

ULSTER COUNTY BOARD OF HEALTH

September 9, 2013

AGENDA

CALL TO ORDER

- **OLD BUSINESS**
 - a. Approval of June 2013 minutes

- **NEW BUSINESS**
 - a. Commissioner's Report:
 - Amendment to the Fee Schedule
 - Mass Gathering Update

 - b. Medical Examiner Report:
 - June, July, August Cases

 - c. Patient Services Report:
 - 2013 Flu/Pneumo Cost

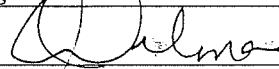
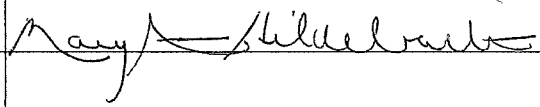
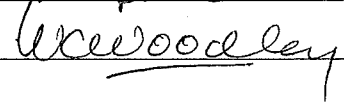
 - d. Environmental Health Report:
 - Formal Hearing – J Rocco

MEETING CONCLUSION

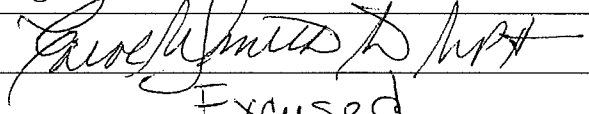
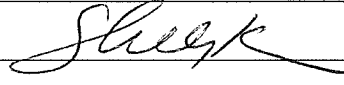
Ulster County Board of Health

Date: Monday, September 9, 2013


Board Members

		Signature
Delma MD, Dominique	Secretary	
Graham ESQ, Peter	Board Member	
Hildebrandt MPA, Mary Ann	Member	
Kelly RN, Elizabeth	Board Member	
Tack DO, Marc	Chairman	Via phone for Hearing portion (7:10pm)
Woodley MD, Walter	Vice Chairman	
Board Member	Vacant	

Department of Health

		Signature
Smith, MD, MPH, Carol	Commissioner of Health	
Heller MD, Douglas	Medical Examiner	Excused
Veytia RN, MSN, Nereida	Deputy and Director of Patient Services	Excused
Mertens, Shelley	Dir of Environmental Services	

Guests

		Signature
McCracken, Amy	UC Depart of MH Deputy Commissioner	
Cane, Lee	Mid-Hudson League of Women Voters	
Zweiben, Andy	Hearing Officer (DOH)	Via phone for hearing portion (7:10pm)

Ulster County Board of Health
September 9, 2013

Members PRESENT: Walter Woodley, MD, Board Member
Dominique Delma, MD, Secretary
Marc Tack, DO, Chairman (via phone)
Mary Ann Hildebrandt, MPA, Board Member

UCDOH PRESENT: Carol Smith, MD, MPH, Commissioner of Health
Shelley Mertens, Environmental Health Director

GUESTS: Lee Cane, Mid-Hudson League of Women Voters
Amy McCracken, Deputy Commissioner UC Dept of Mental Health
Andrew Zweben, UCDOH Sanitary Code Hearing Officer (via phone)

ABSENT: Elizabeth Kelly, RN, Board Member
Peter Graham, ESQ, Board Member

EXCUSED: Nereida Veytia, Deputy/Patient Services Director
Douglas Heller, MD, Medical Examiner

I. **Approval of Minutes:** Due to a DOH computer issue the June 2013 minutes were unavailable for review. It was agreed that the June 2013 minutes would be sent to Board members for an e-Vote. *Note: This was not completed and therefore, the June minutes will be voted on during the October meeting.*

II. **Agency Reports:**

a. Commissioner's Update:

Dr. Smith reported on the following:

- **Amendment to the Fee Schedule:** Dr. Smith has been collecting fee schedules from other counties as a review of Ulster County's current fee schedule is underway. The results of that study will be shared at the next Board meeting.
- **Mass Gathering:** The Ulster County Mass Gathering protocol continues to be worked on with the County Attorney and appropriate stakeholders. The draft of the protocol was shared with the Board, as well as, a Mass Gathering Cost Calculator was distributed (see attached.)

b. Medical Examiner: No Report

c. Patient Services: The 2013 Flu/Pneumo proposed cost recommendations were presented to the Board (see attached) by Dr. Smith. UCDOH recommended cost for flu vaccine is \$20.00 and \$70.00 for Pneumo. Dr. Tack made a motion to accept DOH recommendations, which was seconded by Ms. Hildebrandt and unanimously approved.

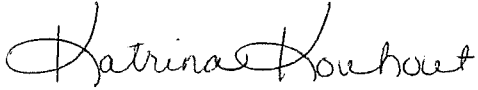
d. Environmental Health Report: Andrew Zweben, UCDOH Hearing Officer participated via phone to discuss J Roccas Food Services Establishment. Lou Klein, the Hearing Officer for Ulster County Formal Hearings provided a Hearing Officers Report for this facility back in June (see attached.) However, because this was not a negotiated fine it is to be brought before the Board of Health for vote and approval before the penalty can be enforced. After discussion with Attorney Zweben, the Board expressed no hesitations and no concerns with Attorney Klein's Report and

therefore, a motion was made, by Dr. Tack, to uphold the Hearing Officer recommended fines, the motion was seconded by Dr. Woodley and unanimously approved.

Meeting Adjournment: A motion was made by Dr. Delma to adjourn the meeting, motion was seconded by Dr. Woodley and unanimously approved.

Next Meeting: The next meeting is scheduled for October 7, 2013.

