

Cayuga County Board of Health  
Tuesday, February 23, 2023  
In-person & Virtual at 12:15pm

Members Present: Dr. Cassandra Archer  
Dr. Brian Brundage  
Dr. John Cosachov  
Mr. Tim Fessenden- Virtual  
Mr. Ralph Battista- Virtual

Members Excused: Ms. Elane Daly

Guests Present: Robert Harding, Citizen Newspaper- Virtual

Staff Present: Kathleen Cuddy, MPH  
Deanna Ryan, MCH  
Ani Fish, PE  
Eileen O'Connor, PE  
Lorie Fischer, BS Ed- Virtual  
Dr. Philip Gioia- Medical Director  
Megan Bell  
Brittany Massi, County Attorney's Office  
Rich Graham, County Attorney's Office  
Chris Palermo, County Attorney's Office  
Nina Barrera, County Attorney's Office

Meeting called to order at 12:16pm

**Minutes of the January 24, 2023 Board of Health Meeting:** Megan corrected the date to reflect the correct year. The version that was sent to Board members listed January 24, 2022 and that was corrected to reflect January 24, 2023. With no other corrections or questions a motion to approve the minutes from the January 24, 2023 Board of Health meeting was made by Dr. Cassandra Archer and seconded by Dr. John Cosachov with all other members in attendance in favor.

**Director of Administrative Services: Janine Clifford (In her absence- Kathleen Cuddy)**

Kathleen reviewed the claims with warrant dates of 01/26/2023 and 02/09/2023 and credit card statements with dates of 12/29/22 and 01/15/23. Dr. Archer asked if we have seen an increase in the need for the use of language line. Kathleen shared that we have seen an increase in the need to use it as well as staff becoming more comfortable in how to use it. With nothing further a motion to approve the claims was made by Dr. Brian Brundage and a second by Dr. John Cosachov and all other members in attendance in favor.

**Coordinator of Programs for Children with Special Health Care Needs: Lorie Fischer, BS Ed**

Lorie shared some updated program numbers with the Board. Currently there are 160 children enrolled in the Early Intervention Program and of those 160 children 37 children are on a waiting list to receive speech therapy, 1 child is on a wait list to receive physical therapy, 2 children on a

wait list to receive occupational therapy, 6 children on a wait list to receive special education teacher services and 3 children have no service provider at all. There are currently 85 children enrolled in the Child Find program which is for children that are at-risk of developing a delay. Currently there are 255 children enrolled in the preschool special education program and 46 children pending an evaluation or initial meeting, 41 children are waiting for a speech provider, 6 children are waiting for a physical therapist, 13 children are waiting for an occupation therapist, 22 children are waiting for special education teacher, 12 children are waiting for a placement in a SCIS and 21 children have no provider.

Lorie shared that the NYS Bureau of EI has developed a task force to help combat capacity issues and provider shortages. They have discussed lowering the number of required contact hours from 1600 to 1000 and also looking at rate increase for providers. There is a significant need statewide for speech therapists.

We are working with VMC a transportation group that assists counties with the Preschool Transportation BID process. We are also working on sending out new preschool provider contracts as the current contract is set to expire on June 30, 2023. Staff a reviewing the contract and making any required updates or revisions before beginning the signing process.

Staff recently held a provider billing training. The billing being submitted by preschool providers is coming in with substantial errors that are very time consuming for our billing staff to rectify. The goal of the training was to provide a refresher for providers and hopefully clear up any issues so that billing will come in more cleanly.

Dr. Cosachov asked Lorie how long children are having to be on the wait list before a provider becomes available. Lorie said that is really varies depending upon the type of service the child is in need of and the location of where the service is going to be provided.

#### **Public Health Director: Kathleen Cuddy, MPH**

Kathleen shared that the nominating committee comprised of Kathleen, Tim Fessenden, and Elane Daly met earlier this month and have brought a name for the Board's consideration to fill the vacancy left by Keith Batman's resignation. Dr. Dorothy Ainsworth is a veterinarian with a PHD that lives in the southern end of the county. She expressed interest in participating in the Board of Health and the nominating committee felt she would be a good addition to the Board. Kathleen asked the Board if anyone else had any names they would like to bring forward for consideration. With no other names presented, Dr. Cosachov made a motion to nominate Dr. Dorothy Ainsworth to the vacant seat on the Board of Health, a second was made by Dr. Cassandra Archer and all other members in attendance in favor. Staff will submit Dr. Ainsworth name to the Legislature for approval at their March meeting. Dr Ainsworth would then be able to start in April.

The nominating committee also discussed nominations for Board officers as the current officers are set to expire. The nominating committee presented the slate of Dr. John Cosachov for president, Dr. Cassandra Archer for vice president and Ms. Elane Daly as secretary. Kathleen asked the Board if anyone wished to make any changes to the slate as presented with no changes a motion was made to support the slate by Dr. Brian Brundage and seconded by Mr. Ralph

Battista. All other members in attendance in favor. The new officers will take place beginning at our March meeting.

**Supervising Public Health Administrator: Deanna Ryan, MCH**

Deanna shared that she is helping to cover at WIC while we search for a new program coordinator. Both the coordinator position and the supervising nutritionist position are vacant at this time. WIC has been assisting clients with the on-going formula shortages this issue has been on-going for about a year. WIC is getting formula shipped directly to their offices and then work with their clients to get it out to them when needed.

Deanna shared that staff area also preparing to bring clients back into the office for in-person appointments. The state may still allow for some virtual appointments as those have been well attended. Staff are also preparing to open back up our remote sites in Cato and Moravia.

