

ERIE COUNTY BOARD OF HEALTH

MEETING MINUTES

JULY 26, 2022

PRESENT: Robert Free, Vice President. Food & Beverage, Buffalo Bisons
Baseball/Canalside/Outer Harbor
Diane Loomis, DNP.FNP
Dolores Funke, P.E.
Marilyn Tuberdyck
Michael Merrill, M.D.
Maureen Montgomery, M.D.
Lisa Chimera, Erie County Legislator

ERIE COUNTY DEPARTMENT OF HEALTH:

Gale Burstein, M.D., Commissioner of Health
Jennifer Delaney, P.E., Director of Environmental Health

The meeting was called to order. There was discussion on the untimely tragic passing of Jonathan Daniels, M.D, Board of Health member. As well as a possible replacement for the position.

I. REVIEW OF MINUTES FROM MAY 10, 2022 MEETING

The minutes of the May 10, 2022 meeting were reviewed and approved as presented.

II. UPDATE FROM JENNIFER DELANEY, REGARDING SEWERAGE RELATED PORTIONS OF THE ERIE COUNTY SANITARY CODE

Jennifer Delaney spoke to the members regarding sewerage, as well as property transfers. Environmental Health is grappling with changes they would like to propose; there are some basic changes that need to be worked through. Environmental Health is continuing to work towards that purpose with renewed interest in the Sanitary Code as well as some proposals. It will be easier to submit a package that includes sewerage as well as some additional changes.

Ms. Delaney also spoke that during Covid, Environmental Health was tasked with certain inspection activities for facilities that are not required to have a Local, State or County Health permit.

One of type of facility that Environmental Health needed to inspect was fitness centers and gyms. During those inspections one thing Environmental

Health noticed was that restroom facilities and locker rooms are not the cleanest or well maintained.

Ms. Delaney noted that that Environmental Health does get a number of complaints in our local office as well as the NYS office regarding these fitness facilities. We do not have any means of regulating them. Also, if a fitness facility has a pool there is a provision in section 6-1 for maintaining restroom and locker rooms that have showers. If the fitness facility does have a pool Environmental Health is ensuring that the fitness facility is clean and well taken care of. If a fitness facility does not have a pool, no one is watching to make sure that they are well taken care of, meaning that no one is checking to ensure that a fitness facility has cleaning products and towels to wipe down equipment.

Ms. Delaney explained that since ECDOH does have an article in the Sanitary Code, section 5 on cleanliness for public toilets, and that does cover very basic cleanliness activities at public restrooms. A section could be added to include specific requirements for fitness facilities and gyms. We are still trying to work out the definition of what a fitness facility-gym is. There are a lot of broad reaching points to that conversation. Ms. Delaney wanted to get the BOH's perspective on this issue before writing up a proposal. Dr. Merrill asked if this would be a permanent process or a response to complaints. Jennifer went on to say that our intent would be to register or permit them with a nominal fee, then an annual inspection would be done. There was ensuing conversation on this matter. It was determined that there are 400 facilities in the count, part of those we are already in on an annual basis, i.e. swimming pool inspections.

Ms. Delaney added that we are also looking to take over the NYS implemented tanning facility program for cleanliness. Back in 2009 NYS implemented that regulation in Erie County. We are currently proposing to take over this program from NYS and run it ourselves here in Erie County. That includes another 30 tanning facilities, some of which are located in fitness centers.

Environmental health is also looking to take on some new programs. Ms. Delaney said that in the not too distance future she saw a change in the housing market where property transfers will decrease. They do have some capacity, but are asking for additional staff in the 2023 budget, as they are looking to take on these new programs.

Dolores Funke pointed out that it must be made clear that a safety inspection is not being done in a Fitness facility or tanning salon, that there are a lot of ways someone's safety could be threatened. It is a question of how this is worded, it should be kept to sanitation not safety. Ms. Delaney agreed with this. Legislator Chimera indicated that everything needs to be very well thought out in presentation and roll out. Ms. Delaney agreed that as a government agency we do not want to alienate any group of people. The fee part could be waived for the first 3 years so as to not add any financial burden. However, there is better

compliance when there is a fee involved. There was conversation regarding permitting, inspection and enforcement and also introducing education on how to keep premises clean and healthy for patrons.