Respectfully submitted by:

A handwritten signature in cursive script that reads "Katrina Kouhout".

Katrina Kouhout
Secretary to the Commissioner of Health
On behalf of UC Board of Health

UCDOH Permit and Service Fee Schedule

Permit/service	Fee
Water sample	\$ 40.00
Sewage disposal systems:	
Daily flow < 1,000	\$ 400.00
Daily flow 1,000 - 10,000	\$ 500.00
Daily flow > 10,000	\$ 600.00
Swimming pool/bathing	\$ 200.00
Migrant camps:	
Capacity 1 - 9	\$ 100.00
Capacity 10 - 25	\$ 150.00
Capacity 26+	\$ 200.00
Children's camps:	\$ 200.00
Temp residence:	
Seasonal 1 - 10 units	\$ 100.00
Seasonal 11 - 50 units	\$ 150.00
Seasonal 50+ units	\$ 250.00
Year round 1 - 10 units	\$ 100.00
Year round 11 - 20 units	\$ 150.00
Year round 21 - 100 units	\$ 250.00
Year round >100	\$ 500.00
Food service:	
Mobile carts	\$ 60.00
Seats < 25	\$ 100.00
Seats 26 - 75	\$ 225.00
Seats > 75	\$ 300.00
Temporary Food (< 14 days)	\$ 50.00
Seasonal Temporary Food (set date, set location for set period of time)	\$ 60.00
Caterers/commissaries	\$ 200.00
Vendors < 25	\$ 50.00
Vendors 25+	\$ 100.00
Frozen dessert	\$ 25.00
Refuse/sludge disposal	
Company (or Truck)	\$ 150.00
ea. additional truck	\$ 30.00
Children's camps	\$ 200.00

Permit/service (cont'd)	Fee
Realty Subdivisions:	
< 10 lots	\$ 250.00
10+ lots	\$ 400.00
Line Lot Adjustment	\$ 100.00
App for Extension of Approval	\$ 150.00
Swimming pool:	
< 25,000	\$ 100.00
25,000+	\$ 150.00
50,000+	\$ 250.00
Mobile Home Parks:	
1 - 4 sites	\$ 150.00
5 - 10 sites	\$ 250.00
11 - 25 sites	\$ 350.00
26 - 99 sites	\$ 500.00
100+	\$ 650.00
Public water supply plan:	
Cost < \$10,000	\$ 150.00
Cost \$10,000 - \$100,000	\$ 300.00
Cost \$100,000+	\$ 500.00
Construct a Water Well *	\$ 250.00
Construct a Resource Well**	\$ 250.00
Decommission a Well	\$ 250.00
Backflow Prevention Device Review	\$ 100.00
Well Contractor Registration	\$ 30.00
* Permit for Community Water Supplies	
Late fee	\$ 75.00
Public access to records:	
Regular photocopies	\$ 0.25
Oversized photocopies	na
Returned check fee	\$ 35.00

Shelley K Mertens/Health
Department/Ulster County
08/15/2013 03:02 PM

To Katrina A Kouhout/Health Department/Ulster County@Ulster
County
cc Carol Smith/Health Department/Ulster County@Ulster
County
bcc
Subject J Roccas

Lou Kline, the hearing officer for the formal hearings, provided a Hearing Officers Report for the above referenced facility in June. Andy Zweeban told me that because it was a Hearing Officers Report and not a negotiated fine it has to go before the Board of Health. So, can this be put on the next meeting agenda. Andy would also like to attend. Please let me know. Thanks.

Shelley K. Mertens, P.E.
Director of Environmental Services
Environmental Services Division
Ulster County Department of Health
300 Flatbush Avenue
Kingston, NY 12401
Office: (845) 340-3035
Fax: (845) 340-3045
smer@co.ulster.ny.us

ULSTER COUNTY ATTORNEY

240 Fair Street, PO Box 1800
Kingston, New York 12402
845-340-3685 • Fax: 845-340-3691

MICHAEL P. HEIN
County Executive

BEATRICE HAVRANEK
County Attorney
845-340-3685

KRISTIN A. GUMAER
Assistant County Attorney
845-334-5402

SUSAN K. PLONSKI
Assistant County Attorney/
Contract Manager
845-340-3441

CLINTON G. JOHNSON
First Assistant County Attorney
845-340-3685

WILLIAM N. CLOONAN
Assistant County Attorney
845-340-3685

ROLAND A. BLOOMER
Assistant County Attorney/
Assistant Contract Manager
845-331-2447



Service by facsimile or e-mail not accepted

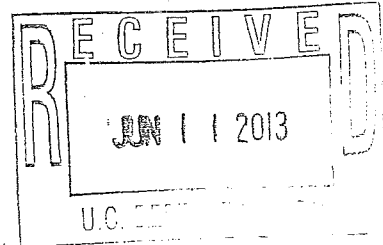
MEMORANDUM

TO: Carol Smith, M.D., Director
Ulster County Health Department

FROM: Beatrice Havranek, Esq. *BH*
County Attorney

DATE: June 7, 2013

RE: Ulster County Health Department vs. Risher (J. Roccas Steakhouse)
Invoice Dated: 06/06/13



06/20/14
Report to KK for
Shelley M
cc: RRY

Enclosed herewith please find an invoice together with a claimant's certification from the impartial Hearing Office Louis M. Klein regarding the above referenced proceeding. I have reviewed the invoice and I have approved it as appropriate to pay subject to your final approval.

