°F or less before use.

Temporary Food Service Operation Permits are issued for single events at one location. The Food Protection Program issued 54 temporary permits.

Temporary food operation inspections are conducted to protect public health. The inspections are made without advance notice to ensure that the food processes at the event are adequate, safe, and meet code requirements. The operation must correct Critical Violations during the inspection. When a Temporary Food Operation has Critical Violation/s, a re-inspection is conducted when the event is longer than one day.

The following inspections were conducted with no violation(s) noted:

Acapulco Mexican Grill at Trumansburg Fair, V-Trumansburg
AI's Concessions at Trumansburg Fair, V-Trumansburg
 Annlee Concessions at Trumansburg Fair, V-Trumansburg
 Arthur E. Bouton American Legion Post 770 at Trumansburg Fair, V-Trumansburg
 Booth Waffles at Trumansburg Fair, V-Trumansburg
 Calvary Baptist Church Community Carnival, V-Trumansburg
 Coleman Brothers Fried Dough at Trumansburg Fair, V-Trumansburg
 Coleman Brothers Funnel Cake at Trumansburg Fair, V-Trumansburg
Dee Dee's Ice Cream at Groton Old Home Days, V-Groton
 Groton Fire Department at Groton Old Home Days, V-Groton
Jerry's Lunch Concessions at Trumansburg Fair, V-Trumansburg
LuLu's Kettlecorn, at the Ithaca Dog Fest, C-Ithaca
Mack's Brain Freeze Slush at Trumansburg Fair, V-Trumansburg
 Oakes Ice Cream at Trumansburg Fair, V-Trumansburg
 Oakes Pizza at Trumansburg Fair, V-Trumansburg
 Oakes Popcorn at Trumansburg Fair, V-Trumansburg
 Playland Amusements Blooming Onion at Groton Old Home Days, V-Groton
 Playland Amusements Cotton Candy at Groton Old Home Days, V-Groton
 Playland Amusements Fried Dough at Groton Old Home Days, V-Groton
 Playland Amusements French Fry at Groton Old Home Days, V-Groton
 Playland Amusements Lemonade at Groton Old Home Days, V-Groton

Critical Violations were found at the following establishments:

Coleman Brothers French Fries at Trumansburg Fair, V-Trumansburg
 Potentially hazardous food was held at an improper temperature. Products for service were observed to be at 123°F and 132°F. The products were either removed from service and rapidly reheated to 165°F or above, or were discarded during the inspection. A re-inspection was satisfactory.

Foggy Bog Hunt Club at Groton Old Home Days, V-Groton
 Potentially hazardous food was held at an improper temperature. Products for service were observed to be at 121°F and 131°F. The products were removed from service and rapidly reheated to 165°F or above during the inspection. A re-inspection was satisfactory.

Groton Public Library Summer Lunches for Youth, V-Groton
 Potentially hazardous food was held at an improper temperature. Product for service was observed to be at 50°F. The product was removed from service and rapidly cooled to 45°F or less before use. A re-inspection was satisfactory.

Trumansburg Boys Soccer at Bondfest, V-Trumansburg

Potentially hazardous food was held at an improper temperature. Product for service was observed to be at 105-116°F. The product was discarded during the inspection.

Pre-Operational inspections are conducted, following a thorough review of proposed plans, at new or extensively remodeled facilities to ensure code compliance prior to opening to the public.

The following pre-operational inspections were conducted:

Nowhere Special, C-Ithaca
One Ring Donuts, C-Ithaca

Plans Approved:

Nowhere Special Libations Parlor, C-Ithaca

New Permits Issued:

Angelhearts Diner, C-Ithaca	IC – Dillingham Theater Arts Coffee Kiosk
Auntie Anne's , V-Lansing	IC – Gannett Coffee Kiosk
How Sweet It Is Mobile, Throughout Tompkins	IC – Towers Marketplace, T-Ithaca
IC – Business School Kiosk	Ithaca VibeZ, Throughout Tompkins
IC – Café at Park School	IthaKid, Throughout Tompkins
IC – Campus Center Café	Northfolk Restaurant, Throughout Tompkins
IC – CHS Coffee Kiosk	Nowhere Special, C-Ithaca
IC – Circles market	One Ring Donuts, C-Ithaca

The Food Protection Program received and investigated three complaints related to issues and/or problems at permitted food service establishments.

Engineering Plans Received

- OWTS Plan for New Construction – Town of Lansing
- OWTS Plan for New Construction – Town of Lansing
- OWTS Plan for New Construction – Town of Lansing
- OWTS Plan for New Construction – Town of Lansing
- OWTS Plan for New Construction – Town of Ithaca
- OWTS Plan for Replacement Construction – Town of Danby
- Public Water System – Town of Dryden
- Public Water System (Backflow)– Town of Lansing

Problem Alerts/Emergency Responses

- A boil water order (BWO) was issued to Crossroads Catering, T- Dryden, on August 1, 2019, due to no chlorine in the distribution system. Chlorine was re-established, a satisfactory sample was received and TCHD ended the BWO on August 21, 2019.
- A boil water order (BWO) was issued to Trumansburg Subway, T- Ulysses, on August 5, 2019, due to no chlorine in the distribution system. Chlorine was re-established, a satisfactory sample was received and TCHD ended the BWO on August 8, 2019.
- A boil water order (BWO) was issued to 17 Railroad Street, T- Dryden, on August 9, 2019, due to positive total coliform samples in the distribution system. The waiver for chlorine disinfection was revoked and TCHD is currently reviewing plans for installation of a disinfection system.

Childhood Lead Program

CHILDHOOD LEAD PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018
A: Active Cases (total referrals):				
A1: # of Children w/ BLL>19.9ug/dl	0	0	0	1
A2: # of Children w/ BLL 10-19.9ug/dl	0	0	4	5
B: Total Environmental Inspections:				
B1: Due to A1	0	0	0	1
B2: Due to A2	0	0	4	5
C: Hazards Found:				
C1: Due to B1	0	0	1	1
C2: Due to B2	0	0	3	5
D: Abatements Completed:	0	0	0	0
E: Environmental Lead Assessment Sent:	0	0	2	2
F: Interim Controls Completed:	0	0	1	1
G: Complaints/Service Requests (w/o medical referral):	5	27	35	54
H: Samples Collected for Lab Analysis:				
- Paint	0	0	0	5
- Drinking Water	0	0	0	0
- Soil	0	0	0	0
- XRF	0	0	3	5
- Dust Wipes	0	0	4	6
- Other	0	0	1	1

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
6/25/2019	Taste of Thai Express	Akhin Pancharoen	Food Service Establishment – Violation of BOH Orders	\$1,700	Payment due 8/15/19	Late Letter sent. Further enforcement action pending.
6/25/2019	Corelife Eatery	David Shanks	Food Service Establishment – Violation of BOH Orders	\$1,500 (paid 7/15)	Food safety training certifications due 8/15/19	Awaiting receipt of training certifications.
6/25/2019	Ko Ko Restaurant	Sungyoon Hwang	Food Service Establishment – Violation of BOH Orders	\$2,700	Payment due 9/17/19	Monitoring Compliance
8/27/2019	Ciao!	Mark Campagnolo	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 10/15/19	Monitoring Compliance
8/27/2019	On The Street	Brian Horvath	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 10/15/19	Monitoring Compliance
8/27/2019	Ithaca Marriott	Don Urgo, Jr.	Food Service Establishment – Violation of BOH Orders	\$800	Payment due 10/15/19	Monitoring Compliance
8/27/2019	Kenney's Septic	Eric Kenney	Installation of a Sewage System without a Permit	\$500	Payment due 10/15/19	Monitoring Compliance

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 not been submitted for the water system(s) and/or the Environmental Health Division has not issued an Approval of Completed Works or other approval for each site
- portable toilets, handwash stations, and approved grey water tanks are not onsite and connected
- section markers and cooking/no cooking signs are not 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**

Board of Health
October 22, 2019
Financial Report

September 2019 / Month 9

Expenditures appear low as six days of payroll from September will be paid and posted in October. 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. Approximately 1.5 weeks of revenue are not reflected in the county report based on when revenues for month end are transferred. Third quarter state aid and quarterly grant claims will be prepared and submitted end October/early November.

Tompkins County Financial Report for Public Health

Percentage of Year 75.00%

	Expenditures			Revenues			Local Share		
	Budget	Paid YTD	%	Budget	YTD	%	Budget	TD	%
4010 PH ADMINISTRATION	1,510,496	1,018,054	67.40%	268,363	108,203	40.32%	1,242,133	909,851	87.99%
4011 EMERGING LEADERS IN PH	122,113	29,631	24.26%	122,113	122,113	100.00%		-92,483	
4012 WOMEN, INFANTS & CHILDREN	552,183	385,648	69.84%	552,183	347,378	62.91%		38,270	
4013 OCCUPATIONAL HLTH.& SFTY.	134,434	75,775	56.37%	0	0	0.00%	134,434	75,775	56.37%
4015 VITAL RECORDS	74,924	51,032	68.11%	108,000	77,135	71.42%	-33,076	-26,103	78.92%
4016 COMMUNITY HEALTH	1,686,474	1,021,030	60.54%	395,805	157,492	39.79%	1,290,669	863,538	69.06%
4018 HEALTHY NEIGHBORHOOD PROG	172,369	115,318	66.90%	172,368	67,904	39.39%	1	47,414	104,629.00%
4047 PLNG. & COORD. OF C.S.N.	1,433,845	950,186	66.27%	388,551	232,543	59.85%	1,045,294	717,643	69.52%
4048 PHYS.HANDIC.CHIL.TREATMNT	8,000	0	0.00%	4,000	0	0.00%	4,000	0	
4090 ENVIRONMENTAL HEALTH	1,741,425	1,240,972	71.26%	625,478	377,739	60.39%	1,115,947	863,233	78.23%
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	4,887,646	65.73%	3,913,212	2,308,012	58.98%	3,523,051	2,579,634	73.22%
2960 PRESCHOOL SPECIAL EDUCATI	4,996,060	3,082,704	61.70%	2,968,051	2,578,026	86.86%	2,028,009	504,678	40.56%
4017 MEDICAL EXAMINER PROGRAM	205,500	157,200	76.50%	0	380	0.00%	205,500	156,820	95.76%
4054 EARLY INTERV (BIRTH-3)	655,000	457,984	69.92%	318,500	281,977	88.53%	336,500	176,007	52.31%
Total Mandate	5,856,560	3,697,888	63.14%	3,286,551	2,860,383	87.03%	2,570,009	837,505	32.59%
Total Public Health	13,292,823	8,585,534	64.59%	7,199,763	5,168,396	71.79%	6,093,060	3,417,138	56.08%

BALANCES (Includes Encumbrances)

	Available Budget	Revenues Needed		Available Budget	Revenues Needed
NON-MANDATE			MANDATE		
4010 Administration	309,300	160,160	2960 Preschool	1,595,505	390,025
4012 WIC	158,545	204,805	4054 Early Intervention	197,016	36,523
4013 Health & Safety	58,659	0	4017 Medical Examiner	8,326	-380
4014 Medical Examiner	0	0		<u>1,800,847</u>	<u>426,168</u>
4015 Vitals	23,892	30,865			
4016 Community Health	637,610	238,313			
4018 Healthy Neighborhood	45,419	104,464			
4047 CSCN	474,595	156,008			
4048 PHCP	8,000	4,000			
4090 Environmental Health	490,657	247,739			
4095 State Aid	0	458,845			
	<u>2,206,677</u>	<u>1,605,200</u>			

Total Public Health Balances	
Available Budget	Revenues Needed
<u>4,007,524</u>	<u>2,031,368</u>

HEALTH PROMOTION PROGRAM – September 2019

Samantha Hillson, Director, PIO
 Ted Schiele, Planner/ Evaluator
 Susan Dunlop, Community Health Nurse
 Diana Crouch, Healthy Neighborhoods Education Coordinator
 Pat Jebbett, Public Health Sanitarian HNP
 Jasmine Williams, Project Assistant HNP

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/Purpose	Date
Collective Impact-Childhood Nutrition	Agenda Planning, Regular meeting, workplan, reporting document	9/12, 9/20
GIAC Festival of Nations	New format for annual festival	9/7
Health Planning Council	Executive Committee, agenda planning, CHA presentation	9/9
Community/University PIO Forum	First meeting of all preparedness/PIO entities, will be quarterly	9/10
Streets Alive!	Bi-annual event, streets closed to cars, open to people, Southside	9/15
Achieving Youth Results 2.0	Community meeting	9/18
County PIO meeting		9/26
Ripple Effect Committee, Health Planning Council Long Term Care	“Lives Well Lived” documentary Committee meeting	9/3 9/6
COFA and Lifelong	Aging Mastery course (10 weeks)	9/16, 23

TCHD Intra-departmental Participation and Support

Division, Program, Initiative	Activity	Date
Medical Director	Monthly meeting about communications planning	9/8

Diabetes Prevention Program (DPP)

- TCHD received full recognition for the CDC’s DPP program, effective through June 2021.
- CMC Cayuga Center for Healthy Living is starting a class this month

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

- Presentation to the Health Planning Council (9.9)
- Planning meeting – CHIP priorities with CMC and Lisa Horn (9/16)
- CHIP meeting: Healthy Eating and Food Security (9/27)
- Following are the Focus Areas and Goals that will make up the 2019-2024 Community Health Assessment for Tompkins County. The CHIP is developed by TCHD in collaboration with CMC.

NYS Prevention Agenda Priority	Focus Area	Goal
Prevent Chronic Disease	FA-1: Healthy Eating and Food Security	1.3: Increase food security
Prevent Chronic Disease	FA-4: Preventive Care & Management	4.1: Increase cancer screening rates for breast, cervical, and colorectal cancer screening.
Promote Well-Being & Prevent MH and SU Disorders	FA-1: Promote Well-Being	1.1: Strengthen opportunities to build well-being and resilience across the lifespan 1.2: Facilitate supportive environments that promote respect and dignity for people of all ages.
Promote Healthy Women, Infants, & Children	FA-4: Cross Cutting Healthy Women, Infants, & Children	4.1: Reduce racial, ethnic, economic, and geographic disparities in maternal and child health outcomes, and promote health equity for maternal and child health populations.

Healthy Lungs for Tompkins County

- Harmonicas for Health (H4H): 6-week session at FLIC, October 2-Nov 6

Healthy Neighborhoods Program

- Diana Crouch, Education Coordinator started on 9/23
- HNP grant submitted (9/11)
- Training and outreach
 - Brookton Market, 20 reached
 - Linderman Creek Apartments, 25 reached
 - GIAC Festival of Nations, 25 reached
 - Streets Alive!, 35 reached
 - INHS Homeowners class, presentation, 15 attending
 - Enfield Senior Lunch, 35 reached

- Enfield Harvest Festival, 35 reached
- Stay Steady, 45 reached

September 2019

HEALTHY NEIGHBORHOODS PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018*
# of Initial Home Visits (including asthma visits)	29	328	192	413
# of Revisits	11	102	86	163
# of Asthma Homes (initial)	4	29	24	43
# of Homes Approached	195	759	469	1,422

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

Tobacco Free Tompkins

- Attended annual Statewide Tobacco Control meeting and semi-annual Advancing Tobacco Free Communities program meeting, both in Albany (9/11, 12)
- Cornell University: Attended the first 2019-2020 meeting of the Campus Welfare Committee of the University Assembly. Topic of discussion was campus-wide survey about support for a tobacco free campus. (9/6)
- Interview with IC-TV about vaping. (9/16) Video will be available in October.

Media, Website, Social Media

- Press Releases: [Health Department Supports Governor’s E-cigarette Flavor Ban](#) (9/19)

Meetings and Trainings

- Continuing Education Credits (Susan Dunlop)
 - Preparing for Extreme Heat in NYS (1.0 credits)
 - Point of Care testing and Antimicrobial Stewardship in COPD (0.25 credit)
 - Women impacted by Opioid Use Disorder and Infants with Neonatal Abstinence Syndrome (2.0 credits)

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

- Population Health Strategist: Batiste Leadership – Senior Leadership Retreats (9/5, 9/13), inter-session conversations with staff at division meetings (ongoing)
- Leadership Coaching (9/6)
- Action Learning Set: phone call with UNC coach and 5 other county health departments to discuss progress, challenges, resources (9/25)
- Individual Team call with UNC coach (9/18)

Medical Director's Report
Board of Health
October 2019

Sincere apologies for not being able to attend this month's meeting. Luckily, I am able to travel to Japan and do a little vacation and ask public health questions.

Activities:

HPV

I received communication from Assemblywoman Lifton's office regarding HPV Vaccine and an Assembly Bill which would make it a required school entry vaccine. You may recall that the HPV vaccine is a cancer prevention vaccine. It is against HPV virus which is a primary causation factor for cervical cancer, head and neck cancers as well as certain types of genital warts.

It's useful if the vaccine is received before an individual encounters HPV virus. It is extremely effective in this regard and its safety profile is very good. The virus is generally acquired sexually, a unique route of infection compared to other viruses which vaccines are used for preventing disease and disability. Nearly all of us become infected with the virus. When one acquires HPV virus it can cause abnormalities of a PAP smear and lead to extensive investigations which are both distressing and uncomfortable to have to undergo. If undetected and untreated, it can progress to cervical cancer which has been a cause of disease and death in generation of women.

In the head and neck the cancers can be fatal. If not the disfigurement and dysfunction are often significant.

Assemblywoman Lifton's office was checking with me with regard to reports they were hearing from the public about problems with the HPV vaccine as far as safety. These reports appear to be unfounded in the main. Although no vaccine is 100% free of adverse effects and even the extremely serious effect, HPV vaccine appears to be no different. One report said that Japan had done away with the vaccine because of serious problems with it. This report from a constituent appeared to be relating to the fact that the Japanese Government ceased to provide the vaccine within two months after having started it due to public concern of adverse effects. The unscientific concerns that the Japanese Government has not taken up in the 4 or 5 years since they ceased providing HPV vaccine. The World Health Organization amongst other

bodies including Japanese physician groups such as Obstetricians, Gynecologists and Pediatricians have urged the Japanese Government to resume HPV vaccine provision. I provided information to the Assemblywoman's office, which I hope will be of help in addressing concerns of her constituents and our public.

Social Determinants of Health

I met (over the phone) with Dr. Jed Lippert, Medical Director of the Tompkins County Mental Health. We discussed jointly offering some articles about social determinants of health. We plan to address several of them that we can offer expert advice to the public. This advice would be directed not only to the public but to agencies, legislative bodies, businesses, anyone who has a piece of the action regarding social determinants. We decided that we would first explore offering an article on social media and its impacts on youth with regard to anxiety and depression, and therefore their physical health as well. We are currently researching this article and reaching out to area educational institution to see what they are currently doing regarding this topic.

Vaping

As of this dictation at the end of September, the issues regarding vaping and the illnesses that it has been felt to create, continues without any further details to specific factors that are causing the illnesses and deaths.