Ms. Delaney said that she would start getting together parameters, she will put together an initial education sheet so that there will be an idea of what we are looking at to start with. She will look into how we can write a waiver of the fee for the first few years, and permitting to get out to the BOH members shortly. Ms. Delaney thanked the members for all of their insight into her proposal. Marilyn Tuberdyck offered to assist her with this endeavor.

III. COMMISSIONER'S UPDATE

Dr. Burstein indicated that overall Covid case reports have continued to increase since May. However, reported cases are still relatively low. The low testing numbers could be attributed to the fact that people are not testing as often they had in the past. Another reason for the low numbers could be due to the fact that people are testing at home and these positive tests do not get reported to the NYS surveillance system.

Dr. Burstein also said that Covid 19 hospitalizations continue to remain low despite, as we believe, that there is a higher Covid 19 morbidity in our community. Between half and 2/3 of the people who are admitted to the hospital who test positive for Covid 19 are admitted for a reason other than Covid 19 symptoms management. There are people fully vaccinated who are hospitalized. Because we have had so much Covid 19 in the community, what we are seeing nationally, and locally from our genomic sequencing is the vast majority of Covid 19 cases are the BA .5 variant which is supposedly extremely contagious. Our seniors are being targeted more with this variant for severe illness than younger people.

One strategy that we are looking at now, to give a more valid picture of the FPC Covid 19 morbidity in our community, is looking at posting the waste water testing data. This data is posted on our Erie County Covid 19 website but that information is difficult to find. Dr. Burstein shared her computer screen with the members so they could access the data for themselves. The waste water is collected and tested by UB twice weekly. The trends have been high but they are decreasing. The data is more reflective of the overall population morbidity. This is an overall general surveillance so that we can estimate what is going on in the community not necessarily looking for specific outbreaks or hot spots.

Dr. Burstein addressed the monkey pox outbreak; so far there have been 4 confirmed cases among Erie County residents and a handful of close contacts. Several specimens are pending at Wadsworth laboratory in Albany from several other people who were tested. Monkey pox is here in Erie County. Niagara

County also has a case. ECDOH has received 600 doses of monkey pox vaccine for Erie County residents. ECDOH is working with Evergreen Health Center for space to hold a vaccine clinic. We are trying for vaccinate the populations that best meets the criteria to receive the Monkey Pox Vaccine. The current population that we are offering the Monkey Pox Vaccine to, are individuals who have contact in social and sexual networks with men having sex with men. The Monkey Pox Vaccine is not limited to Evergreen patients, but to all Erie County residents. We also will be vaccinating close contacts. The Monkey Pox Vaccine is a two-dose series given 28-35 days apart. We are expecting additional doses within a month from the NYSDOH. ECMD will also be a tpox prescriber.

IV. FOOD POLICY COUNCIL UPDATE

Rob Free said that the FPC recently had a meeting with Legislators Chimera and Johnson to discuss the future of the FPC and where it lies. Presently the FPC lies under the BOH. They are deciding on exactly where the FPC should be. They will be going in front of the EC Legislature in October to give a presentation and task them with how they could help the FPC grow and be more effective in Erie County. They anticipate asking for funds to help support the FPC. The FPC budget is presently zero so any assistance would be helpful.

Dr. Burstein said that we have a Public Health Fellow program that is funded from the CDC via the NYSDOH; we are going to hire a fellow to provide some assistance with the FPC, so they get can up and running with an Executive Director position to try to take charge. This would help with administrative work, research, messaging etc. Everything a group of volunteers wants to do but are unable due to their regular employment. These endeavors will be extremely helpful in moving the FPC forward.

Marilyn Tuberdyck asked Rob if he was still anticipating meeting with Adam Goetz regarding a Farm to Table endeavor. Rob said that Mr. Gooetz was in a meeting with one of the FPC working groups recently. Rob will follow up with this.

V. NEW & OLD BUSINESS:

There was no New or Old business discussed.

VI. ADJOURNEMENT:

Having no further business, the meeting was adjourned.

*The next BOH meeting will be held on September 27, 2022 at 3:30 P.M.

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