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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

GALE R. BURSTEIN, MD, MPH  
COMMISSIONER OF HEALTH

April 7, 2014

Dear Board of Health Member:

The next Board of Health meeting is scheduled for Tuesday, May 6, 2014 at 3:30 P.M. The meeting will be held at the Rath Building located at 95 Franklin Street, Buffalo, New York.

The minutes from the January 14, 2014 meeting as well as an agenda for the May meeting are enclosed for your review.

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

Sincerely,

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

Encl.  
/mac

ERIE COUNTY BOARD OF HEALTH

ROOM 904 RATH BUILDING

MAY 6, 2014

1. Review of minutes from January 14, 2014 meeting
2. Food Policy Council
3. Regulation of Smoking in Public and Work Places as per New York State Legislation
4. Food Facility Inspections
5. Public Health Accreditation
6. BOH Member's status
7. Old Business

ERIE COUNTY BOARD OF HEALTH

MINUTES

JANUARY 14, 2014

PRESENT: James Hoddick, D.D.S.  
Carolyn Montgomery, PhD, NP-C  
Dennis Galluzzo, R.P.H.  
Jonathan Daniels, M.D.  
Robert Free  
Maureen Montgomery, M.D.

EXCUSED: Matthew Dunaif, DVM  
Lynn Marinelli, Erie County Legislator

ERIE COUNTY DEPARTMENT OF HEALTH

Gale Burstein, M.D. Commissioner of Health  
Cheryll Moore, Medical Care Administrator  
Mary St. Mary, Medical Care Administrator  
Jeff Jurewicz, Environmental Health

GUESTS

Sean Mulligan, Councilman Rivera's Office for  
Food Policy Council  
Scott Kroll, Clerk, Erie County Legislature

I. BOH MEMBER'S STATUS

Dr. Hoddick called the meeting to order. Since there are new members on the BOH he asked to go around the table and introduce the present as well as new members to each other. Robert Free, a new member to the board introduced himself, as Director of Food Service for the Buffalo Bison's organization; he is also past president of the Western New York Chapter of the New York State Restaurant Association and a new member of the State Board of the NYS Restaurant Association. Dr. Jonathan Daniels is also a new addition to the board. He is a Pediatrician with Main Street Pediatrics. There are two positions currently not filled. Dr. Burstein is seeking someone from Baker Victory in Lackawanna (as one of the positions is the City of Lackawanna appointment). Dr. Daniels said that he may be able to speed the process with the City of Buffalo appointment.

## II. REVIEW OF MINUTES FROM SEPT. 17, 2013 MEETING

Dr. Hoddick asked if anyone had any changes/ revisions to the minutes; there were none. Carolyn Montgomery motioned to accept the minutes as written, there were no objections, the motion was carried.

## III. FOOD POLICY COUNCIL

Sean Mulligan said that the Food Policy Council is an advisory group whose purpose is to advise local government on ways to improve the food system. The council is acting as a sub-group of the BOH. He provided the members with a membership list. Mr. Mulligan said that the membership was selected by the Food Policy Council Steering Committee. Copies of the membership list were given to the BOH members. No Chair of the committee has yet been selected. There was going to be a meeting that night to decide the leadership position. Dr. Hoddick made a motion to accept the nominations to the committee, it was seconded by Ms. Montgomery and there were no objections.

## IV. REGULATION OF SMOKING IN PUBLIC AND WORK PLACES AS PER NEW YORK STATE LEGISLATION

Dr. Burstein commented that cancer is a huge problem in our community, the number one cause of cancer is tobacco smoke. The best way to decrease or to prevent people from smoking is to make systems changes in the environment and community to make it more difficult or more expensive to smoke. Or less accessible. She said that she is seeking the BOH's support in possible changes to the Sanitary Code to help move this forward.