Children with Special Care Needs Division — (607) 274-6644

Children with Special Care Needs Highlights
September 2019

Staff Activities

Staff Committees & Meetings

- Margo Polikoff attended Health Planning Council Meeting. Discussion of Public Health Issues with Dr. Klepack and CHIP update with Sam Hillson 9/9/19
- CSCN Software committee meets weekly (Michele Card, Cindy Lalonde, Barb Wright, Deb Thomas, Greg Potter IT Director and Roger Cotrofeld, IT
- Margo attended 'Cradle to Career' Meeting 9/13/19
- Margo attended 'Be the One Meeting' 9/13/19
- Margo attended Coalition for families 'Social Conditions of Child Sexual Abuse' 9/19/19
- Margo attended TCA Presentation at CHS staff Meeting 9/19/19
- CSCN Staff meeting 9/23/19

Staff Training

- Margo Polikoff and Capri Prentice participated in 'Childhood Trauma and Mental Health' Webinar 9/4/19
- Capri Prentice participated in 'Insurance Responsibilities in the EIP' 9/9/19
- Margo and Capri participated in 'Lessening Challenging Behaviors' Webinar 9/16/19
- Margo attended 'Achieving Youth Results 2.0: A Community Discussion' 9/18/19
- Margo attended Conference 0-3: Class of MH and Dev Disorders 9/26/19 & 9/27/19

Division Managers

- Interviewed 3 candidates for the Community Health Nurse position
- All Management Meeting 9/10/19

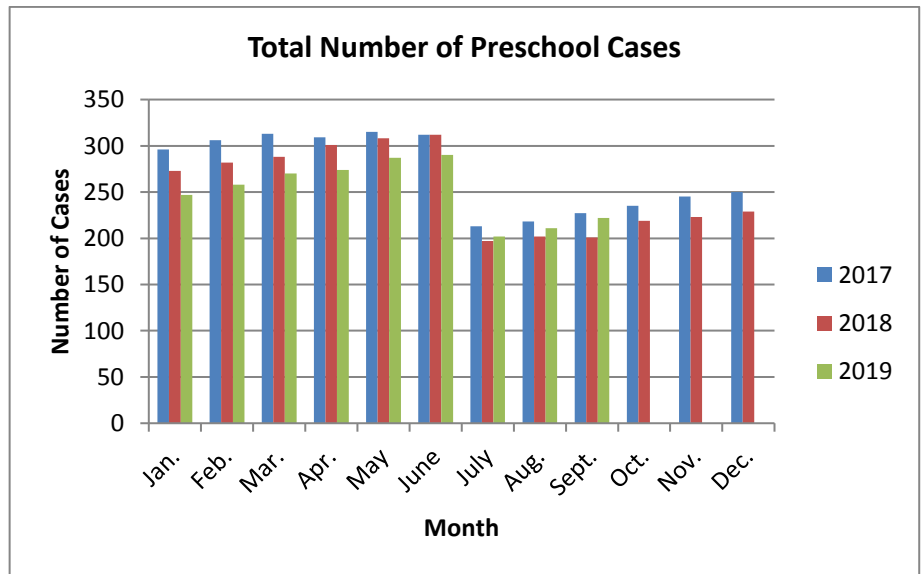
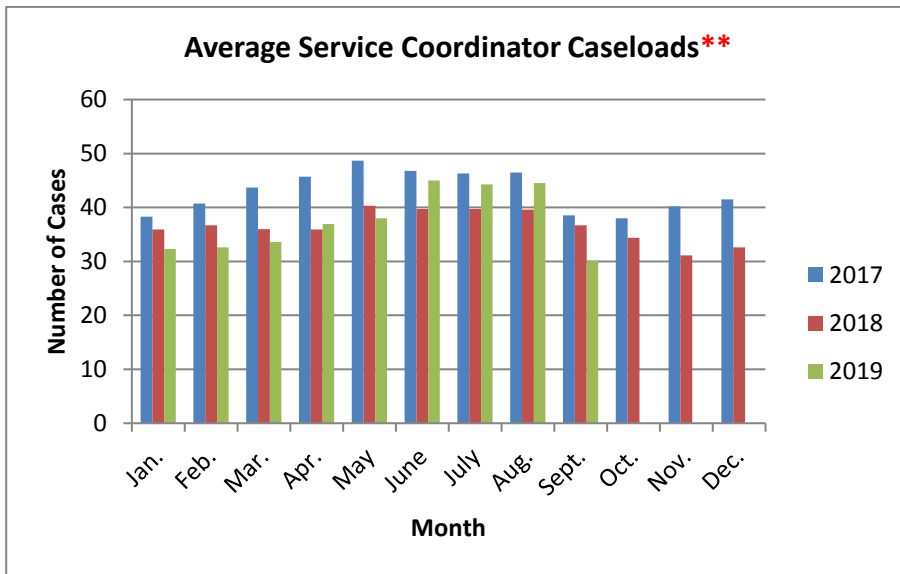
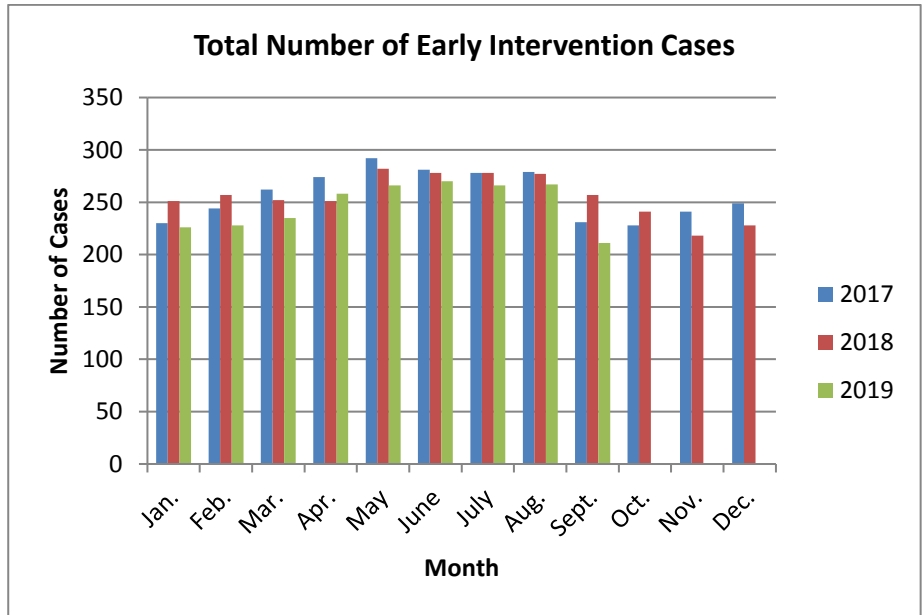
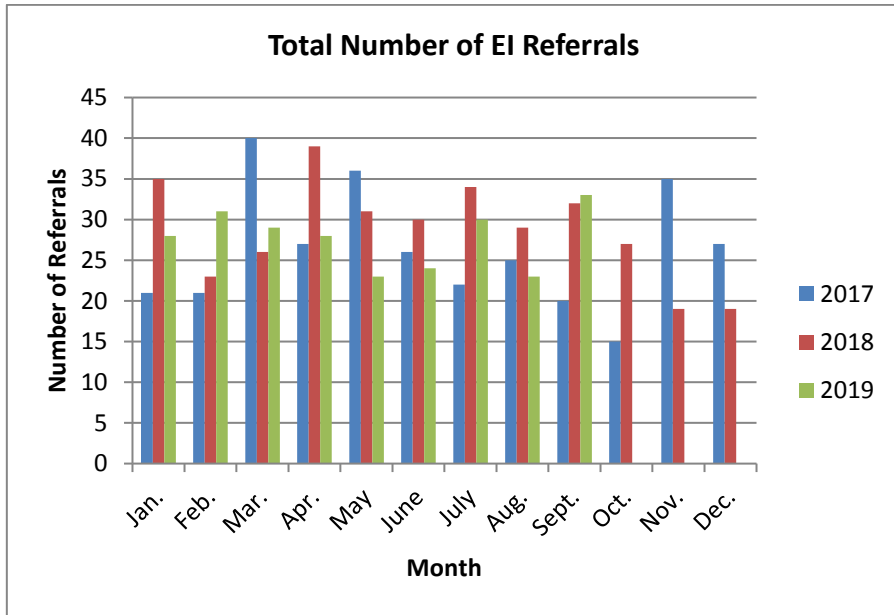
Deb Thomas:

- Board of Health Meeting 9/24/19
- Senior Leadership Meetings 9/4/19 and 9/18/19
- Senior Leadership Retreat 9/5/19 and 9/13/19
- Joined a new committee -Community Partners for Maternal Child Care 9/6/19
- Early Childhood Development Committee mtg 9/9/19
- Community Health Services Advisory Committee Meeting 9/12/19
- NYSAC Conference 9/16/19
- CPSE Chairs meeting 9/20/19
- Meeting with Hear 2 Learn agency 9/24/19
- Meeting with Racker Clinic Director Bev Hartz 9/25/19
- Phone conference with attorney from Citizens Concerned for Children 9/25/19
- Software Laserfiche phone conference with iCentral, IT department and County Clerk's office 9/26/19

Other:

- Community Health Nurse positions offered to Julie Hatfield and Keri Jo May. Both will start on 10/21/19.

Children with Special Care Needs 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	1				10	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									1				1	0
-- Gross Motor	3	6	5	5	5	4	2	11	5				46	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		3				10	11
-- Social Emotional & Adaptive													0	0
-- Speech	18	15	20	15	12	12	14	5	21				132	181
-- Speech & Feeding			1	1									2	5
-- Speech & Fine Motor		1											1	1
-- Speech & Gross Motor				2	2	1	3	1	1				10	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		1				6	4
-- Child Find (At Risk)													0	5
Total Number of Early Intervention Referrals	28	31	29	28	23	24	30	23	33	0	0	0	249	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	176					
Total # of clients pending intake/qualification	27	32	27	31	25	27	26	22	35					
Total # qualified and pending	226	228	235	258	266	270	266	267	211	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	30.1	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	27				221	293
-- IFSP Meetings	30	42	41	32	48	45	25	30	27				320	451
-- Amendments	13	4	14	17	25	35	23	20	9				160	237
-- Core Evaluations	19	16	27	17	24	17	23	24	14				181	270
-- Supplemental Evaluations	6	1	4	6	4	5	8	7	2				43	106
-- DSS Visit	0	0	0	0	0	0	0	0	0				0	0
-- EIOD visits	0	0	1	0	0	0	0	0	0				1	19
-- Observation Visits	45	41	51	49	59	43	48	64	34				434	571
-- CPSE meetings	6	7	5	5	2	15	16	4	1				61	81
-- Program Visit	0	2	0	1	1	2	0	0	1				7	2
-- Family Training/Team Meetings	1	0	0	5	1	2	0	1	0				10	10
-- Transition meetings	8	25	6	9	2	7	4	15	21				97	103
-- Other Visits	2	0	0	1	4	4	0	0	0				11	10
IFSPs and Amendments														
# of Individualized Family Service Plans Completed	30	42	36	31	48	45	25	30	27					461
# of Amendments to IFSPs Completed	20	14	20	22	25	47	24	22	14					349
Services and Evaluations Pending & Completed														
Children with Services Pending														
-- Audiological	0	0	0	1	0	0	1	0	0					
-- Feeding	1	1	0	4	4	3	0	0	0					
-- Nutrition	0	0	0	1	0	0	0	0	0					
-- Occupational Therapy	4	3	2	1	6	0	3	0	2					
-- Physical Therapy	1	2	2	2	1	2	3	2	2					
-- Social Work	0	0	2	3	3	2	0	2	2					
-- Special Education	1	4	1	4	1	0	0	4	0					
-- Speech Therapy	5	6	6	13	13	8	0	4	4					
# of Supplemental Evaluations Pending	5	4	10	9	6	15	15	9	14	0	0	0		
Type:														
-- Audiological	0	1	3	5	1	1	3	1	3					
-- Developmental Pediatrician	2	0	0	0	0	5	0	2	4					
-- Diagnostic Psychological	0	0	0	0	0	4	5	3	5					
-- Feeding	0	0	2	0	1	1	0	1	0					
-- Physical Therapy	2	1	0	0	1	1	0	0	0					
-- Speech	0	1	3	1	1	1	2	1	0					
-- Occupational Therapy	1	1	2	3	2	2	5	1	2					
-- Vision	0	0	0	0	0	0	0	0	0					
-- Other	0	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	4	0	0	0	68	129
Type:														
-- Audiological	0	1	3	5	3	1	0	3	1				17	33
-- Diagnostic Psychological	0	1	0	0	0	1	0	2	0				4	4
-- Developmental Pediatrician	0	0	0	0	0	0	0	1	0				1	3
-- Feeding	1	0	0	3	1	0	2	0	1				8	12
-- Occupational Therapy	3	1	2	0	4	1	2	4	1				18	36
-- Physical Therapy	0	1	0	3	0	2	2	0	0				8	10
-- Speech Therapy	2	0	2	2	0	0	3	2	1				12	31
-- Vision	0	0	0	0	0	0	0	0	0				0	0
-- Other	0	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	1					
-- Children currently suspect:	16	15	15	17	13	13	17	15	13					
Children with 'Other' Diagnosis														
-- Agenesis of Corpus Collosum	1	1	1	1	1	2	0	1	0					
-- Apraxia	0	0	0	1	0	0	0	1	0					
-- Athrogryposis	1	1	1	1	1	1	1	1	1					
-- Brain Anomalies	1	1	1	1	0	1	1	1	0					
-- Cardiac Anomaly	1	1	0	0	0	0	0	0	0					
-- Cerebral Palsy (CP)	2	2	2	3	2	2	1	1	0					
-- Chromosome Abnormality	0	0	1	1	1	1	0	0	0					
-- Cleft Lip/Palate	1	1	1	1	0	0	0	0	0					
-- Congenital CMV	1	1	1	1	1	1	1	0	0					
-- Cri Du Chat	1	1	1	1	0	0	0	0	0					
-- Crouzon Syndrome	1	1	1	1	1	1	1	1	0					
-- Cystic Fibrosis	1	1	1	1	1	0	0	0	0					
-- Duchenne's	0	0	0	0	0	1	0	0	0					
-- Down Syndrome	3	3	3	3	2	3	3	2	0					
-- Dysmorphic Features	1	1	0	0	0	0	0	0	0					
-- Ectrodactyly	0	0	0	0	0	0	1	1	0					
-- Epilepsy	0	0	0	1	1	1	0	0	0					
-- Feeding Difficulties	24	15	19	21	26	33	26	27	25					
-- GERD	0	0	0	3	5	5	4	2	2					
-- Hearing Loss	4	4	4	4	3	4	2	3	2					
-- Hip Dysplasia	0	1	1	0	0	0	0	0	0					
-- Hirschsprung	1	1	1	1	0	0	0	0	0					
-- Hydrocephalus	2	1	1	1	0	0	2	0	0					
-- Hypotonia	3	3	3	3	2	2	2	3	2					
-- Impulse Control Disorder	0	0	0	0	1	1	1	0	0					
-- Kallman Syndrome	0	0	0	0	0	1	0	0	0					
-- Krabbe's Disease	0	0	0	0	0	0	0	1	0					

**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	0					
-- Macrocephaly	2	2	2	2	1	1	1	1	0					
-- Malabsorption	0	0	0	0	0	1	0	1	0					
-- Microcephaly	1	1	1	1	0	1	1	1	0					
-- Noonan's Syndrome	1	1	1	1	1	1	1	1	1					
-- Osteogenesis Imperfecta	1	1	1	1	0	0	0	0	0					
-- Plagiocephaly	1	2	2	1	3	2	1	1	0					
-- Polymicrogyria (PMG)	1	1	1	0	0	1	1	1	0					
-- Prematurity	15	13	14	14	19	23	20	19	17					
-- Pyriform Aperture Stenosis w/ Hard Palate Cleft	1	1	1	1	1	1	1	1	1					
-- Reduction of Upper Limb	0	1	1	1	1	1	1	1	0					
-- Spina Bifida	1	1	1	1	1	1	1	1	1					
-- Te Fistula	0	1	0	0	0	0	0	0	0					
-- Torticollis	3	4	3	4	4	4	3	3	1					
-- Vanishing White Matter Disease	0	0	0	0	0	0	1	0	0					

Early Intervention Discharges														
-- To CPSE	0	0	0	0	0	2	2	63	5				72	78
-- Aged out	2	0	1	3	3	1	1	1	0				12	4
-- Declined	2	2	2	4	5	4	5	7	2				33	67
-- Skilled out	1	0	2	1	6	6	4	5	3				28	39
-- Moved	3	2	2	5	3	1	3	2	1				22	25
-- Not Eligible	7	4	6	7	9	10	7	9	9				68	118
-- Other	0	2	0	0	2	2	2	1	2				11	28
Total Number of Discharges	15	10	13	20	28	26	24	88	22	0	0	0	246	359

Child Find														
Total # of Referrals	0	0	0	0	0	0	0	0	0				0	14
Total # of Children in Child Find	8	7	6	3	3	3	3	3	3					
Total # Transferred to Early Intervention	0	0	0	0	0	0	0	0	0				0	5
Total # of Discharges	2	2	1	3	0	1	0	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	104					
-- Dryden	53	57	61	63	66	70	46	53	49					
-- Groton	15	18	21	21	21	20	11	11	24					
-- Homer	0	0	0	0	0	0	1	1	1					
-- Lansing	18	18	19	18	19	18	10	10	16					
-- Newfield	24	24	24	24	27	28	18	18	20					
-- Trumansburg	15	14	14	14	16	16	8	10	7					
-- Spencer VanEtten	1	1	1	1	1	1	1	1	0					
-- Newark Valley	1	1	1	1	1	1	0	0	1					
-- Odessa-Montour	0	0	0	0	0	0	0	0	0					
-- Candor	0	0	0	0	0	0	0	0	0					
-- Moravia	0	0	0	0	0	0	0	0	0					
-- Cortland	0	0	0	0	0	0	0	0	0					
Total # of Qualified and Receiving Services	247	258	270	274	287	290	202	211	222	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	124					
-- Speech Therapy (group)	11	12	13	18	20	20	0	0	4					
-- Occupational Therapy (individual)	48	51	55	63	67	68	49	51	44					
-- Occupational Therapy (group)	2	3	4	5	6	6	0	0	1					
-- Physical Therapy (individual)	23	24	25	25	27	28	15	15	44					
-- Physical Therapy (group)	0	0	0	0	0	0	0	0	0					
-- Transportation														
-- Birnie Bus	30	30	29	29	30	30	26	27	25					
-- Dryden Central School District	0	0	0	0	0	0	0	0	8					
-- Ithaca City School District	42	43	43	43	42	42	41	39	41					
-- Parent	4	4	5	5	5	6	6	7	2					
-- Service Coordination	24	27	26	27	31	31	18	18	19					
-- Counseling (individual)	36	42	43	47	52	49	30	34	33					
-- 1:1 (Tuition Program) Aide	6	6	6	6	6	6	0	0	5					
-- Special Education Itinerate Teacher	31	32	32	36	34	34	26	27	18					
-- Parent Counseling	30	32	34	36	36	34	12	14	16					
-- Program Aide	1	1	1	2	3	6	1	0	0					
-- Teaching Assistant	0	0	0	0	0	0	0	0	0					
-- Audiological Services	4	4	4	5	5	5	2	2	2					
-- Teacher of the Deaf	2	2	2	3	3	3	1	2	1					
-- Music Therapy	0	0	0	0	1	1	1	1	0					
-- Nutrition	4	4	5	5	5	5	4	4	3					
-- Skilled Nursing	0	0	0	0	0	0	0	0	0					
Total # of children rcvg. home based related svcs.	171	171	194	197	211	215	130	139	145					

**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	41					
-- Dryden	18	18	18	18	18	18	16	17	21					
-- Groton	2	2	2	2	2	1	1	1	8					
-- Lansing	3	3	3	3	3	3	1	1	2					
-- Newfield	5	5	5	5	5	5	5	5	2					
-- Trumansburg	6	6	5	6	6	6	7	7	2					
-- Odessa-Montour	0	0	0	0	0	0	0	0	0					
-- Spencer VanEtten	0	0	0	0	0	0	0	0	0					
-- Moravia	0	0	0	0	0	0	0	0	0					
-- # attending Dryden Central School	0	0	0	0	0	0	0	0	8					
-- # attending Franziska Racker Centers	46	47	46	47	46	45	44	45	41					
-- # attending Ithaca City School District	30	30	30	30	30	30	28	27	28					
Total # attending Special Ed Integrated Tuition Progr.	76	77	76	77	76	75	72	72	77	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	8				161	205
-- Candor	0	0	0	0	0	0	0	0	0				0	0
-- Dryden	9	5	5	7	20	0	6	1	2				55	102
-- Groton	1	0	2	1	5	4	1	0	1				15	22
-- Homer	0	0	0	0	0	1	0	0	0				1	0
-- Lansing	2	0	0	0	7	5	1	0	0				15	15
-- Newfield	1	1	2	4	3	1	0	3	0				15	40
--Trumansburg	1	0	4	0	0	0	0	3	1				9	21

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkinscountyny.gov>

Ph: (607) 274-6688
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ENVIRONMENTAL HEALTH HIGHLIGHTS

September 2019

Outreach and Division News

100 Smith Road: As noted in the August highlights, in July EH staff investigated a complaint of a heating fuel spill, sewage on top of the ground and a leak in the water system at 100 Smith Road in Newfield. EH staff confirmed the presence of surfacing sewage and the existence of an unacceptable water supply that tested positive for E coli. The NYSDEC responded to investigate and address the heating fuel spill. The residence is rented to tenants, and the owner has been non-responsive. On September 9 we issued an Order to Show Cause, signed by Frank Kruppa, in accordance with Article V, Nuisances and General Sanitation, of the Tompkins County Sanitary Code. This order required the property owner to show up for a hearing at the Health Department on September 16 to explain why the situation did not constitute a nuisance or conditions dangerous to the health of the tenants. The owner did not appear for the hearing. Following the receipt of Findings from the Hearing Officer, an Order to Abate was issued on September 16. When the owner continued to be non-responsive, an Order to Vacate was issued on September 24, with the requirement for all persons to vacate by October 5. We have been in communication with the tenants and with Department of Social Services throughout this process and have taken timing concerns raised by the tenants in the actions that will be presented to the Board for review at the October Board of Health Meeting.

