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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

GALE R. BURSTEIN, MD, MPH
COMMISSIONER OF HEALTH

September 21, 2012

Dear Board of Health Member:

The next Board of Health meeting is scheduled for Tuesday, October 16, 2012 at 3:30 P.M. The meeting will be held At Curly's Bar & grill located at 647 Ridge Road, Lackawanna, New York

The minutes from the July 10, 2012 meeting as well as an agenda for the October meeting are enclosed for your review.

Please make every effort to attend the meeting. If you are unable to attend, notify Marcia Amadori Crosby at 858-7226. Thank you.

Sincerely,

James Hoddick, D.D.S.

James Hoddick, D.D.S.
President, Erie County Board of Health

Encl.
JH/mac

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ERIE COUNTY BOARD OF HEALTH

CURLY'S BAR & GRILL

OCTOBER 16, 2012

1. **Review of Minutes from July 10, 2012 meeting**
2. **Family Justice Center for Domestic Violence**
3. **Healthy Choices**
4. **Food Policy Council**
5. **Community Transformation Grant**
6. **Sanitary Code Review/Update – Report on Well Water**
7. **Dentist's HIV Testing**
8. **West Nile Virus Update**

ERIE COUNTY BOARD OF HEALTH MEETING

MINUTES

JULY 10, 2012

PRESENT: James Hoddick, D.D.S.
Matthew Dunaif, D.M.V.
Lynn Marinelli, Erie County Legislator
Carolyn Montgomery, PhD, NP-C
Maureen Montgomery, M.D.
Nathaniel Webster, M.D.
Dennis Galluzzo, R.P.H.
Krista Van Wagner, Curly's Bar & Grill
Gail Polanski, RN, BSN

ERIE COUNTY HEALTH DEPARTMENT

Gale Burstein, M.D., Commissioner of Health
Mark Kowalski, Environmental Health
Cheryll Moore, Community Wellness

GUESTS

Renee Cadzow, PhD, University at Buffalo Family Medicine
Jessie Herscher-Gouck, Healthy Kids/Healthy Communities

I. REVIEW OF MINUTES FROM MARCH 27, 2012 MEETING

Dr. Hoddick asked if anyone had any suggestions, additions, or deletions to the minutes, there were none. The minutes were accepted as written.

II. COMMUNITY TRANSFORMATION GRANT

Cheryll Moore said that the ECDOH is reapplying for the Community Transformation Grant. This had been applied for last year also, but was not funded. Ms. Moore passed out information. Renee Cadzow was also at the meeting to provide information. Healthy Choices is a component of the grant. The company involved in Healthy Choices is now working across the country developing a menu labeling program that people will have access to. Populations of 500,000 residents or less are eligible to be serviced. One of the policies we are looking at to address is the availability of healthier options and choices on menus. It has been a voluntary program up until now, it will however become mandatory. This endeavor will make the independents more competitive.

Ms. Moore said that Dr. Judelsohn had agreed to be on the leadership team if the grant was funded, we are now asking Dr. Hoddick to be on the leadership team. Ms. Moore felt that it was important that the BOH have a say on this as it is causing environmental changes in the community, such as decreasing obesity, cardiac events and smoking by 5% across the areas involved. Dr. Montgomery questioned if there was going to be a distinction made between children and adults regarding obesity, and how the data would be captured. To which Ms. Moore answered yes that positive changes need to be made in the schools. Ms. Gouck replied that they are working on a Dept. of Health project working with pediatric offices. They are getting registries that are participating in terms of obesity rates. We are also getting BMI data from the state.

Dr. Hoddick asked if we could contact the School of Public Health at UB to obtain manpower. He mentioned that this would perhaps be a perfect study for a graduate project. There was conversation regarding collaboration with a number of schools. We are working with Buffalo State through the Health and Wellness Dept., as well as D'Youville College These collaborations foster free labor and a good educational experience. Dr. Hoddick also said that he would help out in any way that he could.