Dr. Hoddick went on to say that the smoking ban was implemented approximately fifteen years ago and that it had started here. The BOH was superseded by the Erie County Legislature. Then by the State who finally got on board. He indicated that he did not know if we have any standing on this issue. Dr. Burstein said that she is trying to do some research on this just to see what authority the BOH would have. Dr. Hoddick said the BOH would support her in this endeavor. Dr. Burstein said that there are numerous hookah bars popping around UB which is much worse than smoking cigarettes.

Jeff Jurewicz from Environmental Health explained to the Board that a hookah session is equivalent to smoking 100 cigarettes. It can be tobacco based. There are also fruit and herbal concoctions in the smoke. As a tobacco retailer (who is not selling food) they are exempt from NYS's indoor air quality act. They can allow smoking in their facilities. Mr. Jurewicz said that they are always trying to bend the rules to incorporate that next thing.

Dr. Hoddick asked if there was something the Board could do with the sanitary code to enable to make Environmental Health's job easier. Mr. Jurewicz said that

he would like Greg Jacobs and Ro Jordan (who deals with hookah bars on a daily basis) to come in and speak to the board regarding this issue. They both deal with making sure that the establishments have licenses and Mr. Jacobs supervises the Tobacco Control Program for the County, as well as enforcement of the clean indoor air act. Mr. Jurewicz also said that he would like to put some thought into the hookah bar issue into clearly defining what is allowed in facilities. Of the five hookah bars in Erie County, three are located in Amherst in the university district. Mr. Jurewicz will discuss the board's concern with Mr. Jacobs and Ms. Jordan. Vapor cigarettes also need to be looked into as well with their various additives. There is no regulation on the ingredients placed into the vapor cigarettes. Dr. Burstein said that the CDC has not come out with any strong statements regarding vapor cigarettes because on one hand they could be viewed as harm reduction because there is not the same type of second hand smoke exposure. Also it is looked at as a possible gateway to quitting, but also to using. Dr. Hoddick mentioned that the vapor could be as bad for you as second hand smoke because you don't really know what is in the vapor. Dr. Hoddick thanked Mr. Jurewicz for presenting at the meeting, and said that we would get this topic on the agenda for the next meeting for further review.

#### V. FOOD FACILITY INSPECTIONS

Mr. Jurewicz asked if the members had questions regarding the inspection process, general information or about the website that is up now. He went on to explain that in food service there are basically three programs that Environmental Health administers. The public food service establishments which are traditionally brick and mortar style restaurants take-outs, deli's, health club juice bars bakeries. Then there are mobile food service which are food trucks. There are widely varies menu selections being established in food trucks. There is also temporary food service such as festivals, the Erie County fair etc. There are approximately 3500 brick and mortar facilities under permit. There are two entities that regulate food service in New York State. They being NYS Agriculture and Markets, and NYS code administered through local health departments. The dividing line being retail versus wholesale or retail grocery versus retail food production.

There are 7000 inspections conducted yearly. Low risk establishments would include coffee shops with donuts, juice bars, traditionally taverns; these would be inspected every 1-2 years. Medium risk include cook and serve places, high risk establishments such as school, senior centers, where food service is served. High risk food preparation in which food is prepared ahead of time, warm it, cool it and warm it back up again. There are currently 300 mobile food services. There are temporary food services for approximately 600 events run throughout the year.

About a month ago Environmental Health launched a website that posts all of the restaurant inspection results for the last two years. There is public access though the Health Dept. webpage. Dr. Hoddick asked how this has been received,

to which Mr. Jurewicz responded that there has not been a lot of feedback for the restaurantors. He said that a few of them had reservations about it, and probably questions from people who have looked at it.

VI. PUBLIC HEALTH ACCREDITATION

Cheryll Moore told the members that the ECHD is currently working on a strategic plan toward the accreditation process. There are several components of it. We had to have our community health assessment completed along with the CHIPs (Community Health Improvement Plan). We are moving forward to get all the pieces in place.

There was no new business. The next BOH meeting was scheduled for May 6, 2014. The meeting was then adjourned.

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