Vaping: On September 12, NYS issued amendments to regulations that require signage warning against the dangers of illegal e-cigarette and e-liquid products. These emergency regulations were adopted to protect public health in response to the increasing number of people that have suffered injury or died from severe respiratory illness associated with vaping. On September 17, NYS approved emergency regulations that ban the sale of most flavored e-cigarettes in New York. However, on October 1, a Justice in the Appellate Division, Third Department, granted an order temporarily restraining the Department from enforcing the flavored vaping device emergency regulation.

In mid-September, NYSDOH instructed District Offices and local health departments to immediately start conducting compliance checks where minors attempt to purchase vaping products. NYS Police are to accompany the health department on these compliance checks to issue citations when a sale occurs. These compliance checks were to be conducted first at unregistered facilities (facilities that sell liquid nicotine were not required to register with the Department of Tobacco, Alcohol and Firearms until October 2019). EH has identified these facilities (basically doing a Google search) and is in the process of modifying the permission form used with these checks. We will be meeting with some other nearby counties and the NYS Police on October 17 to review what has been done at other places, etc. prior to scheduling the compliance checks in Tompkins County. Note that since early in 2019, EH has been performing vaping compliance checks at registered facilities as part of our standard ATUPA process.

Lower Elevated Blood Lead Level Concentrations: Amendments to Part 67 (Lead Poisoning Prevention and Control) become effective on October 1, 2019. These amendments lower the elevated blood lead level in children to 5 micrograms per deciliter (ug/dL). Chris Laverack and Scott Freyburger participated in a NYSACHO Webinar on the topic on September 19, 2019. Rene Borgella watched the archived webinar on September 23rd. The EH lead team has been working closely with the CHS lead team to prepare for these new requirements.

Hydrilla: At the end of August hydrilla was discovered in the private marina at Myers Point. The Local Task Force set in motion a plan to treat the infestation with herbicide. Treatment will take place in mid-October. In addition, on September 24, hydrilla was identified in the Inlet, just north of the Cass Park docks. It is too late in the season to treat this patch effectively since plant growth is slowing, so it will be addressed next spring. This is the first observation in the Inlet since treatment there was discontinued in 2016.

Bat Euthanasia Emissions Monitoring: On August 23, a representative from PESH (Public Employee Safety and Health) revisited EH and met with Mark Friebel, Skip Parr, Cynthia Mosher, and Liz Cameron to measure employee exposure to isoflurane gas during a bat euthanasia procedure. Cynthia Mosher wore a special device that monitors waste gas exposure while performing a euthanasia. The results received on September 6th showed that the downdraft table was able to completely contain any waste gas and that staff members would be exposed to no detectable levels of isoflurane gas when properly performing the procedure. During this same period of time, two bats were brought to the Health Department in previously used rat poison containers that still contained rat poison residue. The downdraft table contains a pre-filter for large particles, a carbon filter, and a HEPA filter and provides additional benefits of protecting staff from inhaling unknown chemicals or particulate matter due to the variety of containers the community uses to capture bats.

EH/Town Meeting re GrassRoots: On September 19, Becky Sims, Kristee Morgan, and Liz Cameron met with **the Town of Ulysses Supervisor, Code Enforcement Officer, and Fire Inspector. We discussed each other's** permitting requirements and related responsibilities and how shared concerns could be addressed. Changes to the **Fire Code should address some of the concerns with large propane tanks used by food vendors at this year's** festival. Propane tank size limits and separation distance requirements take effect in 2020.

NYSDOH Green Lakes Meeting: NYSDOH hosted an all-day meeting at Green Lakes State Park on September 25. Adriel Shea, Chris Laverack, Scott Freyburger, René Borgella, Kristee Morgan, and Clayton Maybee attended all or part of the meeting. Presentations covered the NYS Source Water Protection Program, updates from the NYSDOH Bureau of Water Supply Protection, Foodborne Illness Outbreaks, and a brief update on the lead program.

CEHD Meeting: Scott Freyburger and Liz Cameron attended the fall meeting of the Conference of Environmental Health Directors (CEHD) at Minnowbrook Conference Center on September 17 and 18. Topics covered at the meeting included climate change, source water protection, the use of GIS and drones in Environmental Health, cooling towers and legionella, and updates from NYSACHO (New York State Association of County Health Officials), NEHA (National Environmental Health Association), and the NYS CEH (Center for Environmental Health). There was a lot of discussion both during the presentations on Tuesday and at the CEHD business meeting on Wednesday due to the new vaping compliance check requirements, lower blood lead levels, and other new and continuing requirements and initiatives.

MH/PH Senior Leadership Retreats: Liz Cameron and the other Division Directors, Public Health Director and corresponding representatives from Mental Health participated in two half-day retreats on September 5 and 13. The purpose of the retreats is to ensure clarity and alignment within the Senior Leadership Team and a shared vision as we strive to improve the health of Tompkins County residents, decrease or eliminate health disparities, and maximize resources.

Watershed Rules and Regulations: Liz Cameron met with representatives from the Water Resources Council and the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC – or Bolton Point) staff and Commission members on September 10 to discuss the potential for watershed rules and regulations for Cayuga Lake. It was an introductory meeting to share information and initiate conversation on the topic.

Meetings, More Meetings: Liz Cameron also participated in meetings or conference calls for the Water Resources Council HABS Committee (9/10), Cayuga Lake Intermunicipal Organization (IO) (9/25), the NYSACHO/NYSPPHA/CEHD Public Health Partnership Conference Planning call (9/6), and a NYSACHO EH Committee call to discuss the proposed PFOA, PFOS, and 1,4-dioxane Maximum Contaminant Levels (MCLs). Adriel Shea participated in the Owasco Lake Watershed Inspection Committee meeting via telephone (9/17).

Training:

On September 19, Liz Cameron, Scott Freyburger, Chris Laverack, Anne Wildman and Mik Kern participated in HABS webinar presented by NYSDOH. The purpose of the webinar was to enable people to be able to recognize HABS and avoid contact with them, to educate medical and veterinary professionals about the health effects of exposure, and to help communities to minimize exposures at regulated facilities and unregulated locations.

Chris Laverack attended the "Nutrients in the Cayuga Lake Watershed, Unusual Weather, and Harmful Algal Blooms **(A Public Conversation)**" seminar on September 28 at the South Seneca High School in Ovid.

Kate Walker participated in the Basic Environmental Health Course sessions in Binghamton from September 10 to 12.

Rabies Control Program

There was one confirmed case of rabies in Tompkins County during September 2019. A raccoon found in Seneca County was brought to a Wildlife Rehabilitator in Tompkins County. The raccoon displayed clinical signs indicative of rabies and had bitten multiple people, so it was euthanized and submitted for testing. It was confirmed positive by Wadsworth Laboratory and residents in both counties received treatment.

Fall Rabies Clinics were held in the Towns of Newfield and Groton. An intern for the Emergency Preparedness Coordinator attended the Newfield Clinic and was able to observe as well as assist with crowd control.

Key Data Overview				
	This Month	YTD 2019	YTD 2018	TOTAL 2018
Bites ¹	34	266	244	306
Non Bites ²	5	153	217	226
Referrals to Other Counties	3	26	31	37
Submissions to the Rabies Lab	4	174	199	222
Human Post-Ex Treatments	9	99	136	144
Unvaccinated Pets 6-Month Quarantined ³	1	13	3	3
Unvaccinated Pets Destroyed ⁴	0	0	0	0
Rabid Animals (Laboratory Confirmed)	1	9	14	18

¹"Bites" include all reported bites inflicted by mammals and any other wounds received while saliva is present.

²"Non-bites" include human exposures to saliva of potentially rabid animals. This also includes bats in rooms with sleeping people or young children where the bat was unavailable for testing.

³When an otherwise healthy, unvaccinated pet has contact with a rabid animal, or suspect rabid animal, that pet must be quarantined for 6 months or euthanized. Quarantine must occur in a TCHD-approved facility (such as a kennel) at the owner's expense. If the pet is still healthy at the end of 6 months, the exposure did not result in rabies and the pet is released.

⁴ Pets must be euthanized if they are unvaccinated and have been in contact with a rabid or suspect rabid animal and begin to display signs consistent with rabies. Alternatively, a pet is euthanized if a prescribed 6-month quarantine cannot be performed or the owners elect euthanasia instead of quarantine.

Reports by Animal Type												
	Bites				Animals sent to the NYS Rabies Laboratory				Rabid Animals			
	Mo	YTD 2019	YTD 2018	Total 2018	By TCHD	By Cornell	Totals		Mo	YTD 2019	YTD 2018	Total 2018
							Mo	YTD				
Cat	16	107	92	115	0	0	0	16	0	0	0	0
Dog	14	143	126	158	0	0	0	8	0	0	0	0
Cattle	0	0	1	1	0	0	0	3	0	1	0	0
Horse/Mule	0	0	0	0	0	0	0	0	0	0	0	0
Sheep/Goat	0	0	0	0	0	0	0	1	0	0	0	0
Domestic	0	0	0	0	0	0	0	0	0	0	0	0
Raccoon	3	6	3	5	1	0	1	7	1	2	3	5
Bats	1	5	6	10	3	0	3	118	0	1	5	7
Skunks	0	1	3	3	0	0	0	4	0	2	1	1
Foxes	0	1	6	6	0	0	0	7	0	3	3	3
Other Wild	0	3	7	8	0	0	0	10	0	0	2	2
Totals	34	266	244	306	4	0	4	174	1	9	14	18

Food Program

The results of food service establishment inspections conducted in Tompkins County can be viewed directly on the Environmental Health website (<http://www.tompkinscountyny.gov/health/eh/food/index>) or through the Tompkins County Mapping Portal (<https://tompkinscounty.maps.arcgis.com/apps/Style/index.html?appid=2768bd8c8b584d8a9155b60281ba477b>). Inspections can be sorted to meet the needs of the viewer (by facility, date, etc.) by clicking on the column heading of interest. These are valuable tools for easily providing information to the public.

Routine facility inspections are conducted to protect public health. The inspections are made without advance notice to ensure that food processes are adequate, safe, and meet code requirements. It is important to keep in mind that inspections are only a "snapshot" in the entire year of a facility's operation and they are not always reflective of the day-to-day operations and overall condition of the operation.

The following inspections were conducted with no critical violation(s) noted:

Applebee's Neighborhood Bar & Grill, V-Lansing
Auntie Anne's, V-Lansing
 Benn Conger Inn, T-Groton
 Blue Sky Bee-stro, Throughout Tompkins
 Celebrations Banquet Facility, T-Caroline
 Come 2 You Canteen, Throughout Tompkins
 Cornell Child Care Center COI, T-Ithaca
 CU – **Kegler's Pub, C-Ithaca**
 CU – Moakley House, T-Ithaca
 Dryden Hotel, V-Dryden
 Finger Lakes Music Bar, C-Ithaca
 Hot Spot Grill, Throughout Tompkins
 IC – Food Court Dining, T-Ithaca
 ICSD – Caroline Elementary School, T-Caroline

Joe's Restaurant, C-Ithaca
 Lian Hua Chinese Kitchen, C-Ithaca
 Ling Ling Garden, T-Ithaca
 Mahogany Grill, C-Ithaca
 McGraw House, C-Ithaca
 Meadow Court – Royal Court Restaurant, C-Ithaca
Sophia's Sweets, Throughout Tompkins
 Sopoong, C-Ithaca
 TC Action Amici House, C-Ithaca
 TC Action Casey Center Head Start, T-Dryden
 TC Action Groton, V-Groton
 West Indies Flavor, Throughout Tompkins

The Hazard Analysis Critical Control Point (HACCP) Inspection is an opportunity for the establishment to have the health department review food processes in the facility to make sure that all potential hazards are identified and to assure that the best food safety practices are being used.

HACCP Inspections were conducted at the following establishments:

None in September

Re-Inspections are conducted at any establishments that had a critical violation(s) to ensure that inadequate or unsafe processes in a facility have been corrected.

The following re-inspections were conducted with no violations noted:

Allechant, V-Cayuga Heights
 Blue Tusk Doughnuts, Throughout Tompkins
 Bunn Appetit Bakery, V-Groton
 The Chanticleer, C-Ithaca
 Covert Country Store, Throughout Tompkins
 Dinosaur Bar-B-Que, Throughout Tompkins
 Easy Wok, V-Lansing
 Firehouse Subs, C-Ithaca

Liquid State Brewing Company, C-Ithaca
 Little Venice Ristorante, V-Trumansburg
 On the Street, Throughout Tompkins
 Spicy Asian, C-Ithaca
Stella's Barn Restaurant & Gift Shop, T-Newfield
 Trini Style, Throughout Tompkins
 Waffle Frolic, C-Ithaca

Critical violations may involve one or more of the following: the condition of food (e.g. food that may be at improper temperatures on delivery or damaged by rodents), improper food cooking and storage temperatures (e.g. food cooked to and/or held at improper temperatures), improper food preparation practices (e.g. preparing ready-to-eat foods with bare hands), and water and/or sewage issues (e.g. low disinfection levels in the water system). These critical violations relate directly to factors that could lead to food related illness.

Critical Violations were found at the following establishments:

Dinosaur BBQ, Throughout Tompkins

Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 50-52°F. The product was rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Products in hot holding were observed to be at 114-126°F. The products were removed from service and rapidly reheated to 165°F or above before use.

Cayuga Addiction Recovery Services, T-Ulysses

Potentially hazardous foods were not kept at or below 45°F in cold holding. Products in cold holding were observed to be at 57-58°F. The products were removed from service and placed in the walk-in cooler to be rapidly chilled to 45°F or less before use.

Jade Garden, C-I thaca

Potentially hazardous foods were not cooled by an approved method. Product cooling on a counter in the kitchen was observed to be at 89°F. The product was moved to the walk-in to be rapidly chilled using an approved method.

Potentially hazardous foods were not stored under refrigeration. Products on a counter in three different locations were observed to be at 62-76°F. The products were all moved to refrigerated storage to be rapidly chilled to 45°F or less before use.

Friends & Pho, V-Lansing

Potentially hazardous foods were not kept at or below 45°F during cold holding. Products in cold holding were observed to be at 57-68°F. The products were rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Products in hot holding were observed to be at 103-114°F. The products were removed from service and rapidly reheated to 165°F or above before use.

Adam's Grill, Throughout Tompkins

Cooked or prepared foods were subject to cross-contamination from raw foods. Storage was rearranged during the inspection.

An accurate thermometer was not available to evaluate the temperatures of potentially hazardous foods.

Potentially hazardous foods were not kept at or above 140°F in hot holding. Product in hot holding was observed to be at 125°F. The product was rapidly reheated to 165°F or above before use.

Taste of Thai Express, C-I thaca

Potentially hazardous foods were not stored under refrigeration. Products out in the kitchen in three different locations were observed to be at 52-58°F. The products were all moved to refrigerated storage to be rapidly chilled to 45°F or less before use.

Enough refrigerated storage was not maintained so that potentially hazardous foods were kept below 45°F. Products in a refrigerated storage unit were observed to be at 48-74°F. The products were removed from service and rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not kept at or above 140°F in hot holding. Products in hot holding in two locations were observed to be at 124-126°F. The products were rapidly reheated to 165°F or above before use.

Mama Loye's Café, V-Dryden

Potentially hazardous foods were not kept at or above 140°F in hot holding. Product in hot holding was observed to be at 86-88°F. The product was removed from service and rapidly reheated to 165°F or above before use.

Sumo Japanese Steakhouse & Sushi, V-Lansing

Potentially hazardous foods were not stored under refrigeration. Product was observed to be at 112°F. The facility operates with a waiver for time as a public health control but was not maintaining temperature log sheets as required by the waiver. The product was removed from service during the inspection.

New York Garden, V-Groton

Potentially hazardous foods were not cooled by an approved method. Product on a counter in the kitchen was observed to be at 91-98°F. The product was moved to the walk-in cooler to be rapidly cooled using an approved method.

ICSD – Cayuga Heights Elementary School, V-Cayuga Heights

Enough refrigerated storage was not maintained so that potentially hazardous foods were kept below 45°F. Products in a refrigerated storage unit were observed to be at 51-58°F. The products were moved to a working refrigeration unit to be rapidly chilled to 45°F or less before use.

Precooked, refrigerated potentially hazardous food was not reheated to 165°F or above within two hours. Product on the service line was observed to be at 110-115°F. The product was removed from service and rapidly reheated to 165°F or above.

Cup O Jo Café, V-Lansing

Potentially hazardous foods were not kept at or above 140°F. Products available for customer service were observed to be at 120°F and 130°F. The products were removed from service and rapidly reheated to 165°F or above before use.

IC – Egbert Dining Hall, T-Ithaca

Potentially hazardous foods were not kept at or below 45°F during cold holding. Products in cold holding were observed to be at 52°F and 68°F. The products were removed from service and rapidly chilled to 45°F or less before use.

Potentially hazardous foods were not cooled using approved methods. Product for service was observed to be at 78°F. The product was moved to the walk-in cooler to be rapidly cooled to 45°F or less using approved methods.

Enough refrigerated storage was not maintained so that potentially hazardous foods were kept at or below 45°F in cold holding. Products in a refrigerated storage unit were observed to be at 64°F. The products were removed from service and rapidly chilled to 45°F or less.

Stella's Barn Restaurant & Gift Shop, T-Newfield

Enough refrigerated storage was not maintained so that potentially hazardous foods were kept at or below 45°F in cold holding. Products in a refrigerated storage unit were observed to be at 51-52°F. The products were discarded during the inspection.

Luna Street Food Downtown, C-Ithaca

An accurate thermometer was not available to evaluate temperatures of potentially hazardous foods.

Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in hot holding was observed to be at 121°F. The product was removed from service and rapidly reheated to 165°F or greater before use.

The Range, C-Ithaca

An accurate thermometer was not available to evaluate potentially hazardous food temperatures.

Adam's Grill, Throughout Tompkins (Re-inspection)

Potentially hazardous foods were not held at or above 140°F in hot holding. Product in hot holding was observed to be at 99-130°F. Product was rapidly reheated to 165°F or above before use.

Potentially hazardous foods were not held at or below 45°F in cold holding. Product in cold holding was observed to be at 66°F. The product was rapidly chilled to 45°F or less.

Temporary Food Service Operation Permits are issued for single events at one location. The Food Protection Program issued 61 temporary permits.

Temporary food operation inspections are conducted to protect public health. The inspections are made without advance notice to ensure that the food processes at the event are adequate, safe, and meet code requirements. The operation must correct Critical Violations during the inspection. When a Temporary Food Operation has Critical Violation/s, a re-inspection is conducted when the event is longer than one day.