Dr. Hoddick introduced himself to Dr. Montgomery, she introduced herself to the group, and they to her. She is a Pediatrician who trained at Children's Hospital and also worked at the County Clinic. She presently works at Amherst Pediatrics.

III. FOOD POLICY COUNCIL

Jessie Gouck-Herscher is a Health Planner, she has a Master's Degree in Urban Planning with an emphasis in Public Health from UB. She has done studies on health behaviors and public policy change around health in terms of a background in urban planning from a land use perspective. She follows how policy can impact health. Ms. Gouck had handouts and will give the BOH a brief overview of what the Food Policy Council is and then speak regarding what the community can do in adopting policy for Erie County and municipalities within it.

Ms. Gouck referred to principles of a healthy, sustainable food system which was actually developed by APHA as well as the Academy of nutrition and Dietetics, and the American Nurse's Association in conjunction with the American Planning Association. This idea is being presented on a national level looking at food systems, systemically and from a policy perspective. There are examples of what other food policy councils have done. She asked the group if anyone had heard the term food system. The food system is basically everyone involved in food. Not only the famers growing it, but those moving it from the farm, the processors, the distributors, retailers and consumers. Even on the waste side, how it is recycled back through. At the Federal level there are numerous agency's looking at it. At the State, County and Municipal levels the system is very fragmented. In some places it is under health, in some environment and

planning, and some in sanitation. From a regulatory standpoint this is very difficult to manage and very hard to make sustainable, as you must understand the complex system that is disjointed in many ways. Food Policy Councils are bodies of experts pulled from stakeholders across the different aspects of the food system who help legislators, regulators and policy makers, anyone in positions of power who can navigate as they already have expertise in that. They can help make decisions that can connect some of the ties around food. She went on to say that they are really interested in this as a health perspective. She is working on a program called healthy kids/healthy communities which is looking at combatting childhood obesity through policy change for improving opportunities for healthy eating and active living for youth and families. They are many challenges in urban, suburban and rural areas in Erie County, all of which are very different in terms of food access. What the retail destinations look like, where the healthy food is available, where it is unhealthy, and where can changes be made. The goal is to have the council of experts be instituted somewhere in Erie County to help to start to address these challenges. What can be done is they can be a complete asset for the Legislature in terms of proposing something within the realm of the food system. The body of experts would be the impact of this on health or anything from economic development, transportation, climate change, and sustainability across the spectrum. This would apply to not only the County, but municipalities within the County i.e. land use that fall under municipal regulations. Where could you put a community garden, or a grocery store, where could they sell the food grown. The other would to be innovators and drivers of change; they could make proposals to any legislative bodies. Ms. Gouck said that the BOH has a lot of opportunity. There is a large immigrant population in a neighborhood that does not have access to the fresh fruits and vegetables that they have in their homeland. There is an opportunity on a piece of land where they could grow the food and sell it to their neighbors. There is an entrepreneurial piece, and economic development piece, and there is a health piece that is all connected. The minor tweak of a zoning code would remedy this. In that sense they can make recommendations back to the legislative bodies that say these are opportunities for increasing health, or economic development. At the Buffalo Food Policy Summit, some funding was obtained from the Community Foundation for a greater Buffalo. National experts were brought in, to take a look at what is going on locally in Buffalo and Erie County. There are links available to assessment on what the food landscape looks like. Not only from a physical perspective but from a regulatory perspective on where changes can be quickly made. The experts said that New York State is very well poised to have a successful Food Policy Council, because there are mandated agricultural and farmland protection boards within our County. They bring the Farm Bureau and Cornell Cooperative Extension to the table. We also have an engaged Health Dept. as well as Environmental and Planning at the County level. We have buy in at the municipal level at this point from the City of Buffalo. The initial process is the creation of a steering committee tasked with creating the structure and function of a Food Policy Council.

