

ERIE COUNTY BOARD OF HEALTH
MEETING MINUTES
May 5, 2026

PRESENT: Robert Free, Vice President, Food & Beverages, Bisons
Baseball/Canalside/Outer Harbor, Chairman, BOH
Gale Burstein, M.D., Erie County Commissioner of Health
Lawerence J. Dupre, County Legislature, BOH Member
Marilyn Tuberdycck, BOH Member
Dolores Funke, BOH Member
Micheal Merrill, M.D., BOH Member
Jennifer Delaney, Director, Environmental Health
Jeffrey Kowalewski, Environmental Health
Tom Muscarella, Environmental Health
Jeffrey Jurewicz, Environmental Health

GUEST: Barbara Piazza, Chief Ethics Officer
Danielle Rovillo, Health Equity

REVIEW OF MINUTES - January 27, 2026

Rob motioned to approve the minutes – minutes approved.

I. Chief Ethics Officer – Barbara Piazza

- Barbara spoke about what the board of ethics does and promotes.
- Shared the obligations board members have regarding ethics (e.g. forms to be filled out)
- Explained how the financial disclosure form works and the purpose/need of it.
- Letters are sent from Ethics. Ensure that all personal information (address and/or email) is up to date to be sure you are receiving needed forms.

II. Revisions to Sanitary Code – Jennifer Delaney, Director Environmental Health/Jeff Jurewicz, Environmental Health/Tom Muscarella, Environmental Health

- Jennifer provided an overview of proposed revisions and potential updates to the Sanitary Code, noting that updates to the database would streamline future revisions.
- Recent compliance improvements were noted, including increased adherence by gyms and positive outcomes from minor updates to Article IV.
- Article I requires revision, as it references outdated or inapplicable items; legal guidance will be needed to proceed.

- Permit fees have not been updated since 2006; discussion included adjusting fees to rounded, updated amounts.
- There are currently 759 permitted facilities, with permitting described as a challenging process. Vape retailers were noted to frequently pay fines without achieving compliance, generating approximately \$200,000 in fines annually.
- The enforcement process continues to progress, with hearings currently held twice per month and the possibility of increasing frequency.
- Training efforts have expanded, with 33 classes offered in 2025; however, attendance remains lower than expected despite code requirements for trained staff in each business. A potential training fee was discussed as a way to encourage participation.
- Additional enforcement support from police or law enforcement was identified as a need, particularly for businesses operating under closure orders or attempting prohibited purchases.
- The potential use of a peace officer and coordination with the District Attorney's Office were discussed to address businesses reopening in violation of closure orders
- It was noted that approximately 99% of vape products are illegal; development of an approved vapor product list was discussed, with distributors identified as a primary enforcement challenge and a need for stronger state-level action.
Increasing use of nicotine pouches was discussed, along with regulatory challenges related to varying nicotine concentrations and limited taxation by the Department of Taxation and Finance.
- A 25% inspector turnover rate was reported, creating ongoing challenges for training, staffing, and completion of routine inspections.

III. Update on Food Policy Council – Danielle Rovillo, Health Equity

- Danielle was present to speak for the Food Policy Council updates.
- Transitioned to a bi-monthly meeting schedule and streamlined meetings to one hour, improving member engagement, productivity, and decision-making efficiency.
- Implemented the \$1 million Food for New York Families program, providing 400+ families with free produce bags weekly for over 50 weeks, while also sponsoring produce distribution at community events including Overdose Awareness Day.
- Sponsored NYS Agricultural Districts and Farm-Friendly Zoning training for 45 municipal officials, strengthening local government capacity to support agriculture and food systems.
- Launched and coordinated the Erie County Food Drive in partnership with FeedMore WNY, contributing 2,000+ pounds of food and financial support in response to ongoing SNAP timing gaps and food insecurity.
- Conducted outreach and engagement at major community events including Marilla Ag-Day, the Erie County Fair, the Boston Local Environmental Awareness Fair, and the

Overdose Awareness Day Event, integrating food access with public health and environmental awareness.

- Strengthened partnerships and visibility through participation in the NYS Farmers Market Federation Conference, sponsorship of Big Big Table's "Big Big Bash," and collaboration with Slow Roll's Harvest Roll for the second consecutive year.
- Reestablished the Youth Working Group to expand youth representation, leadership development, and engagement within the local food system.
- Continued to meaningfully shape County strategy and tools, with FPC insights supporting the 2025 launch of Find Fresh Erie, the Erie Grown webpage, and an integrated land-use review protocol that embeds food systems considerations.

IV. Commissioner's Update – Dr. Gale Burstein

- A recent increase in respiratory illness was reported, driven primarily by influenza, which rose rapidly but also declined quickly.
- RSV cases remain elevated but are lower than levels seen in previous years.
- Children's Hospital reported lower respiratory-related activity this week compared to prior weeks.
- Overdose numbers have declined.
- Suicide rates remain consistent and will be addressed further through coalition discussions.

V. Old/New Business

- The Board Representative from Lackawanna will be Dino Marracco and will have an introductory meeting at the end of February with Gale and Rob.
- Create a letter to recruit for a representative for Buffalo to send to the Mayor's office.
- No old business.
- The next meeting will be May 5th, 2026.
- Meeting Adjured.