The following inspections were conducted with no violation(s) noted:

Al Huda Islamic Center at GIAC Festival of Nations, C-Ithaca
 B&B Kettle Korn at Ithaca Apple Harvest Festival, C-Ithaca
 Baptized Church of Jesus Christ at 20019 M&M Foodservers, C-Ithaca
Ben & Jerry's at GIAC Festival of Nations, C-Ithaca
 BSA Troop 55 at Ellis Hollow Community Fair, T-Dryden
 Creamcycle at Ithaca Apple Harvest Festival, C-Ithaca
 CU – Cornell Chinese Students Association CSA Milk Tea Social, C-Ithaca
 CU - Graduate Women in Science Ice Cream Social, C-Ithaca
 Dryden Sports Boosters at 2019 Football Concessions, T-Dryden
 Ellis Hollow Community Fair Corn Stand, T-Dryden
 Ellis Hollow Community Fair Country Kitchen, T-Dryden
 Ellis Hollow Community Fair Salads, T-Dryden
 Greener Grass Farm at Ithaca Apple Harvest Festival, C-Ithaca
 Ithaca Coffee Company at 2019 Apple Harvest Festival, C-Ithaca
 Kettle Corn Shoppe at Ithaca Apple Harvest Festival, C-Ithaca
Kim's Cheesecake on a Stick at Ithaca Apple Harvest Festival, C-Ithaca
 Knot of this World Pretzels at Ithaca Apple Harvest Festival, C-Ithaca
 Lao Village at Ithaca Apple Harvest Festival, C-Ithaca
 Leon & Alma Soul Food at 2019 GIAC Festival of Nations, C-Ithaca
 Little Farm Bakery at Ithaca Apple Harvest Festival, C-Ithaca
 Macarollin Food Truck at Ithaca Apple Harvest Festival, C-Ithaca
 Mr. Squeeze Real Lemonade and Teas at GIAC Festival of Nations, C-Ithaca
 Mr. Squeeze Real Lemonade at Ithaca Apple Harvest Festival, C-Ithaca
 Rotary Club of Dryden Rotary Fundraiser BBQ, V-Dryden
 Sazon Latino at GIAC Festival of Nations, C-Ithaca
 Smithome Farms Concessions at Ithaca Apple Harvest Festival, C_ithaca
 Vail Bros at Ithaca Apple Harvest Festival, C-Ithaca
 Vail Bros at Ithaca Apple Harvest Festival Booth 2, C-Ithaca

Critical Violations were found at the following establishments:

GIAC at GIAC Festival of Nations, C-Ithaca

Potentially hazardous food was held at an improper temperature. Product in hot holding was observed to be at 125°F. The product was removed from service and rapidly reheated to 165°F or above. Product in cold holding was observed to be at 53-56°F. The product was removed from service and rapidly chilled to 45°F or less.

Lansing Fire Department at Lansing Carnival, T-Lansing

Potentially hazardous food was held at an improper temperature. Product in hot holding was observed to be at 113-130°F. Products were removed from service and rapidly reheated to 165°F or above before use. A subsequent re-inspection was satisfactory.

R&V Jamaican Cuisine at GIAC Festival of Nations, C-I thaca

Potentially hazardous foods were held at an improper temperature. Ten separate products in hot holding were observed to be at 103-130°F. The products were removed from service and rapidly reheated to 165°F or above before use.

Ellis Hollow Community Center Fair BBQ, T-Dryden

Potentially hazardous food was held at an improper temperature. Products in hot holding were observed to be at 125-138°F. The products were removed from service and rapidly reheated to 165°F or above.

CU – Chi Psi Fraternity Puppies and Ice Cream, C-I thaca

Potentially hazardous food was held at an improper temperature. Product in cold holding was observed to be at 64°F. The product was discarded during the inspection.

Hollow Creek at Ithaca Apple Harvest Festival, C-I thaca

Potentially hazardous food was held at an improper temperature. Products in hot holding were observed to be at 130-138°F. The products were removed from service and rapidly reheated to 165°F or above. During a subsequent re-inspection product in hot holding were observed to be at 126°F. The product was removed from service and rapidly reheated to 165°F or above before use.

Pre-Operational inspections are conducted, following a thorough review of proposed plans, at new or extensively remodeled facilities to ensure code compliance prior to opening to the public.

The following pre-operational inspections were conducted:

Angelhearts Diner, C-Ithaca
 Bella Pizza, C-Ithaca
 Bike Bar, C-Ithaca
 Canopy Hotel – The Strand Café, C-Ithaca
 Gateway Mediterranean Bistro & Grill, C-Ithaca
 Newfield Elementary School, V-Newfield

Plans Approved:

Bella Pizza, C-Ithaca
 Bike Bar, C-Ithaca
 Nothing Nowhere, C-Ithaca

New Permits Issued:

Angelhearts Diner, C-Ithaca
 Bike Bar, C-Ithaca
 Canopy Hotel – The Strand Café, C-Ithaca
 Corner Catering Kitchen, T-Dryden
 Gateway Mediterranean Bistro & Grill, C-Ithaca

The Food Protection Program received and investigated four complaints related to issues and/or problems at permitted food service establishments.

Engineering Plans Received

- Public Water System – Town of Ithaca
- Public Water System (Backflow)– Village of Lansing

Problem Alerts/Emergency Responses

- A boil water order (BWO) was issued to Brew 22 Coffee and Espresso, T- Dryden, on September 24, 2019, due to inadequate disinfection. The UV disinfection system was fixed, satisfactory samples were received and TCHD ended the BWO on October 9, 2019.

Childhood Lead Program

CHILDHOOD LEAD PROGRAM	MONTH	YTD 2019	YTD 2018	TOTAL 2018
A: Active Cases (total referrals):				
A1: # of Children w/ BLL>19.9ug/dl	0	0	1	1
A2: # of Children w/ BLL 10-19.9ug/dl	0	0	5	5
B: Total Environmental Inspections:				
B1: Due to A1	0	0	1	1
B2: Due to A2	0	0	5	5
C: Hazards Found:				
C1: Due to B1	0	0	1	1
C2: Due to B2	0	0	5	5
D: Abatements Completed:	0	0	0	0
E: Environmental Lead Assessment Sent:	0	0	2	2
F: Interim Controls Completed:	0	0	1	1
G: Complaints/Service Requests (w/o medical referral):	4	31	41	54
H: Samples Collected for Lab Analysis:				
- Paint	0	0	0	5
- Drinking Water	0	0	0	0
- Soil	0	0	0	0
- XRF	0	0	5	5
- Dust Wipes	0	0	6	6
- Other	0	0	1	1

Quarterly Overview of Accela/Accela Citizen Access (ACA) Records:

For the period of July 1 through September 30, 166 permit applications (39% of the 425 total applications that can be received through Accela Citizen Access) and 96 payments in the amount of \$12,003 were received electronically.

The following is a breakdown of permit records by program for the 3rd quarter of 2019.

Program	Total Records Processed			Total Records Processed Electronically		
	3rd Quarter	YTD 2019	Total 2018	3rd Quarter	YTD 2019	Total 2018
Ag Fairground/Mass Gathering	0	2	2	0	0	0
Campground	0	10	9	0	0	2
Childrens' Camp	0	33	33	0	1	5
*Complaint	44	98	166	*	*	*
*Enforcement/NOV	37	112	156	*	*	*
Food Service Establishment	124	399	534	10	33	28
*Individual Water	8	25	64	*	*	*
*Information Request	62	171	75	*	*	*
Mobile Home Park	39	40	42	1	1	0
OWTS	97	220	254	2	7	51
*Other (Admin)	15	380	42	*	*	*
*Plan Review	11	34	52	*	*	*
Public Water	0	148	143	0	1	9
Swimming Pool/Beach	0	27	58	0	5	23
Temporary Food	165	407	408	153	383	375
Temporary Residence	0	6	36	0	0	13
Total	602	2112	2074	166	431	506

*Not available in ACA

Official Payments/AA not transferring data (records manually received by Support Staff)

Summary of Open BOH Enforcement Actions:

Date of BOH Action	Facility	Owner/ Operator	Basis for Action	Penalty Assessed	Next BOH Order Deadline	Status
9/27/19	Finger Lakes GrassRoots Festival	Finger Lakes GrassRoots Festival Org	Mass Gathering and Campgrounds - Violation of BOH Orders	\$3,000	Payment due 11/15/19	Monitoring Compliance
9/24/19	Dryden Queen Diner	John Poulos	Food Service Establishment – Violation of BOH Orders	\$800	Payment due 11/15/19	Monitoring Compliance
9/24/19	Mitsuba Hibachi Sushi Restaurant	Eric Jiang	Food Service Establishment – Violation of BOH Orders	\$1,000	Payment due 11/15/19	Monitoring Compliance
8/27/2019	Ciao!	Mark Campagnolo	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 10/15/19	Monitoring Compliance
8/27/2019	On The Street	Brian Horvath	Food Service Establishment – Repeat Critical Violations	\$400	Payment due 10/15/19	Monitoring Compliance
8/27/2019	Ithaca Marriott	Don Urgo, Jr.	Food Service Establishment – Violation of BOH Orders	\$800	Payment due 10/15/19	Monitoring Compliance
8/27/2019	Kenney's Septic	Eric Kenney	Installation of a Sewage System without a Permit	\$500	Payment due 10/15/19	Monitoring Compliance
6/25/2019	Taste of Thai Express	Sirathorn Balakula	Food Service Establishment – Violation of BOH Orders	\$1,700	Payment due 8/15/19	Late Letter sent. Further enforcement action pending.
6/25/2019	Corelife Eatery	David Shanks	Food Service Establishment – Violation of BOH Orders	\$1,500 (paid 7/15)	Food safety training certifications due 8/15/19	Awaiting receipt of training certifications.
6/25/2019	Ko Ko Restaurant	Sungyoon Hwang	Food Service Establishment – Violation of BOH Orders	\$2,700	Payment due 9/17/19	Late letter sent.

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

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

CERTIFIED AND REGULAR MAIL

October 9, 2019

Frank Emery
45 Adams Rd
Newfield, NY 14867

**Re: Resolution #EH-ENF-19-0032 to Authorize Warrant to Vacate Premises
100 Smith Road, T-Newfield (Tax Map # 18.-1-10.22)**

Dear Mr. Emery:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, October 22, 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).

If the unsanitary conditions are corrected as previously required in the September 16, 2019, Order to Abate, documentation certifying this from a sewage system contractor and a licensed well driller must be received by the Tompkins County Health Department prior to noon on October 22, 2019.

Sincerely,



C. Elizabeth Cameron, P.E.
Director of Environmental Health

Enclosures: Draft Resolution, Warrant to Vacate Premises, Hearing Documents, Findings and Recommendations, PHD Orders to Abate and Vacate, and Article V of TCSC

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\18.-1-13.12_100 Smith Road Complaint\Draft Resolution for Warrant.docx
ec: Tompkins County Board of Health (via; Abby Homer & Shelley Comisi, TCHD)
Tori Monroe (Tenant); CEO T-Newfield; Supervisor T-Newfield; David McKenna; TC Legislature; Deana Bodnar, DSS;
John LoPinto (DSS); Jonathan Wood, County Attorney; TCHD: Frank Kruppa, Liz Cameron, Adriel Shea, Skip Parr,
Becky Sims
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-19-0032 FOR

**Frank Emery, Owner
100 Smith Road, Tax Map # 18-1-10.22
Newfield, NY 14867**

Whereas, Article V of the Tompkins County Sanitary Code (TCSC) outlines the authority of the Public Health Director and the Board of Health to declare a public health nuisance, a condition dangerous to health, and unsanitary conditions unfit for human habitation, and sets forth the required procedures when necessary to require a dwelling to be vacated; **and**

Whereas, on July 8, 2019, Tompkins County Health Department (TCHD) staff investigated a complaint at 100 Smith Road in the Town of Newfield and observed sewage on the ground and an inadequate water supply. A sample was collected and the result was positive for E. coli and a boil water order was issued on July 11, 2019; **and**

Whereas, on July 16, 2019, a Notice of Violation was sent to the owner of the property, Frank Emery, requiring him to address the public health hazardous related to sewage and water violations. In addition, it was required that bottled water be provided to the tenants beginning on July 19, 2019; **and**

Whereas, on July 29, 2019, after no response from the owner, Public Health Director's Orders were issued to the owner in accordance with Section 5.02 of the TCSC, requiring bottled water to be provided to the tenants and correction of the water and sewage violations; **and**

Whereas, on August 7, 2019, TCHD staff performed a site visit and observed that no action had been taken by the owner of 100 Smith Road to correct the violations; **and**

Whereas, on August 8, 2019, the TCHD sent a letter to the Town of Newfield Code Enforcement Officer (CEO) requesting that the Town of Newfield prohibit occupancy until all critical violations were abated to the satisfaction of TCHD and the Town of Newfield; **and**

Whereas, on August 21, 2019, an email was received by TCHD from the Town of Newfield CEO that the CEO was not going to prohibit occupancy as the tenants were going to correct the issues; **and**

Whereas, as of September 8, 2019, neither the owner nor the tenants had corrected the violations; **and**

Whereas, on September 9, 2019, TCHD staff hand-delivered an Order to Show Cause to Frank Emery, owner of 100 Smith Road, in accordance with Section 5.03 of the TCSC, requiring him to appear for a hearing to show cause as to why the conditions at 100 Smith Road should not be declared a nuisance or a condition dangerous to the health of the tenants; **and**

Whereas, on September 16, 2019, a hearing was held at the TCHD. The owner did not present and Findings and Recommendations were issued by the Hearing Officer stating that conditions existed constituting a nuisance and a condition dangerous to health. It was recommended that if the nuisance was not abated, then the Public Health Director should order that the dwelling be vacated and its use be discontinued until abated; **and**

Whereas, on September 16, 2019, an Order to Abate was issued by the Public Health Director and posted by the Tompkins County Sheriff in accordance with Section 5.03 of the TCSC; **and**

Whereas, on September 24, 2019, an Order to Vacate by October 5, 2019, was issued by the Public Health Director in accordance with Section 5.03 of the TCSC, after the owner failed to meet the requirements of the Order to Abate. Copies of the Order to Vacate were posted by the Tompkins County Sheriff at the dwelling of 100 Smith Road as well as at the home of the property owner; **and**

Whereas, on October 4, 2019, the tenants contacted the TCHD and requested additional time to find a new residence; **and**

Whereas, on October 8, 2019, the tenants were informed that the TCHD would be taking action at the Board of Health meeting on October 22, 2019, effectively providing the tenants with an additional 3 weeks to find a new residence; **and**

Whereas, Section 5.05 of the TCSC authorizes the Board of Health to issue a warrant to the Sheriff directing that such dwelling shall be vacated when Public Health Director's Order to Vacate has not been met; **now therefore be it**

Resolved, that the Tompkins County Board of Health hereby issues a warrant to the Tompkins County Sheriff directing that dwelling at 100 Smith Road in the Town of Newfield be vacated and this warrant is to be executed pursuant to law.

TOMPKINS COUNTY BOARD OF HEALTH
WARRANT TO VACATE PREMISES

TO THE TOMPKINS COUNTY SHERIFF

REGARDING THE DWELLING AT
100 Smith Road, T-Newfield
Newfield, New York 14867
Tax Map No. 18-1-10.22,
Frank Emery, Owner

Whereas, on September 16, 2019, the Commissioner of Health found that conditions at 100 Smith Road in the Town of Newfield are a public health nuisance that present a condition dangerous to health requiring abatement by September 20, 2019, and

Whereas, the Commissioner of Health issued an order to vacate by October 5, 2019, as the conditions at 100 Smith Road were not abated, and

Whereas, tenants continued to reside at the residence, the premises were not vacated, and this warrant was authorized by the Tompkins County Board of Health at their meeting held on October 22, 2019, now

Therefore, in accordance with the provisions of Section 5.05 of the Tompkins County Sanitary Code, the Sheriff of Tompkins County is hereby commanded to remove the tenants and all other persons from these premises pursuant to law.

Frank Kruppa
Public Health Director and
Secretary to the Board of Health

Date

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

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

ORDER #EH-ENF-19-0032
ORDER TO SHOW CAUSE FOR

100 Smith Road, T-Newfield
Frank Emery, Owner
Newfield, NY 14867

Whereas, it is a violation of Article VI, Section 6.02.b of the Tompkins County Sanitary Code to discharge sewage to the ground; **and**

Whereas, it is a violation of Article VII, Section 7.01.b of the Tompkins County Sanitary Code to serve, provide or make available or accessible for others, drinking water which is not potable; **and**

Whereas, Article V of the Tompkins County Sanitary Code authorizes the Public Health Director to require the owner or occupant to appear at a hearing to address why a condition should not be declared a nuisance or condition dangerous to life or health, and, should the nuisance not be abated, require all persons to vacate the dwelling and discontinue its use until the dwelling shall be place in a sanitary habitable condition and the nuisance abated; **and**

Whereas, on July 5, 2019, the Tompkins County Health Department (TCHD) was notified of a complaint involving a fuel spill, ongoing home heating issues, sewage back-up and water issues at the property located at 100 Smith Road in the Town of Newfield. A referral was made by TCHD to New York State Department of Environmental Conservation (NYSDEC) staff who investigated the spill complaint; **and**

Whereas, during a follow-up field visit on July 8, 2019, TCHD staff observed that the sewer line serving the mobile home had been disconnected and was discharging raw sewage to a shallow trench that crossed the driveway and that the water source was a very shallow, improperly constructed well without adequate protection from surface water contamination. A significant leak in the portion of the water line within the well was also noted; **and**

Whereas, results of the water sample collected by TCHD during the July 8 field visit show that the water system is contaminated with *E. coli* bacteria; **and**

Whereas, on July 16, 2019, the Tompkins County Health Department (TCHD) issued a Notice of Violation that required the Owner to: reconnect the sewage line to the home immediately, provide bottled water to the tenants by July 19, 2019, have the sewage system evaluated by July 31, 2019, and to install a new well by August 31, 2019; **and**

Whereas, on July 24, 2019, the TCHD was notified by the tenants of 100 Smith Road that the Owner had not provided bottled water or made any other attempts to abate the violations; **and**

Whereas, on July 29, 2019, the TCHD issued Public Health Director's Orders that required the Owner to: reconnect the sewage line to the home immediately, provide bottled water to the tenants

immediately, and to contact the TCHD by August 2, 2019, to discuss a plan and timeline to correct the water and sewage issues; **and,**

Whereas, during a field visit on August 7, 2019, TCHD staff observed that no action had been taken to correct the sewage and water issues. Staff met with the tenants and the tenants stated that they had not been provided with bottled water and indicated that they had extremely low water pressure. In addition, TCHD staff observed deteriorating exterior steps, deck and railing, and holes through the exterior house. The tenants stated that the roof had multiple leaks, one of which leaks onto a bed and another which shorts out the lighting; **and**

Whereas, on August 8, 2019, the TCHD sent a letter to the Town of Newfield Code Enforcement Officer requesting that occupancy to the home be prohibited by their authority based on existing conditions that are dangerous to the health and welfare of the tenants; **and**

Whereas, the Town of Newfield Code Enforcement Officer has not acted to post the property, stating in an email on August 21, 2019, that the tenants requested that he not post the property and that they were planning on making the repairs themselves including repairing the sewage system and adding chlorine to the well, with the intention of purchasing the property from the Owner; **and**

Whereas, on August 22, 2019, the TCHD notified the tenants that an Onsite Wastewater Treatment System (OWTS) permit from the TCHD was needed prior to digging into or repairing the sewage system and that the chlorine would not effectively disinfect the water supply because of the way it is constructed and the potential for contamination to enter the water source; **and**

Whereas, no OWTS permit application has been received by the TCHD and the unsanitary conditions continue unabated at the property; **and**

Whereas, it is the intent of the Public Health Director, pursuant to Section 5.05 of the TCSC, to order all persons to vacate the premises and discontinue its use if these violations are not abated; **now therefore**

The Public Health Director, orders Frank Emery, Owner, to appear at the Tompkins County Health Department offices, first floor Rice Conference Room, 55 Brown Road, Ithaca, New York, on **September 16, 2019, at 9:00 a.m.** At this hearing, you will need to show why the current conditions at 100 Smith Road should not be declared a condition that is a nuisance or a condition that is dangerous to the life or health of the tenants that occupy the home.