I am also enclosing Attorney Klein's original Hearing Officer's Report, dated June 6, 2013, the same of which should be kept in your files. Kindly review this decision with Special Counsel Andrew Zweben, Esq. for the purpose of the next step in the enforcement of the violations which have been found and the penalty recommended by Attorney Klein.

BH:gr
enclosures

LOUIS M. KLEIN
Attorney-At-Law
61 Lipton Street
Kingston, New York 12401
Telephone: (845) 853-4229

June 6, 2013

RECEIVED
JUN 6 7 2013
ULSTER COUNTY ATTORNEY

Beatrice Havranek, Esq.
County Attorney
P.O. Box 1800
Kingston, New York 12402

Re: Ulster County Health Department v.
Risher (J. Roccas Steakhouse)

Dear Bea:

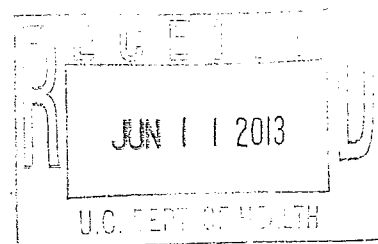
Enclosed herewith please find my Hearing Officer's Report in the above-referenced matter, along with my invoice and claimant certification form. I would appreciate your processing the invoice for payment.

I have provided Andrew Zweben, Esq. with a copy of the Hearing Officer's Report. I assume that you will cause it to be forwarded to to Director Smith and the Respondent, since that is usually the case.

Warm personal regards.

Respectfully yours,


Louis M. Klein



COUNTY OF ULSTER

PO BOX 1800
KINGSTON, NEW YORK 12402

Office of the Comptroller
(845) 340-3525
(845) 340-3697-Fax



Elliott Auerbach
Comptroller

Robert Wenzel
Deputy Comptroller

CLAIMANT CERTIFICATION

I certify that the attached account in the amount of \$2,376.00 is true and correct; that the items, services and disbursements charged were rendered to or for the County of Ulster on the dates stated; that no part has been paid or satisfied; that taxes for which the County is exempt are not included; and that the amount claimed is actually due.

Company Name: Louis M. Klein, Esq.

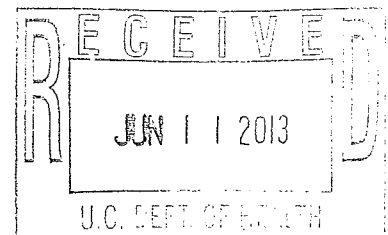
Authorized Signature: Louis M. Klein

Title: Imported Hearing Officer

Print Name: Louis M. Klein

Date: June 6, 2013 Purchase Order #: _____
If Applicable

PLEASE BE SURE TO SUBMIT A
COMPLETED CLAIMANT CERTIFICATION
WITH ANY SUBMISSION FOR PAYMENT TO ULSTER COUNTY.



LOUIS M. KLEIN
Attorney-At- Law
61 Lipton Street
Kingston, New York 12401

June 6, 2013

For all services rendered as Hearing Officer in the Matter of the
Ulster County Health Department v. Erik R. Risher as Owner and
Operator of J. Roccas Steakhouse LLC, d/b/a J. Roccas
Steakhouse & Speakeasy:

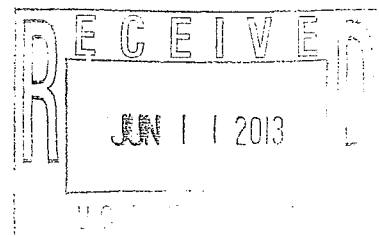
Review of Noticed of Hearing, Notice of Charges and preparation
of Introductory Statement for the Record on April 2, 2013 from
2:10 p.m. through 4:55 p.m. Time consumed: 2.75 hours @
\$150.00 per hour \$412.50

Attendance at hearing in the conference room of the Ulster County
Department of Health on April 11, 2013 from 9:45 a.m. through
12:45 p.m. Time consumed: 3.0 hours @\$150.00 per
hour 450.00

Reviewing Petitioner's memorandum of law and transcript of
hearing on June 2, 2013 from 8:20 a.m. through 11.45 a.m.
Time consumed; 3.42 hours @\$150. per hour 513.00

Continued review of transcript and preparation of Hearing
Officer's Report on June 6, 2013 from 5:10 a.m.
through 11:50 a.m. Time consumed: 6.67 hours @
\$150. per hour 1000.50

\$2,376.00



STATE OF NEW YORK
COUNTY OF ULSTER

In the Matter of the Complaint of
ULSTER COUNTY DEPARTMENT OF HEALTH,

Petitioner,

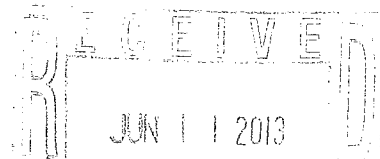
-against-

Erik R. Risher as Owner and Operator of J.
Roccas Steakhouse , LLC, and J. Roccas
Steakhouse, LLC d/b/a J. Roccas Steakhouse
and Speakeasy, 7159 Route 28. Shandaken,
County of Ulster, State of New York,

Respondent,

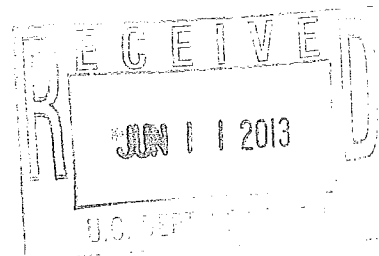
For the Alleged Violations of New York State
Department of Health State Sanitary Code, Chapter
1, Subpart 5-1, Public Water Systems and Chapter 14,
Subpart 14.1 Sewage Disposal Systems.