Ms. Gouck went on to say that potentially, one of the places should this go forward, is that this may be housed as a subcommittee of the BOH. Cheryll Moore said that the BOH would be the most neutral place with representation to all of Erie County. As an advisory panel with a sustainable house that would not allow sides to be taken; as well as the impact that eating has on health; as well as opportunities for making changes across the board in terms of policy.

Dr. Burstein asked Ms. Gouck what she envisioned as the BOH's role. Ms. Gouck said that in the actual creation of the Food Policy Council there could be a role if the BOH felt that this was the place that it was appropriate for it to be housed as a subcommittee. The Council would do its own work and ultimately there is some money to staff it initially but ultimately we would charge the council with fundraising or finding funds to support staff to keep it running. Around the country a lot of food policy councils that have staff are grant funded. This is written into the CTG grant for two years so that there would be funding if the grant is awarded. Dr. Hoddick agreed that in seeking out the BOH it is the right part of government; he indicated that the BOH would need direction. Ms. Gouck said they are working with the Erie County Legislature regarding passing a resolution that creates the steering committee. She also mentioned a letter of support from the BOH that could be taken to the EC Legislature indicating that the BOH is supportive of this type of body being created at the county level. If ultimately the steering committee came back with the recommendation that the best place for the council would be as a subcommittee of this BOH, the BOH would be supportive of that. Ms. Polanski asked what the BOH's responsibility would entail. Ms. Gouck said that the BOH could have a large or small role. Dr. Hoddick mentioned that if a subcommittee is established, this might necessitate a change to the Erie County Sanitary Code. Dr. Dunaif also thought that it would constitute a lot of work for the BOH.

Cheryll Moore reiterated that the Food Policy Council is not a deciding body, and that the BOH could use them for their own needs. It is bringing experts together for their knowledge, and recommendations. Ms. Gouck asked the BOH to complete a resolution to create the steering committee. Working through the steering committee process where the structure is built they will come back to the next BOH meeting; telling the BOH what role they need to assume and what action is necessary. Dr. Dunaif made a motion for a resolution saying the BOH is in support of the Food Policy Council; Dr. Hoddick seconded the motion.

IV. ERIE COUNTY PARKS SMOKING POLICY

Dr. Burstein explained to the BOH that the County is hoping to keep areas where children or adults are exposed, smoke free from second hand smoke. This will also decrease the amount of liter in the parks; the parks will be cleaner and healthier in that respect. As a Pediatrician she would like to see positive role modeling. This is the approach to Erie County's smoke free beaches and parks.

There will be no enforcement of this it is purely voluntary and self-policing. There will be signage in the listing of rules of the park designating it as smoke-free, as well as the trash cans in the parks. It is an educational campaign, indicating to people that smoking is not allowed in the Erie County Parks.

V. SANITARY CODE REVIEW/UPDATE

Mark Kowalski indicated that the Erie County Sanitary Code has been reviewed as it is posted on the Health Dept. website; sections were found that referred to sections that had been deleted. There is a need to propose changes to Article IV, sections 12 a & b; as well as Article XVII referring to coin operated dry cleaning machines which do not exist. Some sections need to be deleted, and some regarding property transfers needs to refer to state standards for private drinking supplies rather than the old Article V of the County Sanitary Code that was deleted 12 years ago. Mr. Kowalski went on to say that Article V was deleted in 2000; it referred to private water supplies (well water). Article V, section 12 refers back to that article. This is housekeeping that is needed to update the code. Dennis Galluzzo asked Mr. Kowalski why the regulation of wells was deleted when we still have wells. Mr. Kowalski said that at the time the uniform building code for new well development was sufficient to protect new wells being built. The intention was to reference public water standards for water quality for existing wells and water supplies. Mr. Galluzzo thought that the BOH should be involved in the welfare of our water as it is essential to our health. As being part of the Sanitary Code, he thought that it should have not been eliminated.