07.08.2019 14:23



07.08.2019 14:30



Community Science Institute, Inc.

NYSDOH ELAP #11790 www.communityscience.org EPA Lab Code NY01518

Test Report

<u>Client:</u> Tompkins County Health Department Environmental Health Division 55 Brown Road Ithaca, NY 14850 607-274-6688	<u>Sample matrix:</u> Drinking water <u>Date & time sampled:</u> 7/8/2019, 2:00 PM <u>Sampled by:</u> Chris L. <u>Sampling location:</u> 100 Smith Rd, <u>Date and time received:</u> 7/9/2019, 9:00 AM
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Sample Lab ID: 19069

P.W.S.I.D. #: N/A

Test Methods: <TC/E.coli> 40 CFR 141.21 (f) 6v, MI Agar/SM 9222A, B;

Test For	Allowed Level*	Result	Units	Test Date, Time	Additional Information
Total coliform	Absent	Present	Present/Absent	7/9/2019, 4:25 PM	TNTC colonies/100 mL
E.coli	Absent	Present	Present/Absent	" "	17 colonies/100 mL

*Upper limit allowed for public water supplies regulated by NYS Dept. of Health

Sample received on ice: Yes No

Sample temperature (chemical samples only): N/A

Results apply only to sample listed above and not to any other samples.

Additional information: none.

Report prepared by: Stephen M. Penningroth Date: 8/09/2019

Stephen M. Penningroth, Technical Director

The Community Science Institute, Inc., warrants that analytical results are accurate and representative of samples received for analysis. Clients frequently collect samples and submit them for analysis. When that is the case, client acknowledges that sample representativeness depends on his or her adhering to sampling instructions provided by CSI. If a test result is shown to be inaccurate, CSI agrees to repeat the test free of charge but accepts no further liability. CSI treats this Test Report as confidential. Client may reproduce Test Report in its entirety. Partial duplication is not allowed except with written approval from CSI.



Your Partner for a Healthy Community

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

July 16, 2019

Frank Emery
45 Adams Rd
Newfield, NY 14867

Re: **Notice of Violation – EH-NOV-19-0051**
Discharge of sewage to the surface of the ground and provision of drinking water which is not potable (Tax Map # 503400-18.-1-10.22)
Immediate Action Required

Dear Mr. Emery,

In response to a complaint of a heating fuel spill, sewage on top of the ground and a leak in the water system at the above referenced property, which is owned by you, representatives of the Tompkins County Health Department (TCHD) visited the site on July 5, 2019 and confirmed the presence of surfacing sewage and the existence of an unacceptable water supply. The New York State Department of Environmental Conservation responded to investigate and address the heating fuel spill.

Sewage Discharge: It was observed that the sewer line serving the mobile home had been disconnected and was discharging raw sewage to a shallow trench that crossed the driveway. The discharge of the sewage is a violation of Article VI, Section 6.02b of the Tompkins County Sanitary Code, which states no person shall expose or discharge human wastes or sewage to the surface of the ground, or into any storm sewer or drain.

At this time, it is uncertain to this Department if the existing sewage system serving the home is functional. **The sewer line must be immediately reconnected. Have a professional evaluate the septic tank, check the sewer line for blockages and notify this Department of their determination no later than July 31, 2019.** If it is known to you that the sewage system is failed, notify the Department upon receipt of this letter. Any sewage system repair or replacement must be done under permit from the Department.

Water Source: The water source was observed to be a very shallow, improperly constructed well without adequate protection from surface water contamination. A significant leak in the portion of the waterline within the well was also noted.

At the time of the visit, TCHD staff drew a bacteriological water sample from within the mobile home. Results of this sample show that the water system is contaminated with *E. coli* bacteria. This contamination is a health hazard and a violation of Article VII, Section 7.01(b) of the Tompkins County Sanitary Code. Immediate measures must be taken to assure that the tenants you rent this home to have potable water. They have been notified and have been advised to boil all water that is to be used for consumption or handwashing. Boiling water can only be used as a temporary measure, therefore, **you must provide your tenants with bottled water beginning July 19, 2019**, until a proper water source or treatment system is installed.

The Article VII, Section 7.01(a) of the Tompkins County Sanitary Code states that water supplies influenced by surface water will only be acceptable as a last resort and that a disinfection system may be required. The TCHD requires that a drilled water well be developed for this property if you wish to continue to offer it for lease or rent. **This well must be installed by a DEC certified well professional by August 31, 2019.** If a producing water well cannot be developed, then a disinfection system will be required.

Additional Concerns: at the time of the visit, the tenants informed TCHD staff that the kitchen sink did not have adequate pressure and that the home was without heat for over a year. We are referring these concerns to the Town of Newfield's Code Enforcement Officer.

Failure to comply with these corrective actions may lead to formal enforcement action with monetary penalties. I understand that resolving these issues may be financially challenging and I appreciate your cooperation, so should you be unable to meet the above dates for abating the violations, please contact me at (607) 274-6688 at your earliest convenience. Please also call if you have any questions.

Sincerely,



Adriel Shea
Senior Public Health Sanitarian

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\18.-1-13.12_100 Smith Road Complaint\100 Smith Rd NOV 7.2019.docx
ec: (T) Newfield CEO; (T) Newfield Supervisor; Christine Rossi, DEC
TCHD: Adriel Shea, Liz Cameron, P.E., Scott Freyburger, Skip Parr
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
www.tompkinscountyny.gov/health/eh

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

July 29, 2019

Frank Emery
45 Adams Rd
Newfield, NY 14867

**Re: Public Health Directors (PHD) Orders # EH-NOV-19-0051
Failure to Address Public Health Hazards
100 Smith Road, T-Newfield**

Dear Frank Emery:

On July 16, 2019, Notice of Violation # EH-NOV-19-0051 was issued requiring you to provide bottled water to the tenants at 100 Smith Road and to immediately repair the disconnected sewer line serving the mobile home at this address. The NOV stated that:

Sewage Discharge: *It was observed that the sewer line serving the mobile home had been disconnected and was discharging raw sewage to a shallow trench that crossed the driveway. The discharge of the sewage is a violation of Article VI, Section 6.02b of the Tompkins County Sanitary Code, which states no person shall expose or discharge human wastes or sewage to the surface of the ground, or into any storm sewer or drain.*

Water Source: *The water source was observed to be a very shallow, improperly constructed well without adequate protection from surface water contamination. A significant leak in the portion of the waterline within the well was also noted.*

At the time of the visit, TCHD staff drew a bacteriological water sample from within the mobile home. Results of this sample show that the water system is contaminated with E. coli bacteria. This contamination is a health hazard and a violation of Article VII, Section 7.01(b) of the Tompkins County Sanitary Code. Immediate measures must be taken to assure that the tenants you rent this home to have potable water.

As of July 25, 2019, these items have not been addressed. The Tompkins County Sanitary Code states that no person shall expose or discharge sewage to the surface of the ground and that no person shall serve, provide or make available drinking water which is not potable.

Frank Emery, owner of 100 Smith Road in the Town of Newfield is ordered to comply with the following Public Health Directors Orders:

- 1. Immediately provide bottled water to the tenants of 100 Smith Road, Town of Newfield, until a proper water source or an approved treatment system is installed.** A drilled water well will need to be developed for this property if you wish to continue to offer it for lease or rent. This well must be installed by a DEC certified well professional. If a producing water well cannot

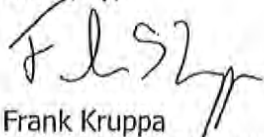
be developed, then a disinfection system, approved by the Health Department, will be required; **and**

2. **Immediately reconnect the sewer line servicing the mobile home at 100 Smith Road, Town of Newfield.** At all times, the sewer line, septic tank and sewage system must be maintained so that sewage does not back into the home and so that sewage is not discharged to the atmosphere, ground, storm drain or any water course. If it is known to you that the sewage system is failed, notify the Department upon receipt of this letter. Any sewage system repair or replacement must be done under permit from the Department; **and**
3. **Contact Adriel Shea of this office at 607-274-6688 to discuss a plan and timeline to permanently address the water and sewage violations no later than August 2, 2019.** A formal stipulation agreement will be drafted to ensure 100 Smith Road, Town of Newfield, returns to compliance with the Tompkins County Sanitary Code.

The current conditions of 100 Smith Road, Town of Newfield, endangers the health and well-being of the tenants at 100 Smith Road. In the event, you fail to meet the requirement of this order, 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 Adriel Shea or Elizabeth Cameron at (607) 274-6688 if you have any questions.

Sincerely,



Frank Kruppa
Public Health Director

Attachment – Notice of Violation # EH-NOV-19-0051

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\18.-1-13.12_100 Smith Road Complaint\PHD Orders.docx
ec: Newfield CEO; Newfield Supervisor; Kit Kephart, DSS Commissioner; Deana Bodnar, DSS Deputy Commissioner; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Becky Sims; Kristee Morgan; Skip Parr; Scott Freyburger
scan: Signed copy to the F drive





8/7/19
TCHD Field Unit 1



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

ELECTRONIC AND REGULAR MAIL

August 8, 2019

Alan Teeter
Town of Newfield Code Enforcement Officer
166 Main St
Newfield, NY 14867

**Re: Requesting Town of Newfield to Post to Prohibit Occupancy
100 Smith Rd (T) Newfield, Tax Parcels 503400-18.-1-13.11**

Dear Mr. Teeter:

On July 5, 2019, The Tompkins County Health Department (TCHD) initiated an investigation into reported unsanitary and hazardous conditions at the above referenced rental property owned by Frank Emery. This investigation has confirmed the presence of violations considered significant health hazards under the Tompkins County Sanitary Code, which if left uncorrected, make the home unfit for occupancy.

The TCHD has made repeated notification to Mr. Emery that he must abate violations for the provision of unpotable water (due to *E. coli* contamination) and for the discharge of untreated sewage to the surface of the ground. On July 16, 2019 a Notice of Violation (copy enclosed) was sent to Mr. Emery outlining the violations and describing the corrective actions and their deadlines for completion. Receiving no response, on July 29, 2019, Public Health Directors Orders (copy enclosed) were sent to Mr. Emery, requiring immediate actions to address the health hazards and requiring Mr. Emery to contact the Health Department. Additionally, the Health Department has attempted to contact Mr. Emery by phone and by visiting his residence. All attempts to contact Mr. Emery have been unsuccessful and the TCHD has confirmed that no corrective actions have been made or attempted.

During the course of our investigation the tenants have also brought to our attention other significant issues that appear to be within the purview of Newfield Code Enforcement. These issues include; the absence of a functioning heating system (as a result of a fuel spill – refer to the 7/16/2019 NOV); extremely low water pressure (likely due to a worsening of the leak inside the spring box), which reportedly makes it impractical to shower; deteriorating exterior steps, deck and railing; holes through the exterior of the house; and a roof with multiple leaks, one of which drips onto a bed, another of which shorts out lighting.

As Mr. Emery has failed to address or acknowledge the conditions dangerous to the health and welfare of his tenants at 100 Smith Road, the TCHD requests that by August 16, 2019, the Town of Newfield post this structure to prohibit occupancy until all critical violations are abated to the satisfaction of the Health Department and the Town of Newfield.

Understandably, the posting of the property may well result in significant hardship for the tenants and we have discussed emergency relocation options with them.

Please contact me at 274-6688 or at ashea@tompkins-co.org if you would like to discuss this situation further or if you would like to coordinate a response to this difficult situation.

Sincerely,



Adriel Shea
Senior Public Health Sanitarian

Enclosures: 7/16/2019 Notice of Violation; 7/29/2019 Public Health Directors Orders

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\18.-1-13.12_100 Smith Road Complaint\100 Smith Rd_Letter to CEO.docx
ec: Jeff Hart, Town of Newfield Supervisor; Dave McKenna, TC Legislature District 8; Frank Kruppa, Public Health Director; Elizabeth Cameron, Director of Environmental Health; Skip Parr, TCHD; Becky Sims, TCHD
scan: Signed copy to Accela EH-NOV-19-0051



Your Partner for a Healthy Community

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

ENVIRONMENTAL HEALTH DIVISION
<http://www.tompkins-co.org/health/eh>

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

I swear that the attached letter from Frank Kruppa, Public Health Director
dated Sept. 9, 2019, addressed to Frank Emery
was served to Frank Emery, on September 9, 2019,
at 1:45 o'clock a.m./(p.m.) at 45 Adams Road, Newfield, NY 14867

Frank H. Emery
Received by

OR

refused to sign because _____

Sep 10
Served by



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, ELECTRONIC AND REGULAR MAIL AND HAND DELIVERY

September 9, 2019

Frank Emery
45 Adams Rd
Newfield, NY 14867

**Re: Order to Show Cause #EH-ENF-19-0032
100 Smith Road, T-Newfield (Tax Map # 18.-1-10.22) for Tompkins County Sanitary
Code and Public Health Directors Orders # EH-NOV-19-0051 Violations**

Dear Mr. Emery:

Public Health Directors Orders #EH-NOV-19-0051, issued on July 29, 2019, required you to:

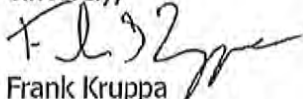
1. Immediately provide bottled water to the tenants at 100 Smith Road until a proper water source or an approved treatment system is installed; and
2. Immediately reconnect the sewer line servicing the mobile home at 100 Smith Road; and
3. Contact the Health Department to discuss a plan and timeline to permanently address the water and sewage violations no later than August 2, 2019.

As these violations have not been abated as of this date, pursuant to Section 5.03 of the Tompkins County Sanitary Code (TCSC) **you are required to appear at the Tompkins County Health Department offices, first floor Rice Conference Room, 55 Brown Road, Ithaca, New York, on Monday, September 16, 2019, at 9:00 a.m.** At this hearing, you will need to show why the current conditions at 100 Smith Road should not be declared a nuisance or a condition that is dangerous to the life or health of the tenants that occupy the home. You may be represented by an attorney at the hearing. Should you fail to appear, the hearing will be held in your absence.

After the hearing, the hearing officer will prepare a findings determination. If the Public Health Director then determines that the conditions found to exist constitute a nuisance or conditions dangerous to life or health, you shall be served with a copy of the findings determination and an order. The findings and order shall also be posted on the residence. This order to abate shall specify the time period within which the violations shall be corrected and the premise placed in a sanitary and habitable condition. Failure to abate such violations as ordered will result in an additional order requiring all persons to vacate the premises and discontinue its use pursuant to Section 5.05 of the TCSC.

Please call Skip Parr or Elizabeth Cameron in the Environmental Health Division at 274-6688 if you have any questions.

Sincerely,



Frank Kruppa
Public Health Director

Enclosure: Order to Show Cause

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\18.-1-13.12_100 Smith Road Complaint\100 Smith Rd - Order to Show Cause.docx
ec: Tori Monroe (monroetori40@gmail.com); CEO T-Newfield; Supervisor T-Newfield; David McKenna - TC Legislature; TCHD: Frank Kruppa, Liz Cameron, Adriel Shea, Skip Parr, Becky Sims; Jonathan Wood
scan: Signed copy to Accela: #EH-ENF-19-0032

FINDINGS AND RECOMMENDATIONS for ORDER #EH-ENF-19-0032

**100 Smith Road, T-Newfield
Frank Emery, Owner**

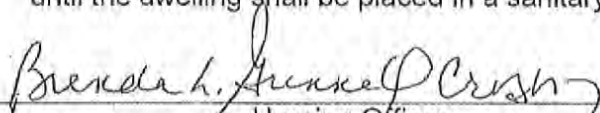
A hearing was held on Monday, September 16, 2019 at 9:12 am. The county presented its case. Mr. Emery did not appear. I make the following findings of fact and conclusions and recommendations:

FINDINGS OF FACT

1. On July 5, 2019, the Tompkins County Health Department (TCHD) was notified of a complaint involving a fuel spill, ongoing home heating issues, sewage back-up and water issues at the property located at 100 Smith Road in the Town of Newfield.
2. During a follow-up field visit on July 8, 2019, TCHD staff observed that the sewer line serving the mobile home had been disconnected and was discharging raw sewage to a shallow trench that crossed the driveway and that the water source was a very shallow, improperly constructed well without adequate protection from surface water contamination.
3. Results of the water sample collected by TCHD during the July 8 field visit show that the water system is contaminated with *E. coli* bacteria.
4. On July 16, 2019, the Tompkins County Health Department (TCHD) issued a Notice of Violation that required the Owner to: reconnect the sewage line to the home immediately, provide bottled water to the tenants by July 19, 2019, have the sewage system evaluated by July 31, 2019, and to install a new well by August 31, 2019.
5. On July 24, 2019, the TCHD was notified by the tenants of 100 Smith Road that the Owner had not provided bottled water or made any other attempts to abate the violations.
6. On July 29, 2019, the TCHD issued Public Health Director's Orders that required the Owner to: reconnect the sewage line to the home immediately, provide bottled water to the tenants immediately, and to contact the TCHD by August 2, 2019, to discuss a plan and timeline to correct the water and sewage issues.
7. During a field visit on August 7, 2019, TCHD staff observed that no action had been taken to correct the sewage and water issues. Staff met with the tenants and the tenants stated that they had not been provided with bottled water and indicated that they had extremely low water pressure.

CONCLUSIONS AND RECOMMENDATIONS

1. Conditions exist that constitute a nuisance and a condition dangerous to health.
2. The Public Health Director should declare a nuisance or condition dangerous to life or health, and, should the nuisance not be abated, require all persons to vacate the dwelling and discontinue its use until the dwelling shall be placed in a sanitary habitable condition and the nuisance abated.



Hearing Officer

9/16/19

Date

PUBLIC HEALTH DIRECTOR ORDER TO ABATE FOR

**100 Smith Road, T-Newfield
Frank Emery, Owner**

Under the authority of Article V of the Tompkins County Sanitary Code, the Public Health Director declares the current conditions at 100 Smith Road in the Town of Newfield a public health nuisance and a condition dangerous to health. As a result, the Public Health Director orders abatement as listed below:

1. Install a drilled well and provide a well log to the Tompkins County Health Department by **September 30, 2019**. A well must be installed by a DEC certified well professional. Notify the Health Department by **September 30, 2019**, if a producing water well cannot be developed. Then a disinfection system, approved by the Health Department is required; **and**
2. **Immediately** provide bottled water to the tenants of 100 Smith Road, Town of Newfield, until a proper water source or an approved treatment system is installed. Receipts showing purchase of bottled water and signed certifications that the water was delivered to the tenants of 100 Smith Road must be submitted to the Tompkins County Health Department beginning **September 20, 2019, and every Friday thereafter; and**
3. **Immediately** reconnect the sewer line and pump the septic tank servicing 100 Smith Road. Submit a copy of the pumping receipt from a NYSDEC licensed septic hauler and photos showing the sewer line reconnected to the home to the Tompkins County Health Department **by September 20, 2019**. At all times, the sewer line, septic tank and sewage system must be maintained so that sewage does not back into the home and so that sewage is not discharged to the ground; **and**
4. Hire a NYS licensed design professional to evaluate the sewage system at 100 Smith Road to ensure proper function of the system. The report from the NYS licensed design professional must be submitted to the Tompkins County Health Department by **October 7, 2019**. If the report indicates sewage system failure, then the sewage system must be replaced under permit by the Tompkins County Health Department **by November 4, 2019**.

Failure to meet these abatement orders will result in a further order issued by the Public Health Director to vacate and discontinue use of the dwelling at this location.