HEARING
OFFICER'S
REPORT



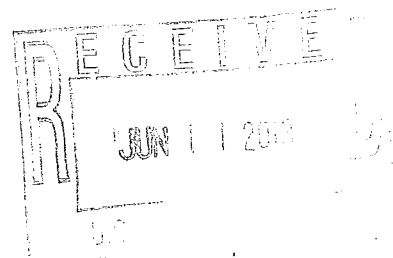
Erik R. Risher is the operator of J. Roccas Steakhouse, LLC, d/b/a J. Roccas Steakhouse & Speakeasy, located at 7159 Route 28, Shandaken, Ulster County, New York. On March 15, 2013, Mr. Risher was charged with four (4) violations of the New York State Sanitary Code and one (1) violation of the Ulster County Sanitary Code. The Respondent rejected the offer to adjourn the proceeding in order to afford him the opportunity to retain counsel and elected to proceed pro se.

Charge one (1) alleges that the Respondent failed to comply with the requirements of Chapter 1, Subpart 14-1.30 of the New York State Sanitary Code in that he failed to operate the sewage disposal system of his establishment in a manner acceptable to the permit-issuing official.

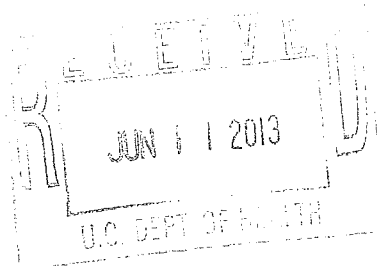


Regarding this charge, it must be noted that when Respondent sought to open his restaurant, he was granted a permit to operate a food service establishment with a limited seating capacity, not to exceed forty (40) seats. That was the maximum capacity provided for in the approved design of the premises' sewage disposal system and a condition expressly set forth in his permit. The other conditions set forth in Respondent's permit were that water supply be subjected to ultraviolet disinfection and that the on-site septic system be continually maintained.

Turning my attention to the first charge lodged against the Respondent, the evidence clearly established that the Respondent knowingly and willfully operated his restaurant on a regular and continuous basis with more than the forty (40) seats authorized in the permit. In fact, the Respondent admitted



that he did so claiming that he could not successfully operate his restaurant were he to adhere to the forty (40) seat maximum capacity. The Respondent testified that he had expressed this concern to a former employee of the Ulster County Health Department who informed him that the most that would happen if he operated in violation of that provision would be that “DEP is going to send a nasty letter to the Health Department. The Health Department is going to send a letter to me saying should my septic system fail, I would be liable.” Since the statute sets forth the maximum penalty clearly and unequivocally, such a communication would not have provided a defense. However, believing that if such a communication was made by an employee of the Ulster County Health Department it might have affected the penalty imposed, the Respondent was offered the opportunity to subpoena

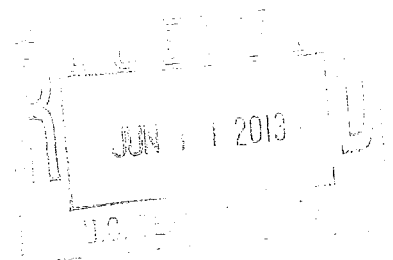


such witness. He rejected that offer.

The evidence clearly establishes that on April 20, 2012, Cory Kassler, during an on-site inspection, prepared a report stating that he found the capacity of the restaurant to be forty (40) seats. The Respondent signed that report.

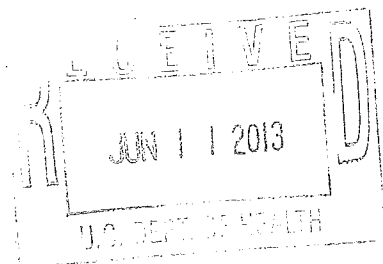
The Respondent testified that he operated the restaurant with as many as seventy-two (72) seats. Cory Kassler, a senior public health sanitarian for the Ulster County Department of Health, testified that he inspected the premises on September 5, 2012 and found seventy-eight (78) internal seats and thirty-five (35) seats outside the restaurant. Accordingly, I recommend that the Respondent be found guilty of charge number one (1).

Charge 2, alleges that the Respondent did not prepare and file

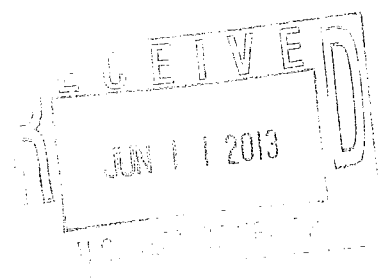


Monthly Operating Reports for the daily UV readings for the months of June, 2012; July, 2012; August, 2012; September, 2012; October, 2012; and November, 2012 and failed to timely submit monthly operation records for the same months to the Ulster County Health Department as required by the New York State Sanitary Code. Charges 3 and 4 allege that the Respondent failed to complete the quarterly microbiological monitoring tests for the third and fourth quarters of 2012 and the annual nitrate sampling and analysis of his water system for the year 2012, and to send copies thereof to the Ulster County Health Department as required by the New York State Sanitary Code.

