



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

GALE R. BURSTEIN, MD, MPH
COMMISSIONER OF HEALTH

December 20, 2012

Dear Board of Health Member

The next Board of Health meeting is scheduled for Tuesday, January 22, 2013 at 3:30 P.M. The meeting will be held at the Rath Building, Room 904, 95 Franklin Street, Buffalo, New York.

The minutes from the October 16, 2012 meeting as well as an agenda for the January 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,

A handwritten signature in cursive script, appearing to read "James Hoddick".

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

Encl.
JH/mac

ERIE COUNTY BOARD OF HEALTH

ROOM 904 RATH BUILDING

JANUARY 22, 2013

AGENDA

1. Review of Minutes from October 16, 2012 meeting
2. Healthy Choices
3. Food Policy Council
4. Flu update

ERIE COUNTY BOARD OF HEALTH MEETING

MINUTES

OCTOBER 16, 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.
Dennis Galluzzo, R.P.H.
Nathaniel Webster, M.D.
Krista Van Wagner, Curly's Bar & Grill
Gail Polanski, RN, BSN

ERIE COUNTY HEALTH DEPARTMENT

Gale Burstein, M.D.
Mark Kowalski, Environmental Health
Dolores Funke, P.E., Water Quality Program
Cheryll Moore, Community Wellness

GUESTS

Tiffany Szymanek, Family Justice Center

I. REVIEW OF MINUTES FROM JULY 10, 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. FAMILY JUSTICE CENTER FOR DOMESTIC VIOLENCE

Tiffany Szymanek of the Family Justice Center gave the Board members an extremely informative presentation of their workings. Ms. Szymanek also passed out information on the center.

III. HEALTHY CHOICES

Cheryll Moore indicated that there were another 100 slots available for restaurants in Erie County to sign up for the program. We will be doing a push to reach out to restaurants in Erie County. We will also be working with the Restaurant Association to get labeling out. Ms. Moore also participated in a National Webinar. There are 63 restaurants that are registered. We had an intern

doing follow-ups, and found that the restaurants that are registered are still actively participating. We will be pushing forward to get this regenerated, getting information back on the website, and working with the app format. Making healthy choices on menu items is the main proponent of the program as well as portion control.

Dr. Burstein suggested doing a proclamation or a media opportunity to promote healthy choices. Dr. Hoddick questioned if something could be done with the Buffalo Schools and Healthy Choices. Ms. Moore said that Bridget O'Brien the food service director of the Buffalo Public Schools is currently working on new federal standards. She is running into problems introducing unfamiliar foods to the children. Ms. Moore emphasized that much education needs to be done. They also need to meet the new federal standards which are very stringent.

IV. FOOD POLICY COUNCIL

Ms. Moore said that all the community groups involved are on board. The Sanitary Code needs to be looked at. Composters to harvest, all areas of the food cycle are represented. The County Attorney will be contacted for legal recommendations for changes to the sanitary code; to include Food policy council as a subset of the Erie County BOH.

V. COMMUNITY TRANSFORMATION GRANT

Cheryll Moore said that we did not receive the CTG grant. We will go through the critiques from the last time. The proposal had been reviewed and scored well. We are working to set up a meeting with our local Federal delegation to discuss the grant. Dr. Hoddick mentioned that the BOH could perhaps send a letter or use publicity as we would be happy to do it.

VI. SANITARY CODE REVIEW/UPDATE – REPORT ON WELL WATER

Mark Kowalski told the BOH that we wanted to report on the Sanitary Code and its relationship with individual water supplies. He went on to explain the relationship between some of the newer codes or standards coming into play in public health. Delores Funke an engineer in the Water Program was invited to the meeting to give the BOH members a recap on the Sanitary Code relationship with wells.

Ms. Funke said that a question that had come up about Section V of the Sanitary Code having been deleted in 2000. She went on to say that the old version had been superceded by some of the NYS and Federal regulations. These regulations govern public water supplies for any place or community that is serving water to the public. The old Sanitary code did not say too much regarding private individual household wells. This is a reference to sections IV and V in the

Sanitary Code that need to be cleaned up. Ms. Funke went on to say that there is a new regulation within New York State. The NYSDEC certifies well drillers. Regulations require that no one is to build, excavate or remove a cap from a well unless the person is certified by the DEC. As far as the health aspects of the design or construction of a well, that is built into the New York State Sanitary Code. These requirements have been written by the State Health Department. The enforcement of this is under the building code enforcement offices. The rationale for this is that these individuals will be issuing the occupancy permits for these houses. She thought that it was a fragmented approach. We ought to be doing something with the Erie County Sanitary Code so that it allows us to have some form of authority over some of it. The only thing the local health department does right now is issue a waiver if a standard design of a well is inappropriate for a given house. The well driller than has to come to us to apply for a waiver. However the local code enforcement officers in the town issue the certificates of occupancy.