Frank Kruppa
Public Health Director



Date

PUBLIC HEALTH DIRECTOR ORDER TO VACATE FOR

**100 Smith Road, T-Newfield
Frank Emery, Owner**

Under the authority of Article V of the Tompkins County Sanitary Code, the Public Health Director declares the current conditions at 100 Smith Road in the Town of Newfield a public health nuisance and a condition dangerous to health. Whereas the owner has failed to abate these violations in compliance with Public Health Director Orders issued on September 16, 2019:

NOW, THEREFORE, in accordance with the provisions of Section 5.05 of the Tompkins County Sanitary Code, Frank Emery, Owner, is hereby **ordered to require all persons, by October 5, 2019, to vacate**

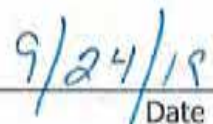
100 Smith Road
Newfield, New York 14867
Tax Map No. 18-1-10.22,

and to discontinue its use until such time as the dwelling shall be placed in a sanitary habitable condition and the nuisance abated.

Failure to vacate by October 5, 2019, may result in the Tompkins County Board of Health issuing a warrant to the Sheriff directing that the dwelling shall be vacated and the Sheriff shall forthwith execute such warrant pursuant to law.



Frank Kruppa
Public Health Director



Date

**NO PERSON SHALL CONCEAL, MUTILATE, OR REMOVE THIS NOTICE
EXCEPT BY PERMISSON FROM THE PUBLIC HEALTH DIRECTOR**

TOMPKINS COUNTY SANITARY CODE

ARTICLE V
Nuisances and General Sanitation

§ S-5.01. Nuisances; inspection; investigation.

- a. The Commissioner or his duly authorized representative shall investigate all complaints of any nuisance which may affect health.
- b. The Commissioner or his duly authorized representative may enter upon or within any place or premise where he has reason to believe a nuisance or condition dangerous to life exists or where a place or premise is maintained or operated in a manner to constitute a public health nuisance.

§ S-5.02. Nuisances; notice to owner and others.

If a nuisance which may affect health, or a condition dangerous to life or health has been found to exist, the Commissioner or his representative shall supply the owner, agent and occupants of place or premise with a written statement concerning the nature of the nuisance or condition and initiate procedures as in his opinion shall result in voluntary abatement of the nuisance or condition.

§ S-5.03. Nuisances; hearings and orders.

- a. Upon the filing in the department of the written statement (§ S-5.02) the Commissioner may cause to be served upon the owner, agent, or occupant of such place or premise a notice to appear at a stated time and place, to show cause why such condition should not be declared a nuisance, or a condition dangerous to life or health, and why an order for its abatement should not be issued.
- b. If after such hearing the Commissioner determines the condition found to exist constitute a nuisance or condition dangerous to life or health, a copy of the findings determination and order shall be served on the owner, agents or occupants, and posted conspicuously on the building. Such order shall specify the time period within which the nuisance shall be corrected and the building, dwelling, or premise placed in a sanitary and habitable condition.

§ S-5.04. Abatement of nuisances.

- a. Failure by the owner, agent, or occupants of any premise whereon any nuisance or condition deemed detrimental to the public health exists or causes the existence of a nuisance elsewhere, to comply with any order or regulation for the abatement, suppression, or removal of such nuisance or condition, may be reason for the Commissioner or his duly authorized representative to enter upon the premises to which such order or regulation relates and to abate, suppress, or remove such nuisance or condition.

The expense of such abatement, removal, or suppression shall be paid by the owner, or the Department or County may maintain an action to recover the expense of such abatement in accordance with Sections 1306 and 1307 of the Public Health Law of the State of New York.

§ S-5.05. Unsanitary buildings.

a. Whenever any building or part thereof shall become unsanitary or any dwelling shall become unsanitary as to be unfit for human habitation or in the event occupancy of a building or dwelling shall cause an unsanitary condition on or adjacent to the premises thereof so as to constitute a nuisance, the inspections, investigations, notice to owners and others, the hearing and orders shall be performed as under Nuisances Article V, §§ S-5.01, S-5.02, and S-5.03.

b. Upon failure of said owners to comply with said order, the Commissioner may issue a further order to be affixed conspicuously upon such building or dwelling and served upon the occupant or leasee thereof and upon the owner thereof or his agent requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order and until such time as the building or dwelling shall be placed in a sanitary habitable condition and the nuisance abated. Upon failure of such building or dwelling to be vacated within the time specified the Board of Health may issue a warrant to the Sheriff directing that such building or dwelling shall be vacated and the Sheriff shall forthwith execute such warrant pursuant to law.

§ S-5.06. Public places.

a. Every person who shall provide a toilet or lavatory for the use of employees, patrons, or members, or available to the public shall maintain such toilet or lavatory at all times in a clean, well lighted, ventilated and sanitary condition. The floors shall be impervious to moisture and properly drained. An adequate supply of soap, running water, and sanitary individual towels or their equivalent shall be available at all times. No towel, hair brush, comb, or drinking cup for common use is allowed.

b. In a building or dwelling wherein two or more tenants have common use of a toilet, lavatory, or bath the owner either directly or through his agent in charge of the building, shall be responsible for the sanitary maintenance of these facilities and shall keep them in a functional and sanitary state of repair.

§ S-5.07. Sale of clothing and bedding.

No person shall sell or offer for sale any soiled article of clothing, bedding or blankets, whether new or used. No such soiled articles shall be removed from the Tompkins County Health District for sale elsewhere.

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

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

CERTIFIED, REGULAR, & ELECTRONIC MAIL

October 8, 2019

Jonathan Jedd
The Maté Factor Café
143 E. State Street
Ithaca, NY 14850

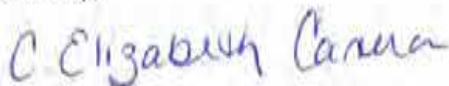
**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0028
The Maté Factor Café, Temporary Food Service Establishment, GrassRoots Festival, T-Ulysses**

Dear Jonathan Jedd:

Thank you for signing the Stipulation Agreement on September 18, 2019, for the The Maté Factor Café.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, October 22, 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)\TEMP FSE (STF)\Facilities\The Maté Factor Cafe\2019\Draft Resolution 19-0028.docx
ec: Tompkins County Board of Health (via; Shelley Cornisi & Abby Homer, TCHD)
GrassRoots: Elaine Springer; Supervisor T-Ulysses; Anne Koreman, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Mik Kern; Kristee Morgan; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-19-0028 FOR

**The Maté Factor Café
Jonathan Jedd, Operator
143 E. State Street
Ithaca, NY 14850**

Whereas, the owner/operator of a Temporary Food Service Establishment must comply with the regulations established under Part 14-2 of the New York State Sanitary Code (NYSSC); **and**

Whereas, it is a violation of Part 14-2 of New York State Sanitary Code (NYSSC) to store potentially hazardous foods at improper temperatures; **and**

Whereas, on July 19, 2019, and July 20, 2019, while operating the Fingerlakes GrassRoots Festival, Tompkins County Health Department staff observed critical violations where potentially hazardous foods were stored at improper temperatures between 45°F and 140°F; **and**

Whereas, Jonathan Jedd, a representative of The Maté Factor Café, signed a Stipulation Agreement with Public Health Director's Orders on September 18, 2019, agreeing that The Maté Factor Café 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 Jonathan Jedd, Operator, is ordered to:**

1. Pay a penalty of \$400 for these violations, **due by December 13, 2019**. (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
3. Comply with all the requirements of Subpart 14-2 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

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

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0028

**The Maté Factor Café
Jonathan Jedd, Operator
143 E. State Street
Ithaca, NY 14850**

I, Jonathan Jedd, as a representative for The Maté Factor Café, agree that on July 19, 2019, and July 20, 2019, The Maté Factor Café was in violation Part 14-2 of the New York State Sanitary Code for failure to maintain potentially hazardous foods at temperatures below 45°F and above 140 °F.

I agree to 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.)


I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
2. Comply with all the requirements of Subpart 14-2 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: 9-18-19

Jonathan Jedd is hereby ordered to comply with these Orders of the Public Health Director.

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

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

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

CASE SUMMARY – FOR RESOLUTION #EH-ENF-19-0028

**The Mate Factor/Temporary Food Service
Jonathan Jedd, Owner/Operator
143 E. State Street
Ithaca, NY 14850**

October 2019

Date	Action
09/28/2019	Inspection at Apple Harvest Festival: No violations noted.
09/18/2019	Signed stipulation agreement from Jonathan Jedd was received by TCHD prior to issuing a temporary food permit for the Apple Harvest Festival.
09/09/2019	TCHD left a voice mail with Jonathan Jedd requesting a call back regarding status of signed stipulation agreement.
08/20/2019	TCHD contacted Jonathan Jedd via telephone and discussed the violations and the enforcement process. Mr. Jedd indicated that he would mail the signed stipulation agreement.
08/06/2019	TCHD sent a stipulation agreement and scheduled an office conference for August 20, 2019.
07/20/2019	Re-inspection at GrassRoots Festival. Violations: See attached inspection report.
07/19/2019	Inspection at GrassRoots Festival. Violations: See attached inspection report.
07/19/2018	Inspection at GrassRoots Festival: No violations noted.

Temporary Food Service Establishment Inspection Summary Report

Event: THE MATE FACTOR CAFE at 2019 - GRASSROOTS (ID: 1031327)
Location Name: TRUMANSBURG FAIRGROUNDS
Location Code: 54-2201 Location Email: tburgfairdirectors@yahoo.com
Location Address: 1 County Fairgrounds Drive, Trumansburg, NY 14886

To the Attention of:

Jonathan Jedd
The Mate Factor Cafe
143 E State St
Ithaca, NY 14850
Email: jjedd@tribaltradingcompany.com

Inspection

Date: July 19, 2019 03:33 PM
Inspector: Katherine Walker (kwalker@tom-pkins-co.org)
Responsible Person: Jonathan Jedd

Summary

Number of Public Health Hazards Found:	4
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.

CRITICAL ITEM

ITEM # 3 WAS FOUND IN VIOLATION 4 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 food at improper temperature (45 degree F - 140 degree F) [14-2.3(b)(c)]

Inspector Findings: Observed approximately 20 veggie patties in refrigerator under the prep table at 47.7 degrees F. Other items in refrigerator were 44-47 degrees F. Operator moved patties to another refrigerator for rapid chilling.

Approximately 2 lbs cheddar cheese being stored in the prep table was found to be at 50 degrees F. Sliced tomatoes and pepper jack cheese in that table were found to be 44 degrees F. Cheese was moved to another refrigerator for rapid chilling.

Observed approximately 2 pounds shredded cheese at 55 degrees F and handful of turkey sausage at 50 degrees F in pizza prep sandwich unit. Cheese moved below for

rapid chilling and sausage removed from service.

Observed approximately one pound shredded cheese at 50 degrees F and one pound chicken at 55 degrees F in burrito prep sandwich unit. Cheese moved underneath another sandwich unit for rapid chilling and chicken was removed from service.

Observed approximately 2 dozen spinach and egg balls and 1 liter of batter at 49 degrees F in upright refrigerator with clear doors. Temperature turned down in cooler for rapid chilling.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: Four Critical Violation Observed of item 3
Part 2: No Violations Observed
Reinspection required.



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



Received by: Jonathan Jedd

Temporary Food Service Establishment Inspection Summary Report

Event: THE MATE FACTOR CAFE at 2019 - GRASSROOTS (ID: 1031327)
Location Name: TRUMANSBURG FAIRGROUNDS
Location Code: 54-2201 Location Email: tburgfairdirectors@yahoo.com
Location Address: 1 County Fairgrounds Drive, Trumansburg, NY 14886

To the Attention of:

Jonathan Jedd
The Mate Factor Cafe
143 E State St
Ithaca, NY 14850
Email: jjedd@tribaltradingcompany.com

Re-Inspection

Date: July 20, 2019 05:09 PM
Inspector: Rene Borgella (rborgella@tompkins-co.org)
Responsible Person: Jonathan Jedd

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.

CRITICAL ITEM

ITEM # 3 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 food at improper temperature (45 degree F - 140 degree F) [14-2.3(b)(c)]

Inspector Findings: Observed: In upright cooler with glass doors cited on July 19, 2019, approx 2 gallons of beat egg mixture was at 56F.

Correction: Operator poured mixture into shallow pans and moved to a cooling unit operating at 39F.

Action: Maintain temperature controlled foods in cold holding at 45F or below.

NO ADDITIONAL VIOLATIONS REPORTED

Additional Information Collected During Inspection

Comments: Part 1: One critical violation observed, same as one of the items cited on July 18, 2019.

Part 2: No violations observed

Comment: discussed strategies for rapid cooling and maintaining temperatures of temperature controlled items. Verified the facility's probe thermometers were operating correctly.



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



Received by: Jonathan Jedd



Your Partner for a Healthy Community

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

October 8, 2019

Robert Mente
71 Bishop Road
Newfield, NY 14867

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0033
Bishop Road, T-Newfield, Tax Map # 3.-1-21.137**

Dear Robert Mente:

Thank you for signing the Stipulation Agreement on September 27, 2019, for 71 Bishop Road in the Town of Newfield.

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, October 22, 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, OWTS Permit # EH-OW-18-0016, and Drawing of Installed System

pc: F:\EH\SEWAGE (SSW)\Facilities (SSW-7)\Newfield\3.-1-21.137_71 Bishop Rd NOV\Draft Resolution 19-0033.docx
ec: Tompkins County Board of Health (via; Shelley Comisi and Abby Homer, TCHD)
CEO T-Newfield; Supervisor T-Newfield; David McKenna, TC Legislature; TCHD: Elizabeth Cameron, P.E., Director of Environmental Health; Frank Kruppa, Public Health Director; Scott Freyburger, Public Health Engineer; Adriel Shea; Becky Sims; Skip Parr; Brenda Coyle
scan: Signed copy to Accela

DRAFT RESOLUTION # EH-ENF-19-0033 FOR

Robert Mente, Owner
71 Bishop Road, T-Newfield Tax Map # 3.-1-21.137
Newfield, NY 14867

Whereas, it is a violation of Article VI, Section 6.04 of the Tompkins County Sanitary Code for failure to:

- Construct a sewage system in accordance with Construction Permit # EH-OW-18-0016; and
- Obtain an inspection of the constructed sewage system; and
- Obtain a certificate of completion prior to occupying a building that is served the sewage system.

Whereas, on February 14, 2018, an Onsite Wastewater Treatment System (OWTS) permit application was received by the TCHD for tax map # 3.-1-21.137 in the Town of Newfield; **and**

Whereas, on April 13, 2018, after soil and site conditions were evaluated, the Tompkins County Health Department (TCHD) issued OWTS permit # EH-OW-18-0016 that required installation of a raised sandfilter with Downstream Modified Shallow Absorption Trench System (DMATS); **and**

Whereas, on August 26, 2019, TCHD staff observed an occupied mobile home sited at 71 Bishop Road in the Town of Newfield without an OWTS certificate of completion issued by TCHD. During this site visit, the owner of the property indicated that he had installed an OWTS with two, 50-foot long absorption trenches; **and**

Whereas, the OWTS installed on tax map parcel # 3.-1-21.137 in the Town of Newfield does not meet the design requirements of the TCHD issued permit and has not been inspected by TCHD to ensure the protection of public health; **and**

Whereas, Robert Mente, Owner, signed a Stipulation Agreement with Public Health Director's Orders on September 27, 2019, agreeing that he is in violation of these provisions of the Tompkins County Sanitary Code; **now therefore be it**

Resolved, on recommendation of the Tompkins County Board of Health,
That Robert Mente, Owner, is ordered to:

1. Pay a penalty of \$500 for these violations, **due by December 13, 2019.** (**Do Not** submit penalty payment until notified by the Tompkins County Health Department.); **and**
2. Install an Onsite Waste Treatment System (OWTS) that meets all requirements of OWTS Construction Permit # EH-OW-18-0016 including having the system inspected by Health Department staff **by November 8, 2019;** **and**
3. Discontinue use of the unapproved OWTS after a certificate of completion for the new system has been issued by the Health Department; **and**
4. Install any future OWTS in accordance with the approved construction permit and obtain a certificate of completion prior to its use.



Your Partner for a Healthy Community

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

STIPULATION AGREEMENT AND ORDERS # EH-ENF-19-0033

**Robert Mente, Owner
Bishop Road, T-Newfield Tax Map 3.-1-21.137
Newfield, NY 14867**

I, Robert Mente, as the owner of tax map # 3.-1-21.137, on Bishop Road in the Town of Newfield, agree I am in violation of Article VI, Section 6.04 of the Tompkins County Sanitary Code for failure:


- To construct a sewage system in accordance with Construction Permit # EH-OW-18-0016; and
- To obtain inspection of constructed system; and
- To obtain a certificate of completion prior to occupying a building that is served by the sewage system.

I agree to pay a penalty not to exceed \$500 for this violation following adoption of a resolution by the Board of Health. *(Do not submit penalty payment until notified by the Tompkins County Health Department.)*

I also agree to comply with the following Orders when signed by the Tompkins County Public Health Director:

1. Install an Onsite Waste Treatment System (OWTS) that meets all requirements of OWTS Construction Permit # EH-OW-18-0016 including having the system inspected by Health Department staff by November 8, 2019; **and**
2. Discontinue use of the unapproved OWTS after a certificate of completion for the new system has been issued by the Health Department; **and**
3. Install any future OWTS in accordance with the approved construction permit and obtain a certificate of completion prior to any its use.

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: 9/27/19

Robert Mente is hereby ordered to comply with these Orders of the Public Health Director.

Signed:  Date: 9/27/19
Frank Kruppa
Public Health Director



ONSITE WASTEWATER TREATMENT SYSTEM CONSTRUCTION PERMIT
TOMPKINS COUNTY HEALTH DEPARTMENT

55 Brown Road, Ithaca, NY 14850-1386 Ph: (607) 274-6688 Fx: (607) 274-6695

Your Partner for a Healthy Community

For: Mente, Robert Permit #: EH-OW-18-0016

Location: BISHOP Rd, NEWFIELD, NY 14867 Tax Map Number: 503400-3.-1-21.137

Record type: OWTS New Construction Permit (Sewage) Expiration Date: 4/12/2020

Maximum design flow: 330 gallons per day, 3 Bedrooms or Equivalent

Toilets: 1.6 gals or less / flush. 0 Garbage grinder

Based on the application information provided, and in accordance with the provisions of the County Sanitary Code, you are hereby granted permission to construct an onsite wastewater treatment system at the above location.

Inspector: Becky Sims Initial Issue Date: 04/13/2018

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Minimum lot size required for this wastewater treatment system is 1.0 acre usable area, which can contain a 150 foot diameter circle.

See attached specifications for construction and information on approved materials. No variation in location, construction, specifications, and details or approved material types can be made without prior approval by the Tompkins County Health Department.

Building Sewer (see reverse of Separation Distances handout for specifications)

No situation-specific requirements.

Septic Tank (see reverse of Separation Distances handout for specifications)

Table with 4 columns: Tank Status, Volume (gal), Other, Chambers. Row 1: New, 1000, Dual Chamber

Piping from Tank to Disposal Area (see reverse of Separation Distances handout for specifications)

No situation-specific requirements.