The testimony of Shelly Mertens of the Ulster County Health Department



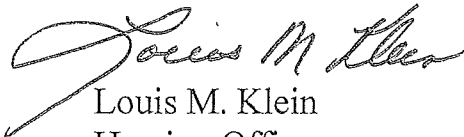
clearly establishes that the afore-mentioned monthly operating reports, quarterly bacteriology reports and the annual nitrate report were never received by the Ulster County Health Department. The Respondent testified regarding these charges, as follows: "...did I take the UV reports and the alarm system seriously? Absolutely not. Not in the beginning. I mean we have an alarm in the floors. We have all of this stuff. So what I was doing was, at the end of the month, I was signing off on it. My son would go down every other day, make sure that the UV light is on. You can see the thing glowing in the distance." He also testified that later he hired Kingston Water to take such tests and to prepare and submit the required reports. However, he never produced them as witnesses. He never introduced their reports in evidence. Ergo, the testimony of Shelly Mertens was never rebutted.

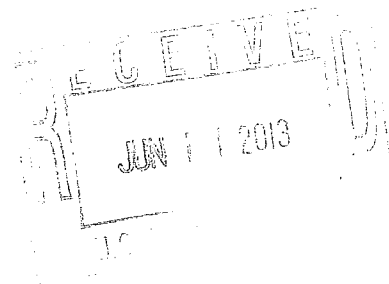


into with the Ulster County Department of Health. In fact, the substantial and competent evidence supports a finding that the Respondent demonstrated willful intent to thwart and violate some of the conditions imposed upon him, not only by the applicable statutes, but by the very permit which empowered him to operate his restaurant. Accordingly, it is my recommendation that in light of those flagrant and willful acts, the maximum fines of One Thousand Dollars (\$1,000.00) per charge, or Five Thousand Dollars (\$5,000.00) be imposed upon the Respondent.

Dated: June 6, 2013

Respectfully submitted,


Louis M. Klein
Hearing Officer



**ULSTER COUNTY
DEPARTMENT OF HEALTH**

Environmental Services Division

**MASS GATHERING
PROTOCOL**

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Ulster County Department of Health Environmental Services Division Mass Gathering Protocol

Vision:

All mass gatherings of people in Ulster County are as safe as possible and free of unmanaged risks.

Mission:

Through outreach, planning, evaluation and intervention, environmental health risks likely to occur at public events will be managed.

Definitions:

1. **Outreach:** A systematic, regular process of identifying public events likely to fit the definition of a Mass Gathering.
2. **Permit:** The permit to hold a Mass Gathering required under Chapter 1 Part 7, Subpart 7-4 of the NYS Sanitary Code (**Appendix A**) and Article XV of the Ulster County Sanitary Code (**Appendix B**).
3. **Mass Gathering:** An event that meets the definition in Part 7, Subpart 7-4 of the NYS Sanitary Code and Article XV of the Ulster County Sanitary Code and likely to attract 5,000 people or more and continuing for 24-hours or more but shall not include a temporary residence under permit.

Mass Gathering

For public events likely to be a Mass Gathering, the following the actions are taken:

Procedure:

- A) The Environmental Health Manager (EHM) immediately notifies the Director of Environmental Health Services, the Ulster County Commissioner of Health, the Ulster County Emergency Management Services Coordinator (EMS Coordinator) and NYSDOH Metropolitan Area Regional Office (MARO) of the name, nature and date of the event. Notification will be made to the NYSDOH Bureau of Emergency Management Services (EMS) who will be the lead for Title 10 New York State Sanitary Code Part – 18.
- B) The EHM will maintain a Log of Mass Gatherings (**Appendix C**), including the date, location and expected attendance. Any actions taken are to be noted in the log.
- C) The EHM contacts the promoter to begin the process of permitting the Mass Gathering event.
- D) The EHM will send a “NYSDOH Application for a Permit to Operate (DOH-3915) a mass gathering (**Appendix G; Attachment 1**) to the promoter with

Instructions to submit the application no later than 60 days prior to the event and no later than 15 days prior to advertising the event.

- E) By mail, fax or email the EHM will send a cover letter with the “Mass Gathering Permit Checklist” (**Appendix G; Attachment 2**) to the promoter with instructions on how and where to submit the permit application and supporting documents.
- F) The fee schedule will be based upon the nature, time and venue of the Mass Gathering event and will be sent to the promoter.

Review Mass Gathering Application and Plans

- A) The EHM will review the application and plans and either requests more information or clarification, moves the permit application forward, or rejects the application as un-approvable specifying what is needed for re-submission. NYSDOH Bureau of EMS will be responsible to review application for the Emergency Medical Services Operational Plan and issue permit.
- B) Using information in the “NYSDOH Application for a Permit to Operate” and the “Public Function Emergency Response and Public Safety Declaration” (**Appendix G, Attachment 3**), the EHM schedules a meeting no later than three weeks before the event to discuss all issues related to the event including public safety and emergency management. The stakeholders to be invited should include but not limited to:
 - 1) Ulster County Commissioner of Health
 - 2) Ulster County EMS Coordinator
 - 3) Ulster County Environmental Health Services Director
 - 4) Ulster County Deputy Public Health Director
 - 5) Ulster County Sheriff
 - 6) Ulster County Attorney
 - 7) Representative of designated EMS provider
 - 8) Representative of designated fire company
 - 9) Representative of designated police agency
 - 10) Representative of designated private security firm
 - 11) Representative of NYSDOH Metropolitan Area Regional Office
 - 12) Event promoter
 - 13) Representative of property owner
 - 14) Local municipal official(s)
 - 15) NYSDOH Bureau of EMS
- C) The EHM develops the agenda for the meeting, which is included with the Pre-Event Meeting Invitation (**Appendix D**). The document “Suggested Agenda for a Mass Gathering Pre-event Meeting” (**Appendix E**) should be used as a guideline for the meeting agenda.