Dr. Hoddick said that the deletion was made due to a conflict made with existing building construction codes. It was a housekeeping measure. Mr. Kowalski responded that the uniform building code addresses construction of new wells. There is a gap for existing wells that were developed many years ago. Mr. Galluzzo said that maintenance of wells is of the utmost importance, as many diseases can be contracted through contaminated water from a well. Dr. Dunaif asked if the BOH could get information of the standard operating procedures for monitoring bacteriology and other types of toxicology, labs, and how frequently these are performed and what the methodology involved is. Mr. Kowalski said that at the next meeting he would return with a report on that. He also said that he would look for the deleted portions of the sanitary code from twelve years ago. Dr. Webster suggested constructing a code for wells. Dr. Burstein commented that the ECHD is under severe budgetary constraints and that the Dept. could not hire more personnel even though there is a call for more work. She was not sure what the work would entail. Mr. Galluzzo thought that there should be certain standards that need to be maintained for an existing well. Mr. Kowalski said that there are standards for drinking water that exist for the public water supply. Construction of wells is regulated by the New York State Dept. of Environmental Conservation. NYSDEC is also taking a very active role with the regulation of hydrofracking. Dr. Burstein attended a NYSACHO meeting there five counties in

the southern tier of the state that were targeted to be beta tested for hydrofracking, Erie County is not included. NYSACHO also reached out to counties in Pennsylvania where hydrofracking is occurring to see what other effects on health have been.

VI. FAMILY JUSTICE CENTER FOR DOMESTIC VIOLENCE

Dr. Burstein wanted to raise awareness of the Family Justice Center. It is a non-profit organization in many large cities. In Erie County it provides many of the best services in the Country. It is one stop shopping of services for domestic violence. It is located on Pearl St. and it provides services for victims of domestic violence. They have advocates who listen to the person's story, with fifteen services available; those including legal, social work, mental health, forensic medical exams, emergency housing, social services, video conferencing with courts, so that restraining orders can be obtained on site. The person never has to leave the building. They offer tours every week at the center in the early morning or in the evening after they close to maintain confidentiality. She thought that perhaps the BOH with all their resources be supportive of them in any way. Dr. Burstein wanted to invite Mary Murphy who is the CEO, to give a brief presentation and perhaps brainstorm with her on how the BOH could provide assistance. The members thought that it would be a good idea to invite her to the next meeting.

VII. DENTIST'S HIV TESTING UPDATE

Dr. Hoddick said that they were up and running when the State Dept. of Health gave the okay. The State Dept. of Education became involved and said that they were practicing medicine without a license, as they are Dentists. The Dentists went through 12 hour training programs regarding the testing. Everything is now on hold.

VIII. HYDROFRACKING

Mr. Galluzzo reiterated his concerns regarding hydrofracking. He asked if there was a possibility that any of the materials from the other sites could possibly make their way to disposal sites in Western New York or Erie County specifically. There was mention at the prior Board meeting regarding the North Tonawanda water treatment plant having carbon filters to treat the water. Then recharging the carbon filters, and where the waste from the filters goes comes into play. He went on to say that he did not think the water was treatable as it is so toxic. He mentioned the documentary "Gasland" which discourages the public from fracking. Dr. Dunaif asked if we could find someone with expertise to present hydrofracking to the BOH? Ms. Montgomery said that there is a prediction that there is 80% less gas in the Marcellus shale than was originally thought and that it is not going to be financially productive to get to it. The bottom has dropped out of the natural gas price, so it is not cost effective. There was conversation regarding having someone do a presentation to the BOH

members on fracking possibly from the NYSDEC. Ms. Amadori Crosby will contact the DEC regarding this.

IX. NEW BUSINESS

Dr. Hoddick asked if there was any new business. Dr. Webster mentioned that he had a colleague who was interested in becoming a BOH member and had sent in a CV. Dr. Burstein said that she had received it but that there were no openings at this time. Ms. Amadori Crosby stated that she will send out a letter of acknowledgement.

The next meeting of the BOH will be held on Tuesday, October 16, 2012 at 3:30 P.M. at Curly's.

The meeting was then adjourned.

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