She went on to say that we have activities within our Health Dept. that are meant to address the total quality of the water. We have continued on even after section V was eliminated from the Sanitary Code. When there is new home construction in an area with a well, typically they will also have a septic system. Prior to approval of the septic system we will be going out and taking a sample from the well to make sure that it is of good bacteriological quality; before approval of the construction. The certificate of occupancy will not be issued without our permit. On the existing wells the only time we ever interact with the homeowners would typically be when they are selling the house, we test their septic system and inspect the area, take a look at the well, and take a bacteriological sample. If it does not pass we will go back, and have them do some disinfection, resample, if it still doesn't pass the homeowner has to complete treatment on the system before the ECHD will issue a certificate for property transfer. Other than that we only respond to complaints. If someone comes to us to say that they are having a problem or are concerned about some activity in the area, we will go out and investigate the sample, inspect and advise them. If it was a public health nuisance, i.e. the farmer next door has stored a manure pile too close to their well; we can take action as the health department. Ms. Funke emphasized that this would be more in Mark Kowalski's area for enforcement. We have had a number of gravel line expansions where people came and expressed their concern. We will do some advisement under a DEC permit. They work hand in hand with us.

Ms. Funke said that we actually do have some hydrofracking in Erie County. Vertical well hydrofracking, which is a much lower volume. This has been going on for probably 50 years. It is not in the shale deposit it is usually in the sandstone deposit. They are still incidences where people feel that their wells are impacted. We will respond to those complaints, which are difficult to respond to. This occurs in southern Erie County also Cattaraugus, Chautauqua and Allegany.

Ms. Funke said that fracking has been closely watched by the department. There are issues throughout the country, as fracking is very controversial. The EPA is finally studying it. DEC is studying it as a moratorium in this State. She said that there is no approved horizontal hydrofracking in the State. Until such time as DEC finalizes their general permit and allows it. The information that we have, is that the Marcellus Shale is going to be isolated to a few counties more in the central southern part of the state. The shale in our area is too shallow.

Dr. Hoddick asked how often do the doubling systems have to be tested that are coming out of well water? Ms. Funke responded that it depends on the type and size of the system. Typically the smallest system, like a restaurant will have a quarterly bacteriological sample and an annual nitrate sample unless there is some other concern. In recent years when a new well is approved it will require a little more chemical analysis before the source is approved. If you go to a larger system such as a mobile home park or sheltered workshop where people are drinking the water every day they will have more requirements. The larger the system the more frequent those samples are required.

There were no more questions; the Board members thanked Ms. Funke for her very informative report.

VII. DENTISTS'S HIV TESTING

Dr. Hoddick said that everything had been signed off on the Testing, however, now the Dental School has to await the Medical School Dean. They have gotten approval from NYSDOH, and the Dept. of Education were on the same page. Dr. Burstein asked Dr. Hoddick if testing would be offered at every visit, to which he responded that with the study, it would vary from the Dentists involved, and selected individuals, compared with the patient population at the university, probably less than 10%. Dr. Hoddick mentioned that there are privacy issues involved at the Dental School also.

VIII. WEST NILE VIRUS UPDATE

Dr. Burstein said that we had a case where a patient died. However the Primary cause of death was not West Nile but meningitis, secondary was West Nile. In New York State active surveillance starts on November 1 so we haven't had any active surveillance going on in the hospital, which is where we would find cases. Dr. Burstein said that we are anticipating a bad flu season compared to last year. We will not start peaking until January. Our flu season is predicted on the southern hemisphere's recent flu season; they had a particularly bad season this year. There are two new virus strains. They have been added to this year's flu vaccine in addition to H1N1. It is really important for people to get immunized; if they had received a flu shot within a year or two they probably had some immunity. Since there are new strains this year there runs more of a risk.

Last winter we had a very mild season. We would expect more respiratory morbidity in general. Dr. Burstein also said that the Pharmacists are doing a great job in promoting the flu vaccine. There is a mandated program called Vaccines for Children where the CDC gives out dollars to each state for uninsured or underinsured children eighteen and under. For people nineteen and up many of them do have immunizations as part of their health plans. You are then paying out of pocket; we also have an Immunization Clinic at 608 William, which is open twice a month.

Dr. Hoddick brought up fungal injectable meningitis. Dennis Galluzzo said that he was happy that the media referred to it as an entity and not a pharmacy were it was produced. Dr. Burstein said that it was tainted cortisone injections. Dr. Hoddick said that there were other compounds being made at the facility under question in Massachusetts. The latent period is currently unknown for the infection. Dr. Burstein said that so far there is no knowledge that we have received any contaminated product in Erie County.

Dr. Hoddick thanked everyone for their presentations to the Board of Health. He and the Board of Health members also thanked Krista Van Wagner for hosting the meeting.

The next meeting was scheduled for Tuesday, January 22, 2012 at 3:30 P.M. in Room 904, 95 Franklin Street. Carolyn Montgomery volunteered to bring refreshments for the meeting. The Board of Health meeting was then adjourned.

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