Hold Pre-event Meeting and Approve Mass Gathering Application

- A) The Program Manager chairs the meeting using the agenda. Notes must be taken by a designated UCDOH employee and become part of the record of the event.
- B) Upon agreement amongst all parties that the requirements for public health and safety are met and that all environmental health risks are properly managed, the

EHM will approve the issuance of the permit. Any appropriate restrictions are to be noted on the permit.

- C) The Permit Issuing Officials, Commissioner of Health will issue the permit.

Establish UCDOH Staffing Assignments

- A) The Environmental Health Services (EHS) Director and Deputy PH Director will schedule an appropriate number of field staff with a designated team leader to staff the event.
- B) The EHS Director and Deputy PH Director will convene a meeting of the staff scheduled to cover the event. The application and all plans are reviewed. The goals for inspection are covered as are the responsibilities of each staff member during the event. If identifying shirts, hats or vests are to be used, they should be distributed along with any necessary tickets, passes or special identification.
- C) On the day before the event, the EHS Director will confirm that plans for the inspection are in order and the meeting place for all field staff. The EHM will pick up communication devices.

Inspect Event

- A) Inspections are carried out prior to and during the event and supervision of the event is exercised as previously arranged. Assistance with issues observed is sought from other agencies as needed.
- B) Required NYSDOH Mass Gathering Inspection Report DOH-5015 (**Appendix G, Attachment 4**) is completed by Field Staff.

Conduct Post-Event Follow-up

- A) Following the event the EHS Director and the EHM will discuss the event with the inspection team and collect written inspection forms.
- B) The EHM will prepare a written narrative summarizing the event and evaluating the functionality of the plan. Together with the inspection report forms, this report is forwarded to the EHS Director.
- C) The EHS Director, EHM and the Commissioner of Health will compile an After Action Report. The document, "Suggested Agenda for a Mass Gathering Post-event Meeting" (**Appendix F**) should be used as a guideline for the meeting agenda. Notes must be taken at the meeting and become part of the record of the event.
- D) The FINAL After Action Report will be forwarded to Ulster County Emergency Management.
- E) The originals of all documents related to the event are then filed at UCDOH Environmental Services Division.

Chapter I
State Sanitary Code

Subpart 7-4

Mass Gatherings

(Statutory Authority: Public Health Law, § 225)

Effective December 23, 2009

SUBPART 7-4
Mass Gatherings
(Statutory Authority: Public Health Law §225)

Sections

- 7-4.1 Definitions
- 7-4.2 Permit required, application, issuance, revocation, posting
- 7-4.3 Miscellaneous; duties of an operator
- 7-4.4 Variances and waivers
- 7-4.5 Water and sewage
- 7-4.6 Swimming pools and bathing beaches
- 7-4.7 Engineering report
- 7-4.8 Liability and property damage insurance
- 7-4.9 Proof of financial resources
- 7-4.10 Other requirements

7-4.1 Definitions

(a) Adequate shall mean sufficient to accomplish the purpose for which something is intended, and to such a degree that no unreasonable risk to health or safety is presented. An item installed, maintained, designed and assembled, an activity conducted, or act performed, in accordance with generally accepted standards, principles or practices applicable to a particular trade, business, occupation or profession, is adequate within the meaning of the Subpart.

(b) A mass gathering shall mean one which is likely to attract 5,000 people or more and continue for 24 hours or more but shall not include a temporary residence under permit.

(c) Permit-issuing official (PIO) shall mean the State Commissioner of Health, the health commissioner or health officer of a city of 50,000 population or over, the health commissioner or health officer of a county or part-county health district, the State regional health director or district director having jurisdiction, or any county or public health director having all the powers and duties prescribed in section 352 of the Public Health Law.

(d) Person shall mean an individual, group of individuals, partnership, firm, corporation, association, political subdivision, government agency, municipality, estate or any other legal entity.

(e) Potable water shall mean water provided or used for human consumption, food preparation, or for lavatory, culinary, bathing or laundry purposes.

(f) Refuse shall mean all putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator residue, street cleanup, dead animals, offal and solid commercial waste.

(g) Sewage shall mean excreta and the waste from a flush toilet, bath, sink, lavatory, dish washing or laundry machine, or the water-carried waste from any other fixture or equipment or machine.

7-4.2 Permit required to hold or promote a mass gathering; application, issuance, revocation, posting.

(a) No person shall hold or promote, by advertising or otherwise, a mass gathering unless a permit has been issued for the gathering by the permit-issuing official.

(b) Application for a permit to promote or hold a mass gathering shall be made to the permit-issuing official, on a form and in a manner prescribed by the State Commissioner of Health, by the person who will promote or hold the mass gathering. Application for a permit to promote or hold a mass gathering shall be made at least 15 days before the first day of advertising and at least 45 days before the first day of the gathering. Water and sewage facilities shall be constructed and operational not later than 48 hours before the first day of the mass gathering. The application

shall be accompanied by such plans, reports and specifications as the permit-issuing official shall deem necessary. The plans, reports and specifications shall provide for adequate and satisfactory water supply and sewerage facilities, adequate drainage, adequate toilet and lavatory facilities, adequate refuse storage and disposal facilities, adequate sleeping areas and facilities, wholesome food and sanitary food service, adequate medical facilities, insect and noxious weed control, adequate fire protection, and such other matters as may be appropriate for security of life or health.