Dosing/Pressure Distribution (see handout if required)

Pressure Dosing Required

Minimum Pump Chamber Volume: 350 gallons

Wastewater Treatment and Effluent Dispersal System (see attached specification sheets)

Primary Component

OWTS Type: Sand Filter with DMATS

Distribution Box(es) (see reverse of Separation Distances handout for specifications)

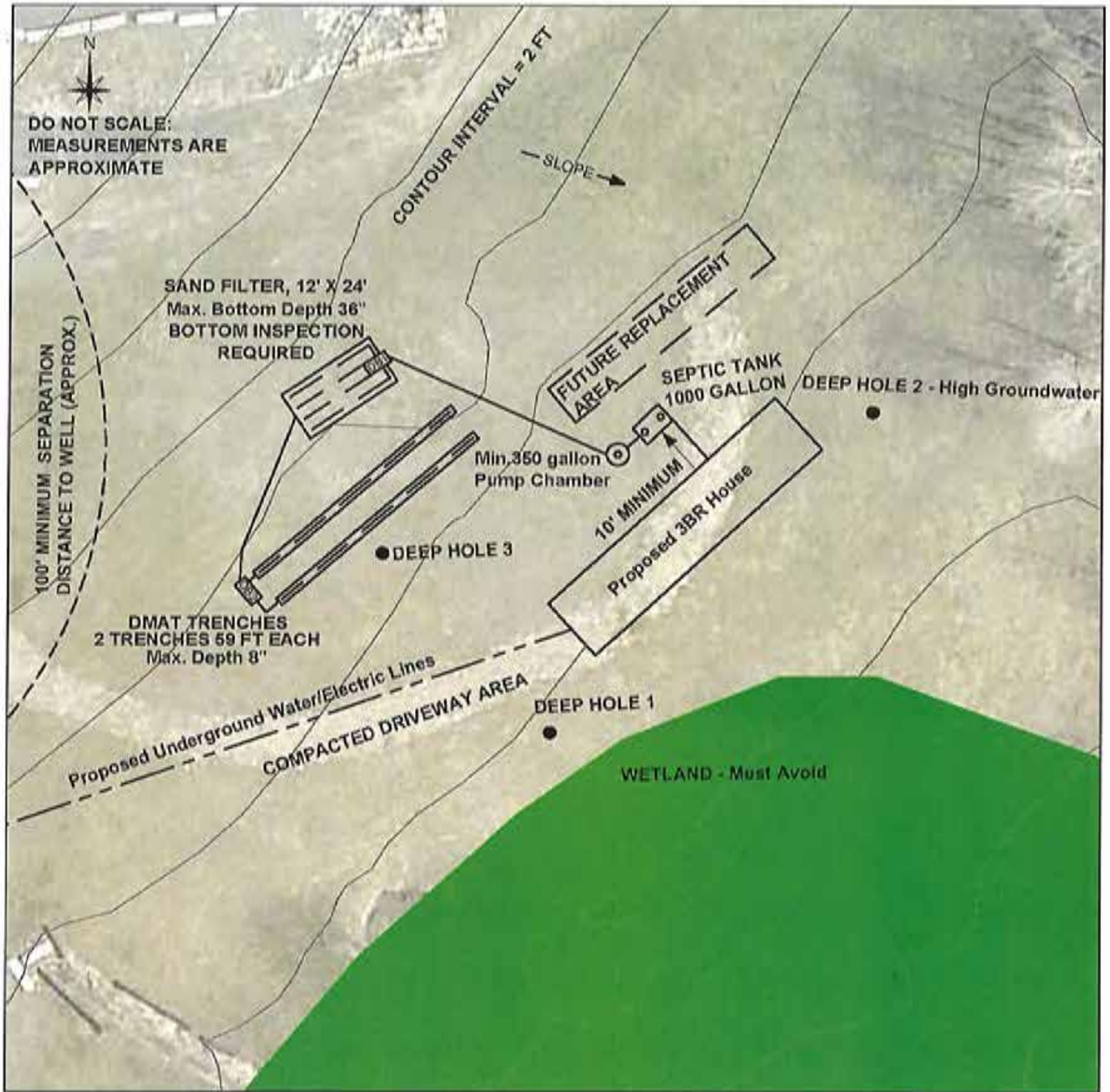
Table with 2 columns: Distribution Box #, Outlets Needed. Row 1: 1, 4. Row 2: 2, 2.

Increased Separation Distance Required:

Reason:

SEE REVERSE FOR DESIGN SKETCH

▼ APPROVED ONSITE WASTEWATER TREATMENT SYSTEM DESIGN SKETCH ▼



18-0016_71+Bishop+Rd.jpg -

► THE SYSTEM MUST BE INSPECTED BY THE HEALTH DEPARTMENT BEFORE COVERING ◀

► **Permit Conditions & Recommendations**

- This permit must be available on-site during construction and inspection.
- The system must be inspected by the Health Department before covering.
- If any of the permit conditions cannot be met, call TCHD prior to construction.
- Confirm property lines before construction.
- Install system in undisturbed soils.
- Maintain minimum required horizontal and vertical separation distances (see Separation Distances table).
- Maximum bottom depth of sand filter is 36".
- Bottom inspection of sand filter required.
- Berm sides of a raised sand filter with tight soil – taper sides at 1' rise over 3' run.
- Material weigh slips for approved filter sand required at time of final inspection (slips must include job name).
- Maximum bottom depth of DMAT trenches is 8".

▼ SEE REVERSE FOR CONSTRUCTION AND MATERIALS SPECIFICATIONS ▼

TOMPKINS COUNTY HEALTH DEPARTMENT
 Environmental Health Division, 55 Brown Rd, Ithaca, NY 14850
 (607) 274-6688

Sand Filter Specifications

See additional sheets for more information

Permit No: EH-OW-18-0016 Tax Map #: 503400-3.-1-21.137

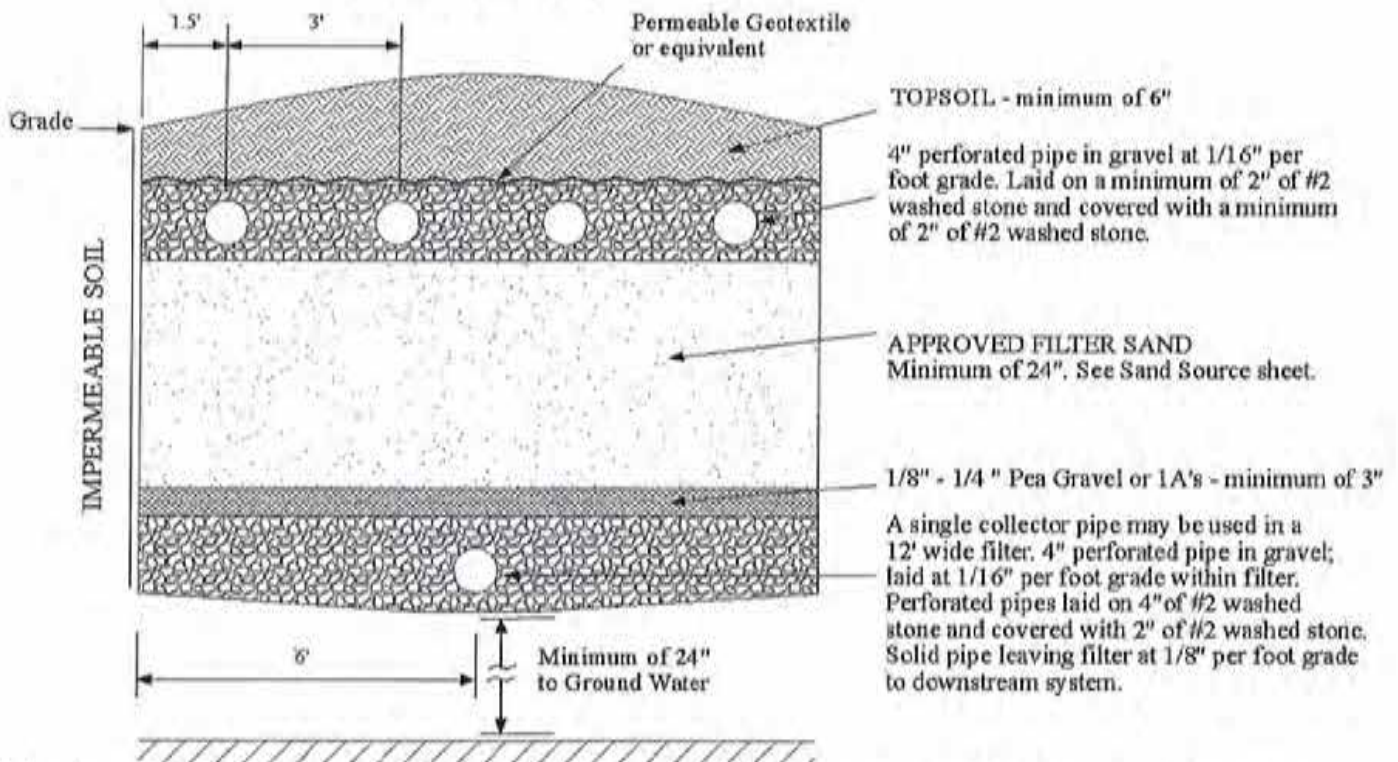
Location: BISHOP Rd, NEWFIELD, NY 14867

Sand Filter Width: 12' Feet Length: 24' Feet; Max Bottom Depth: 36' Inches;

Dosed: Pressure Dosing Required

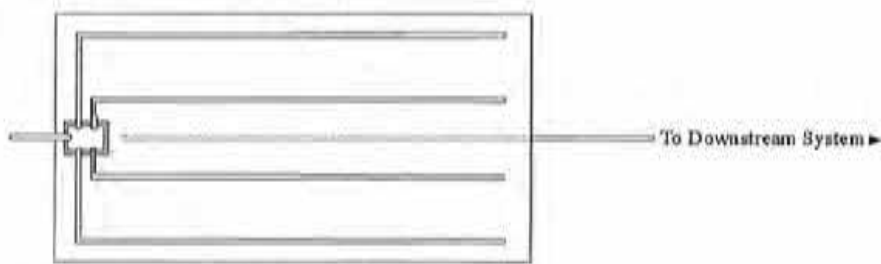
Number of top distributor pipes: 4 (3' on center); Number of bottom collector pipes: 1

**CROSS SECTION VIEW
 (12' Wide Sand Filter)**



24 inches is required from bottom of sand filter to rock or fractured rock where a groundwater drinking source can be developed within 500 feet of the system.

TOP VIEW



12' Wide Sand Filter

For more information visit:

http://www.nyhealth.gov/regulations/nycrr/title_10/part_75/appendix_75-a.htm
http://www.health.state.ny.us/environmental/water/drinking/wastewater_treatment_systems/docs/design_handbook.pdf

SOURCES OF SAND FILTER TREATMENT MEDIUM (FILTER SAND)

The facilities listed below have demonstrated the ability to provide filter sand that meets the specifications of Part 75-A of the New York State Sanitary Code and is acceptable for use in sand filter sewage system installations. The listing does not guarantee they will continue to provide approved sand in the future. This listing is not an endorsement or recommendation. It is made available for the convenience of contractors and homeowners.

Other sources may be used to provide filter sand if an analysis of the sand, provided prior to construction, indicated the sand meets the following specifications:

- The sand must be clean and coarse.
- All material must pass through a ¼ inch sieve.
- The 10% effective grain size must be between 0.25 mm and 1.0 mm.
- The uniformity coefficient (the ratio of grain size that is 60% finer than itself to the size which has 10% finer than itself) must be 4.0 or less.

An independent laboratory capable of completing the sieve analysis must perform the analysis.

It is the responsibility of the person installing the sand filter to use materials that meet the above specifications.

Locations where sand may be available:

RMS Gravel, Inc.
PO Box 455, Mott Road
Dryden, NY 13053
(607) 844 - 8196
Fax: (607) 844 - 3752

University Sand and Gravel Co., Inc.
13 Perkins Road
Brooktondale, NY 14817
(607) 539 - 7105
Fax: (607) 539 - 9976

Angelo's Sand and Gravel
310 Hillview Road
Spencer, NY 14883
(607) 273 - 1535

Note: Sources approved June 2013

TOMPKINS COUNTY HEALTH DEPARTMENT
 Environmental Health Division, 55 Brown Rd, Ithaca, NY 14850
 (607) 274-6688

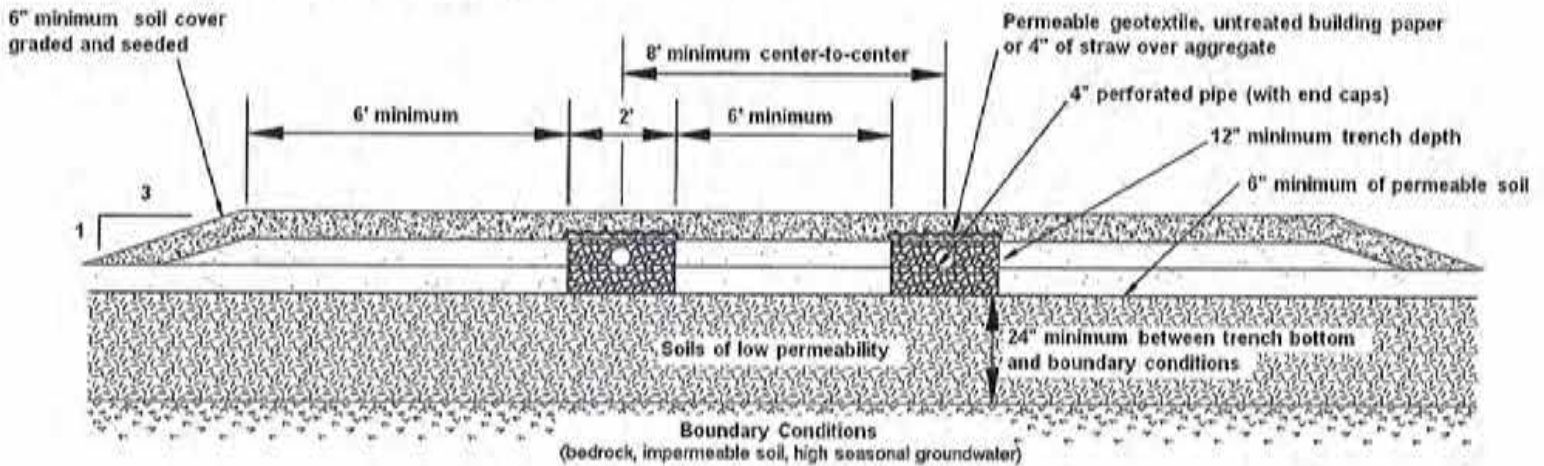
Downstream Modified Shallow Absorption Trench System
(DMATS)

Permit No: EH-OW-18-0016 Tax Map #: 503400-3.-1-21.137
 Location: BISHOP Rd, NEWFIELD, NY 14867 Inspector: Becky Sims

A modified shallow trench system is used to provide subsurface dispersal of sand filter effluent when at least six inches of in situ unsaturated soil with a percolation rate of 1-60 minutes/inch exists. Sufficient soil similar to the in situ soil shall be provided to assure a system depth of at least 18 inches, with a minimum of one foot depth of aggregate sidewall contacting permeable soil. Trenches shall be designed upon the estimated quantity of effluent reaching the sand filter collector pipe (85% of design flow) and an application rate of 1.2 gal./day/sq.ft. for two foot wide trenches. Trenches shall be as long as possible to minimize multiple parallel trenches, but shall not exceed 60 feet for gravity flow and 100 feet for pressure distribution. Trenches shall be located at least 20 feet from drainage ditches and meet all horizontal separation requirements in Part 75-A of the New York State Sanitary Code and Article VI of the Tompkins County Sanitary Code. The soil perimeter (backfill) extends six feet in all directions around the trenches. DMATS shall be located 10 feet from property lines, 20 feet from drainage ditches and dwellings, and 100 feet from water sources, as measured from the closest point of the trench.

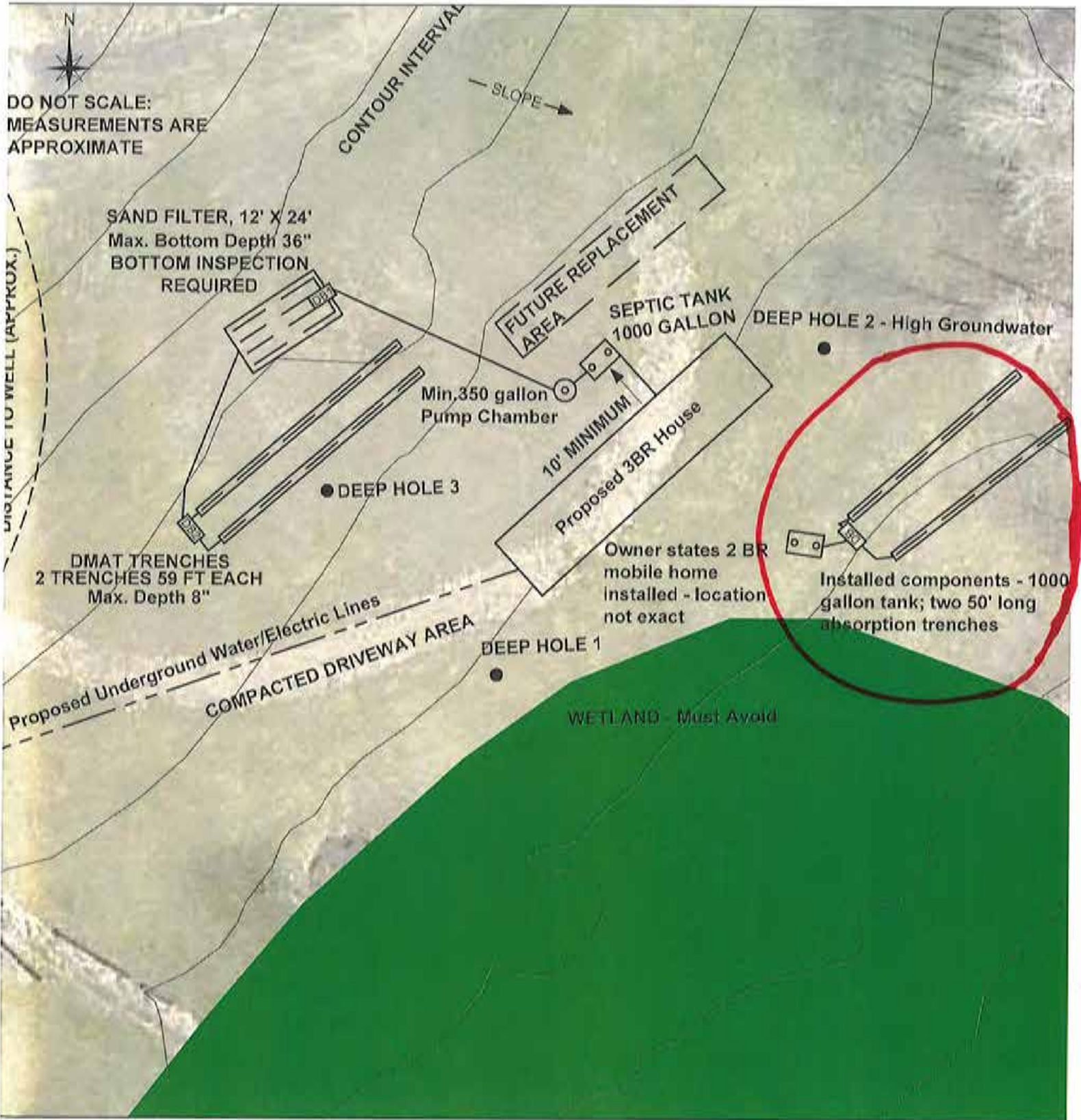
Perforated pipe in the trenches shall have a maximum slope of 1/16th inch per foot. The solid pipe exiting the sand filter to the distribution box of the DMATS shall have a minimum slope of 1/8th of inch per foot. Refer to the permit and additional specification sheets for more information on this system.

Design Flow (GPD): 330; Number of Trenches: 2; Length per Trench: 59 Feet;
Soil Footprint (at top): 71 Feet by 22 Feet



Cross Section of Modified Shallow Absorption Trench System (DMATS)

Drawing showing Approximate Location and Components of Unapproved Sewage System Installed at Bishop Road (3.-1-121.137) in the Town of Newfield





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

October 8, 2019

Sirathorn Balakula
Taste of Thai Express Inc.
209 South Meadow Street
Ithaca, NY 14850

**Re: Tompkins County Board of Health Draft Resolution # EH-ENF-19-0038
Taste of Thai Express, C-Ithaca - Violation of Board of Health Orders**

Dear Akhin Pancharoen:

Enclosed is a copy of the Draft Resolution that the Tompkins County Board of Health will consider at its meeting on **Tuesday, October 22, 2019**. On June 25, 2019, the Tompkins County Board of Health adopted Resolution EH-ENF-19-0024 requiring you to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage.