Healthy Neighborhoods is doing a direct mailer to the towns of Montezuma and Mentz to help get the word out and have more residents sign up for home assessments. They ran a radon promotion article and that helped to generate some more home assessments. Staff have also been creating educational videos that are posted to our various social media sites.

Our Bike Wheelsport program is working with the Playspace to help kids learn the rules of the road while encouraging physical activity, they are calling the program Kids on Wheels. They are hoping to expand the program to other preschools in the area.

Deanna also shared that we really trying to get the word out about our many vacancies and will share job advertisements with the Board for them to share in both their professional and social circles.

**Director of Community Health Services: Vacant (In absence- Kathleen Cuddy)**

Kathleen shared that we are having a visit next week from the CNY regional office staff communicable disease program. They have several new staff members and have reached out to meet with Health Department staff to discuss any program concerns or training needs.

We are also prepared for and anticipating a survey of our Diagnostic and Treatment center. Other agencies in the area have been surveyed recently.

We recently updated our facemask policy to be consistent with NYSDOH and CDC guidelines.

Kathleen shared that we received funding from NYSDOH through CDC to help focus on public health infrastructure and rebuilding the public health workforce. The grant has to be utilized for rebuilding the workforce through new positions and training. Kathleen would like to utilize some of the funding to create a deputy position which is appropriate for a department our size and the position would assist with the day-to-day operations of the department and aid in succession planning. Dr. Cosachov made a motion to support the creating of a deputy director position within the Health Department a second was made by Dr. Brundage and all other Board members in attendance in favor.

**Director of Environmental Health: Eileen O'Connor, PE**

Eileen reviewed the Hearing and Consent Orders with the Board:

Cayuga Lake Estates- Locke (T)

Dunkin Donuts- Aurelius (T)

Bright Leaf Vineyard, LLC- Genoa (T)

Cuff Property- Aurelius (T)

Verizon Property- Owasco (T)

Garber Property- Ledyard (T)

Cole Property- Conquest (T)

Chichanowksi Property- Victory (T)

Carragher Property- Niles (T)

Eileen shared that the fines on hearings were higher than typical due to the property owners being repeat violators. With no further questions or concerns a motion to approve the hearing and consent orders was made by Dr. Cassandra Archer and seconded by Dr. John Cosachov with all other Board members in attendance in favor.

**ATUPA**

Eileen shared that after the last Board of Health meeting, staff notified the State Department of Health that Panda Smoke and Vape and Auburn Express Smoke Shop both had more than 3 points against their tobacco registration. The State Health Department then in turn contacted the Department of Taxation and Finance. The Department of Taxation and Finance shared with the State Department of Health that they cannot suspend their State tobacco registration because their state registrations have expired. They will begin enforcement action for an expired NYS registration, but the process is lengthy and the fines associated are not large. So it is frustrating, staff do our part, but the State doesn't follow up. In addition, as we discussed, it is difficult to obtain the fines.

After speaking with the County Attorney's office, it is clear that our own local law doesn't have a lot of teeth either. Penalties associated with operating without a local license are just more fines. The County could modify the local law to result in closure of a facility without a local license if they do not comply.

Rich Graham from the County Attorney's office shared that Fred Westphal is working on a complaint against Panda Smoke and Vape to enforce the fines levied against them by the Board of Health. Rich is working on a separate injunction to close the doors to the shop. The attorney's office is also looking to amend local law regarding tobacco sales to bring it up to date and enhance some of the enforcements.

The current local law is 10 years old and the only action that can be taken is fines. Eileen asked the Board what their thoughts were in regards to potentially bringing the local law back in front of the legislature with some updated and more stringent enforcement actions. After discussion amongst the Board members a motion was made by Dr. Brian Brundage to support the County Attorney's office to create an update to the local law and support strengthening enforcement for those products covered by ATUPA with second by Dr. Cassandra Archer and all other members in attendance in favor. The County Attorney's office will begin drafting a revision to the local law.

Eileen shared that part of the Governor's proposed budget included the requirement for a lead rental registry. The new requirement would mandate the Health Department to develop a registry for all rental properties that have two or more units. The units would be required to be certified as free of lead hazards every three years and those inspections would be required to be submitted to the local health department. Any hazards that are found would be required to be remedied. This is currently just a proposal in the Governor's budget, but if it is approved there are a lot of details to be worked out and hopefully funding would accompany to help achieve the goal. The local health department would see an increase in enforcement actions.

Senator May has reached out the State Health Department regarding the status of the Owasco Lake Watershed Rules and Regulations. State Health shared with Senator May's office that currently their legal staff are analyzing them and are hoping to be able to share more information by the end of May. The State has not shared anything with the local working group.

### **Medical Directors Report: Dr. Philip Gioia**

Dr. Gioia shared that the Omicron variant is still active and circulating and the recommendation is still to receive a bivalent vaccine and to get tested if you are sick. There is still trouble encouraging the vaccination of children under five and the Health Department is working jointly with pediatricians to help those families who would like to get their children under the age of five vaccinated.

Dr. Gioia also shared that the Bird Flu is also still active and it can transfer to mammals or individuals that work with infected birds.

Kathleen shared that Dr. Gioia has been stepping in while we are looking for a replacement for Nancy's position providing clinical oversight.

With nothing further to discuss a motion to adjourn the meeting was made by Dr. Cassandra Archer seconded by Dr. Brian Brundage with all other members in attendance in favor. The meeting was adjourned at 1:10pm.