(c) A separate permit shall be required for each mass gathering.

(d) A permit may be revoked by the permit-issuing official or the State Commissioner of Health if he finds that the mass gathering for which the permit was issued is maintained, operated or occupied in violation of law, this Title, or the sanitary code of the health district in which the mass gathering is located. A permit may be revoked upon request of the operator or upon abandonment of operation.

(e) A permit issued for the operation of a mass gathering shall be posted or kept on file and made available by the operator on request.

7-4.3 Miscellaneous: duties of an operator

(a) The operator shall not knowingly employ or allow anyone to work at a mass gathering who would pose a significant risk of disease to the public.

(b) Children under 16 years of age not accompanied by an adult at a mass gathering shall be provided with adequate and competent adult supervision exercised by a supervisor or supervisors present on the property.

(c) Satisfactory arrangements shall be made to assure adequate medical and nursing supervision and care at, or readily available to, the mass gathering.

(d) A person to whom a permit to promote or hold a mass gathering has been issued shall employ or designate an individual, who is acceptable to the permit-issuing official to be in charge of the property to maintain the facilities, and who shall be on or available to the property at all times when the property is occupied or open for occupancy, who is capable of providing an adequate response to all matters affecting the life, safety and health of the occupants.

(e) A person to whom any permit is issued shall comply with the provisions of this Subpart and with all conditions stated in the permit and shall allow the permit-issuing official or his representative to enter the premises at any reasonable time to ascertain compliance with the conditions of the permit and with this Subpart.

(f) The site shall be provided with a network of interior roads to be kept clear at all times for service and emergency vehicles, and shall be serviced by access roads which will permit an adequate flow of traffic and ensure the free passage of emergency vehicles.

- (g) Each person attending the mass gathering shall be provided with a site map showing the location of all facilities, and adequate signs shall be provided locating all facilities.
- (h) A separate overnight camping area or areas shall be provided.
- (i) Adequate light for toilet areas, service areas and walkways shall be provided.
- (j) A maintenance and internal security staff acceptable to the permit-issuing official shall be provided to assure proper operation of all facilities.
- (k) Traffic control measures that will preclude hazards to vehicular and pedestrian traffic shall be implemented.
- (l) The operator of a mass gathering shall make arrangements such that no flammable or volatile liquids or materials are stored in or adjacent to the area of the gathering, and that adequate fire fighting equipment is available to protect the life and health of the people attending the gathering.
- (m) The operator shall provide the services and facilities outlined in the engineering report and approved by the permit-issuing official.
- (n) The operator shall provide such emergency health-care services and facilities as may be required under applicable provisions of sections 18.3 and 18.4 of Part 18 of this Title.

7-4.4 Variance and waivers

- (a) Variance. In order to allow time to comply with certain provisions of this Subpart, an operator may submit a written request to the permit-issuing official for a variance from a specific provision(s). The permit-issuing official may grant a variance for a period not to exceed one year when the health and safety of the public will not be prejudiced by the variance and where there are practical difficulties or hardships in immediate compliance with the provision. An operator must meet all terms of an approved variance including the effective date, the time period for which the variance is granted, the requirements being varied and any special conditions the permit-issuing official specifies.
- (b) Waiver. In order to obtain a waiver permitting alternative arrangements that do not meet the provisions of this Subpart but do protect the health and safety of the occupants and the public, an operator may submit a written request to the permit-issuing official for a waiver from a specific provision of this Subpart. Such request must demonstrate to the satisfaction of the permit-issuing official that the alternate arrangements provide adequate protection of the health and safety of the patrons and the public. The permit-issuing official may grant or deny a waiver after obtaining and following the recommendation of the State Department of Health and may set conditions on such waiver. An operator must meet all terms and conditions of an approved waiver. A waiver will remain in effect unless revoked by the permit-issuing official or the facility changes operators.

7-4.5 Water and sewage

(a) Every existing and proposed water supply serving a mass gathering shall comply with the maximum contaminant levels and the applicable turbidity requirements contained in Subpart 5-1 of this Title and, in addition, shall meet the following requirements:

(1) Drinking water shall be adequate in quantity, of a quality which the permit-issuing official approves as complying with at least the applicable requirements of Part 5 of this Title, and shall be readily available to occupants of the property. Drinking water only shall be so delivered or piped as to be easily accessible. Nonpotable water shall not be easily accessible.

(2) A well or spring source of drinking water shall be constructed, located and protected against pollution in a manner approved by the permit-issuing official or the State Commissioner of Health as properly designed against contamination. A pipe, pump or other outlet delivering drinking water shall be of an adequate type and installation, and provisions shall be made for proper disposition of wastewater.

(3) There shall be no physical connection between a pipe carrying drinking water and a nonpotable water supply. Fixtures, installations or equipment from which back-siphonage may occur, shall not be supplied water from a pipe carrying drinking water.

(4) A common drinking utensil shall not be provided. Drinking fountains shall be of adequate sanitary design and construction.

(5) Where a water treatment process is employed, records of such treatment shall be properly maintained on a daily basis and submitted at least monthly to the permit-issuing official, on such forms as he or the commissioner may direct.

(6) Any interruption in treatment of a drinking water supply shall be reported immediately to the permit-issuing official. No change in the source or method of treatment of a drinking water supply shall be made without first notifying and securing the approval of the permit-issuing official.

(7) A minimum water pressure of 20 pounds per square inch, at peak demand, shall be maintained at all points in the distribution system.