On September 12, 2019, Tompkins County Health Department (TCHD) staff observed six critical violations of Subpart 14-1 of the NYSSC where potential hazardous foods were out of temperature during hot holding, cold holding, and storage.

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 Orders # EH-ENF-19-0024, Cooler Receipts, and Case Summary

pc: F:\EH\FOOD (SF)\FSE (SF)\Facilities (SF-4)\Taste of Thai Express\Enforcement\2019\September 2019\Draft Resolution 19-0038.docx
ec: Tompkins County Board of Health (via; Abby Homer/Shelley Comisi, TCHD)
Ithaca Building Department; Mayor Myrick C-Ithaca; Leslyn McBean-Clairborne, 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

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

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

DRAFT RESOLUTION # EH-ENF-19-0038 FOR

**Taste of Thai Express
Taste of Thai Express Inc., Sirathorn Balakula, Owner/Operator
209 South Meadow Street
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 enough refrigerated storage so that potentially hazardous foods are cooled properly and stored below 45°F; **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, it is a critical violation of Part 14-1 of the NYSSC to fail to maintain potentially hazardous foods at or above 140°F during hot holding; **and**

Whereas, since July 2016, the Tompkins County Board of Health has adopted five resolutions in response to critical violations including Resolution #EH-ENF-19-0024 on June 25, 2019, requiring Taste of Thai Express to maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage and to comply with all requirements of Subpart 14-1 of the NYSSC; **and**

Whereas, on September 12, 2019, the Tompkins County Health Department (TCHD) observed six critical violations of Subpart 14-1 of the NYSSC including the failure to store potentially hazardous foods under refrigeration, failure to maintain enough refrigerated storage equipment so that potentially hazardous foods are cooled properly and stored below 45°F, and failure to maintain potentially hazardous foods at or above 140°F during hot holding; **and**

Whereas, TCHD will issue short-term (3 to 6 months) operating permits to Taste of Thai Express contingent on all penalties being paid in full and past critical violations being properly addressed as determined by TCHD; **and**

Whereas, Sirathorn Balakula, is informed that, if any of the Orders are not met from this day forth, the TCHD may not issue a subsequent permit to operate a food service establishment in Tompkins County for a period of up to three (3) years; **and**

Whereas, Taste of Thai Express Inc., Owner, violated these provisions of the New York State Sanitary Code and Board of Health Orders adopted on June 25, 2019; **now therefore be it**

**Resolved, on recommendation of the Tompkins County Board of Health,
That Sirathorn Balakula, Operator, is ordered to:**

1. Submit a written plan for review and approval by the Tompkins County Health Department that addresses past violations and details management and oversight of food service staff, storage of food items, and use of temperature control logs **by November 15, 2019; and**
2. Pay the penalty of \$1,700 as ordered in Resolution EH-ENF-19-0024 **by October 15, 2019; and**
3. Pay a penalty of \$3,000 for these violations, **due by November 15, 2019. (Do Not submit penalty payment until notified by the Tompkins County Health Department.); and**
4. Provide and maintain an adequate amount of refrigerated storage so that Potentially Hazardous Food is cooled properly and stored below 45°F at all times; **and**
5. Provide receipt from a refrigeration specialist documenting that the right-hand prep cooler is functioning properly 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 15, 2019 **(Received 10/2/19); and**
6. Ensure that food workers use proper utensils to eliminate bare hand contact with cooked or prepared foods at all times; **and**
7. Maintain all potentially hazardous food temperatures at or below 45°F or at or above 140°F at all times during hot holding, cold holding, and storage; **and**
8. Ensure that all parts of poultry, poultry stuffing, stuffed meats and stuffing containing meat are heated to a temperature of 165°F or above with no interruption of the cooking process; **and**
9. Ensure that accurate thermometers are available at all times to evaluate potentially hazardous food temperatures during cooking, cooling, reheating, and holding. The proper calibration of thermometers must occur daily before the thermometer is put into service; **and**
10. Maintain at least one employee on-site during hours of operation, who has successfully completed the food safety training. 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**
11. Comply with all the requirements of Subpart 14-1 of the New York State Code for Food Service Establishments.

TOMPKINS COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
55 BROWN ROAD
Ithaca, NY 14850-0000
(607) 274-6688
TCEH@tom-pkins-co.org

Food Service Establishment Inspection Summary Report

Operation: TASTE OF THAI EXPRESS (ID: 659161)
Facility Name: TASTE OF THAI EXPRESS
Facility Code: 54-AH38 Facility Email: balakula@gmail.com
Facility Address: 209 South Meadow Street, Ithaca, NY 14850

To the Attention of:

Akhin Pancharoen
TASTE OF THAI EXPRESS INC
209 S. Meadow Street
Ithaca, NY 14850
Email: balakula@gmail.com

Inspection

Date: September 12, 2019 11:47 AM
Inspector: Clayton Maybee (cmaybee@tom-pkins-co.org)
Responsible Person: Sirathorn Balakula

Summary

Number of Public Health Hazards Found: 6
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.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 3 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:

1. Observed a partially used container of half and half on the counter at 56 degrees F. The half and half was out less than two hours and was moved to the walk-in during the inspection.
2. Observed a bucket of rice noodles on the floor next to the wok at 52 degrees F. A work had placed an ice wand in the noodles once we started the inspection.
3. Observed a bucked of flat noodles on the counter by the left hand prep cooler at 58 degrees F.

Action: Store potentially hazardous foods at or below 45 degrees F will in storage or display.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5E 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: Enough refrigerated storage equipment is not present, properly designed, maintained or operated so that all potentially hazardous foods are cooled properly and stored below 45°F as required.

Inspector Findings: Observed sliced tomatoes, assorted sliced meats, including shrimp, chicken, beef, and pork, banana wrapped in pasta ranging from 48 to 74 degrees in the right hand prep cooler. All food in the prep cooler was out of temperature. The food was stocked in the cooler less than two hours prior to the inspection and was iced.

Action: Maintain refrigerated storage to keep potentially hazardous foods at or below 45 degrees F.

IMPROPER HOT HOLDING OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 6A WAS FOUND IN VIOLATION 2 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 above 140°F during hot holding.

Inspector Findings:

1. Observed flat rice noodles in hot holding to the left of the left prep cooler at 125 degrees F.
2. Observed flat rice noodles in hot holding unit to the right of the left prep cooler at 124-126 degrees F.

Heat was turned up on both units.

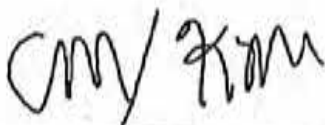
Action: Keep potentially hazardous foods at or above 140 degrees F during hot holding.

NO ADDITIONAL VIOLATIONS REPORTED

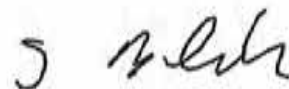
Additional Information Collected During Inspection

Comments: Six Part I Critical Item Item Violations 5C (three times), 5E, and 6A (twice)
No Part II Blue Items were evaluated

Re-inspection Required.



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



Received by: Sirathorn Balakula

Food Service Establishment Inspection Summary Report

Operation: TASTE OF THAI EXPRESS (ID: 659161)
Facility Name: TASTE OF THAI EXPRESS
Facility Code: 54-AH38 Facility Email: balakula@gmail.com
Facility Address: 209 South Meadow Street, Ithaca, NY 14850

To the Attention of:

Akhin Pancharoen
TASTE OF THAI EXPRESS INC
209 S. Meadow Street
Ithaca, NY 14850
Email: balakula@gmail.com

Inspection

Date: May 30, 2019 11:28 AM
Inspector: Clayton Maybee (cmaybee@tompkins-co.org)
Responsible Person: Sirathorn Balakula
Additional Email(s): catering@tasteofthaiexpress.com

Summary

Number of Public Health Hazards Found: 3
Number of Public Health Hazards NOT Corrected: 1
Number of Other Violations Found: 2

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: Observed a probe style thermometer reading 10 degrees F lower than actual temperature (22 degrees F in ice water). There were no other probe thermometers available.

Action: Provide accurate probe style thermometer.

IMPROPER COOLING AND REFRIGERATED STORAGE OF POTENTIALLY HAZARDOUS FOODS.

ITEM # 5C WAS FOUND IN VIOLATION 2 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:

1. Observed a container with approximately four to five quarts of cooked rice noodles on the counter to the left of the prep cooler at 80 degrees F.
2. Observed a container with approximately four to five quarts of cooked rice noodles at the right end of the prep coolers at 90 degrees F.

The rice noodles were cooked less than two hours prior to the inspection and were cooled during the inspection.

Action: Hold noodles at or below 45 degrees F or at or above 140 degrees F during storage.

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:

1. Observed a bin of rice stored under the dishwasher.
2. Observed containers of food stored on the floor in the walk-in freezer.

Action: Store foods off the floor and where contamination of food can not occur.

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: Observed a build-up of mildew/dirt inside the ice machine.

Action: Clean and sanitize the ice machine on a regular basis.

Additional Information Collected During Inspection

Comments: Three Part I Critical Item Violations 3E and 5C (twice)
Two Part II Blue Item Violations 8A, 11D

Re-Inspection Required



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



Received by: Sirathorn Balakula



B & W SUPPLY Co., Inc.

510 THIRD STREET
ITHACA, NEW YORK 14850
Phone: (607) 273-5300
Fax: (607) 277-6293

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TASTE OF THAI EXPRESS
209 S. MEADOW STREET
ITHACA NY 14850


TOMPKINS COUNTY

HEALTH DEPARTMENT

TASTE OF THAI EXPRESS
209 S. MEADOW STREET
ITHACA NY 14850

Customer # 0002261	Order Date 09/25/2019	Sales Order # 471142	Buyer	Customer P/O #	Ship Via PICK UP	Salesman H
Invoice # PB57739	Invoice Date 09/26/2019	Ship Date	Freight Terms PREPAID	Job Number	Terms C.O.D.	

LN	QNTY ORD	QNTY SHIP	QNTY B/O	PRODUCT NUMBER	DESCRIPTION	UOM	NET PRICE	EXTENSION
1	1	1		047230	TURBO AIR 72" MEGA TOP SANDWICH-SALAD PREP UNIT Serial # h2mm7t0e4050	Ea	3428.35	\$3428.35
2	1	1		LABOR	B & W LABOR CHARGES Price is to remove and dispose of existing unit.	Ea	150.00	\$150.00
Credit Card...		Name.....		TransactionID		ApprovalCd		Amount...
Amx/\$ xxxxxxxx		BALAKULA/SIRATHORN		CNP-1782506714		822844		\$3,864.62
		Application ID: A000000025010801		Application Label: AMERICAN EXPRESS				
		Open Sales Order....		0.00				
		Tax 0.00		0.00				
		Prior Payments.....		0.00				
		Shipments.....		0.00				
		Deposit Avail.		0.00				
	Payment Received.....						
		American Express		3,864.62				

Signature Proof of Delivery:


09/26/19 13:18

Merchandise	3,578.35
Freight	0.00
Misc Charges	0.00
Sub Total	3,578.35
Taxable	3,578.35
Tax (001)	286.27
TOTAL	\$3,864.62

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Writer: RB



B & W SUPPLY Co., Inc.

510 THIRD STREET
ITHACA, NEW YORK 14850
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HEALTH DEPARTMENT

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Ship To

TASTE OF THAI EXPRESS
209 S. MEADOW STREET
ITHACA NY 14850

Customer # 0002261	Order Date 07/05/2019	Sales Order # 466303	Buyer	Customer P/O #	Ship Via PICK UP	Salesman H
Invoice # PB53773	Invoice Date 07/05/2019	Ship Date	Freight Terms PREPAID	Job Number	Terms C.O.D.	

LN	QNTY ORD	QNTY SHIP	QNTY B/O	PRODUCT NUMBER	DESCRIPTION	UOM	NET PRICE	EXTENSION
1	1	1		04601	COUNTERTOP PREP UNIT - 55" Serial # s822192	Ea	599.00	\$599.00
					Credit Card... Vis/S xxxxxxxx			
					Name..... TransactionID		ApprovalCd	Amount...
					Taste of Thai Express	CNP-1655678621	06624G	\$646.92
					Open Sales Order....	0.00		
					Tax 0.00	0.00		
					Prior Payments.....	0.00		
					Shipments.....	0.00		
					Deposit Avail.....	0.00		
				Payment Received.....			
					Visa	646.92		



Merchandise	599.00
Freight	0.00
Misc Charges	0.00
Sub Total	599.00
Taxable	599.00
Tax (001)	47.92
TOTAL	\$646.92



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TASTE OF THAI EXPRESS
 209 S. MEADOW STREET
 ITHACA NY 14850

Customer # 0002261	Order Date 10/16/2018	Sales Order # 452442	Buyer	Customer P/O #	Ship Via PICK UP	Salesman H
Invoice # PB42626	Invoice Date 10/19/2018	Ship Date 10/16/18	Freight Terms PREPAID	Job Number	Terms C.O.D.	

LN	QNTY ORD	QNTY SHIP	QNTY B/O	PRODUCT NUMBER	DESCRIPTION	UOM	NET PRICE	EXTENSION
1	1.	1		04354	TURBO AIR 48" MEGA TOP 18-PAN SANDIWCH/SALAD UNIT Serial # H2MM4T0D6023	Ea	2340.79	\$2340.79
2	1.	1		04051	TURBO AIR 28" WORKTOP FREEZER Serial # H2WT2F0D6024	Ea	1642.00	\$1642.00
3	2.	2		51982	TURBO AIR 48" DOUBLE OVERSHELF FOR MST48	Ea	239.18	\$478.36
Credit Card.... Name..... TransactionID ApprovalCd Amount... Amx/ xxxxxxxx Open Sales Order.... 4,104.26 Tax 356.89 4,461.15 Prior Payments..... 0.00 Shipments..... 0.00 Deposit Avail. 0.00Payment Received..... American Express 4,818.04								

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Merchandise	4,461.15
Freight	0.00
Misc Charges	0.00
Sub Total	4,461.15
Taxable	4,461.15
Tax (001)	356.89
TOTAL	\$4,818.04



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 TASTE OF THAI EXPRESS
 209 S. MEADOW STREET
 ITHACA NY 14850

Customer # 0002261	Order Date 08/17/2018	Sales Order # 448616	Buyer	Customer P/O #	Ship Via PICK UP	Salesman H
Invoice # PB39422	Invoice Date 08/17/2018	Ship Date 08/17/18	Freight Terms PREPAID	Job Number	Terms C.O.D.	

LN	QNTY ORD	QNTY SHIP	QNTY B/O	PRODUCT NUMBER	DESCRIPTION	UOM	NET PRICE	EXTENSION
1	1.	1		04354	TURBO AIR 48" MEGA TOP 18-PAN SANDI WCH/SALAD UNIT Serial # H2KNM4TD7084	Ea	2340.79	\$2340.79
2	1.	1		04003	EAGLE S/S WORK TABLE 30"x36"	Ea	259.00	\$259.00
Credit Card Mst/xxxxxxx						Name..... TransactionID	ApprovalCd	Amount... \$0.00
Open Sales Order....						2,391.81		
Tax 207.98						2,599.79		
Prior Payments.....						0.00		
Shipments.....						0.00		
Deposit Avail.....						0.00		
.....Payment Received.....								
Master Card						2,807.77		

Merchandise	2,599.79
Freight	0.00
Misc Charges	0.00
Sub Total	2,599.79
Taxable	2,599.79
Tax (001)	207.98
TOTAL	\$2,807.77



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-19-0024

**Taste of Thai Express
Taste of Thai Express Inc., Sirathorn Balakula, Operator
209 South Meadow Street
Ithaca, NY 14850**

October 2019

Date	Action
10/02/2019	Meeting held between Sirathorn Balakula, operator of Taste of Thai Express, and TCHD to discuss recent violations, corrective actions to maintain compliance and consequences should future violations occur.
09/12/2019	Inspection by TCHD. Violations: See attached inspection reports.
06/25/2019	Resolution #EH-ENF-19-0024 adopted by BOH.
05/30/2019	Inspection by TCHD. Violations: See attached inspection reports.
08/14/2018	Inspection by TCHD. No violations noted.
05/22/2018	Resolution #EH-ENF-18-0015 adopted by BOH.
04/19/2018	Inspection by TCHD. Violations: A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. Poultry was not heated to 165°F or above during cooking. Product was rapidly heated to 165°F or higher.
04/05/2018	Two Serve Safe Certificates received by TCHD.
01/23/2018	Resolution#EH-ENF-18-0004 adopted by BOH.
12/14/2017	Inspection by TCHD. Violations: An accurate thermometer was not available to evaluate potentially hazardous food temperatures. The food probe thermometer available during the inspection was observed to be off by 12°F. The thermometer was properly calibrated during the inspection. Food workers did not use proper utensils to eliminate bare hand contact with prepared foods. A food worker was observed working with ready to eat foods with bare hands. The products were discarded during the inspection. 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 49-51°F. The product was removed from service and rapidly chilled to 45°F or less before use.
9/26/2017	Resolution #EH-ENF-17-0026 adopted by BOH.
07/27/2017	Re-inspection by TCHD. Violations for cold holding and food not stored under refrigeration that were observed on 05/30/2017 were corrected. Violation: Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 61-64°F.
05/30/2017	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in cold holding was observed to be at 52-58°F. Potentially

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	hazardous foods were not stored under refrigeration. Products on a counter were observed to be at 52-57°F. Enough refrigerated storage equipment was not maintained so that potentially hazardous foods were kept at or below 45°F as required. Product in a refrigerated storage unit was observed to be at 52-56°F.
10/03/2016	Inspection by TCHD. No violations noted.
07/05/2016	Resolution EH-ENF-16-0013 adopted by BOH.
07/26/2016	Re-inspection by TCHD at Ithaca Festival: Violations: Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods. Food workers prepared raw and cooked or ready to eat food products without "thorough handwashing and sanitary glove changing in between."
06/03/2016	Field Visit at Ithaca Festival by TCHD: Violations: Food workers did not use proper utensils to eliminate bare hand contact with cooked or prepared foods.
06/01/2016	Inspection by TCHD. Violations: Potentially hazardous foods were not stored under refrigeration except when necessary. Product on a counter was observed to be at 89-130°F.
12/07/2015	Inspection by TCHD. No violations noted.
05/13/2015	Inspection by TCHD. No violations noted.
12/03/2014	Inspection by TCHD. No violations noted.
08/11/2014	Inspection by TCHD. No violations noted.
12/13/2013	Re-inspection by TCHD. Violations observed on 11/18/2013 were corrected.
11/18/2013	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 110-115°F.
07/03/2013	Re-inspection by TCHD. Violations observed on 06/04/2013 were corrected.
06/04/2013	Inspection by TCHD. Violations: Potentially hazardous foods were not kept at or below 45°F during cold holding. Product in a sandwich cooler was observed to be at 52°F, and iced product on a counter was observed to be at 57°F. Potentially hazardous foods were not kept at or above 140°F during hot holding. Product in a hot holding unit was observed to be at 115°F.
11/28/2012	Inspection by TCHD. No violations noted.
05/29/2012	Re-inspection by TCHD. Violation observed on 05/08/2012 corrected.
05/08/2012	Inspection by TCHD. Violations: Cooked or prepared foods were subject to cross-contamination from raw foods.
11/29/2011	Re-inspection by TCHD. Violation observed on 11/9/2011 was corrected.
11/09/2011	Inspection by TCHD. Violations: Potentially hazardous food were not kept at or below 45°F during cold holding. Product in a sandwich unit was observed to be at 51-53°F. Potentially hazardous foods were also not stored under refrigeration except during necessary preparation. Product was observe don the counter at 70-80°F. Toxic chemicals were improperly labeled.
04/29/2011	Inspection by TCHD. No violations noted.
12/28/2009	Permit to Operate Taste of Thai Express issued.