(b) Facilities shall be provided and maintained for the satisfactory treatment and/or disposal of sewage. In addition, such facilities shall meet the following requirements:

(1) A plan for proposed new or modified facilities for the satisfactory treatment and/or disposal of sewage shall be submitted to the permit-issuing official or the State Department of Health when the individual system treats a daily flow of less than 1,000 gallons of sewage. Plans for new or modified facilities designed to treat a daily sewage flow of 1,000 gallons or more shall be submitted to the Department of Environmental Conservation for approval.

(2) A permit or approval in writing for the discharge of sewage or sewage effluent as provided by the plans shall be obtained from the permit-issuing official or other official having jurisdiction.

(3) No construction shall be commenced for new or modified facilities for the treatment and/or disposal of sewage until such permit or approval in writing has been received by the operator. Construction shall be in accordance with approved plans.

(4) The presence of inadequately treated sewage on the surface of the ground is prohibited.

7-4.6 Swimming pools and bathing beaches

A swimming pool or bathing beach operated as a part or facility of a mass gathering for the use of occupants, guests, invitees or employees shall be constructed, maintained and operated so as to comply with the provisions of Part 6 of this Title.

7-4.7 Engineering report

All applications for a permit to conduct a mass gathering shall be accompanied by an engineering report containing the following information:

- (a) The name, age, residence, mailing address and telephone number of the applicant; a statement of the applicant's legal status, such as individual, partnership, corporation, etc. If the applicant is a partnership, state the names and addresses, etc. of all partners; and if a corporation, the names and addresses of all corporate officers and stockholders, together with a certified copy of the articles of incorporation and a list of the names and addresses of all persons directly in charge of the activity.
- (b) The location and legal description of the property where the activity is proposed, including all lands to be used directly, indirectly or incidental to the proposed activity or any part thereof; attaching to the application certified copies of documents disclosing the nature of the interest of the applicant relating to such property.
- (c) The date or dates and the hours during which the activity, including travel time, is to be conducted and the total time period.
- (d) The program and plans of the activity in its entirety, specifying:
 - (1) detailed plans for parking facilities off public roadways able to serve all reasonable anticipated requirements at a rate of up to 100 passenger cars per acre or 30 buses per acre;
 - (2) detailed plans for transportation arrangements from noncontiguous parking facilities to the site to fully serve all reasonably anticipated requirements at a rate of no less than 20,000 persons per hour; including a statement from the county sheriff, State police, New York State Department of Transportation or other law enforcement agency certifying that the traffic control plan is satisfactory;

- (3) an outline map of the area to be used, to an appropriate scale, showing the location of all privies or toilets and handwashing facilities, all water supply sources (lakes, ponds, streams, wells, storage tanks, etc.), all areas of assemblage, including separate overnight camping areas for sleeping, all food service areas and all refuse storage handling and disposal areas, and emergency access and egress roads;
- (4) the total number of persons permitted at the event, including performers, staff members and audience, which shall be determined by providing a net assembly area of at least 50 square feet per person in addition to providing at least 50 square feet per person in a separate camping area for 50 percent of the population;
- (5) a plan for limiting attendance, including methods of entering the area, number and location of ticket booths and entrances, and provisions for keeping nonticket holders out of the area;
- (6) a statement agreeing to complete all construction and installation of services and facilities including water supply, toilet and handwashing facilities, sewage disposal, roads, food service equipment and refuse handling facilities, and all work for noxious weed and insect control, at least 48 hours prior to the commencement of the event;
- (7) a detailed plan for food service, including a description of food sources, menu, mandatory use of single-service dishes and utensils, refrigeration, food handling and dispensing in compliance with Part 14 of this Title;
- (8) a detailed plan for use of signs to locate all facilities and roadways;
- (9) a statement from local fire authorities having jurisdiction over the area verifying that they are aware of the event and are willing to cooperate if needed;
- (10) a detailed plan for emergency situations, including:
 - (i) food supplies;
 - (ii) medical supplies, facilities and personnel;
 - (iii) an evacuation plan; and
 - (iv) emergency access roads;
- (11) a statement from the local civil defense director indicating that he/she has been advised of the event and has approved the plan from a civil defense standpoint;
- (12) a command post to be used by State Department of Health personnel and/or the permit-issuing official and his lawful representatives, consisting of a minimum of one building or trailer equipped with a communication system satisfactory to the permit-issuing official;

(13) a statement that, if adult mosquito and biting fly populations are found to be in excess of 15 specimens per trap/night, the applicant agrees to arrange for proper adult mosquito control measures to be instituted no earlier than 72 hours nor later than 48 hours before the advertised start of the gathering in order to reduce such populations to a satisfactory level;

(14) a detailed plan for elimination of noxious weeds 48 hours before commencement of the mass gathering;

(15) detailed plans for security enforcement, including prevention of the unlawful use of alcohol, narcotics or dangerous drugs at the site, methods for limiting the size of the proposed function to the number of participants for which the facilities are designed, and external as well as internal crowd control, including sufficient guards for crowd control and security enforcement; and

(16) a letter or other written document from the appropriate municipal official certifying that the proposed mass gathering site conforms with applicable municipal zoning and planning regulations.

(e) The location and construction of toilet and handwashing facilities designed to serve fully all reasonably anticipated requirements at a rate of no more than 100 persons per toilet seat and 750 persons per handwashing facility, 50 percent of the male toilets to be urinals, and plans for construction and reports, including copies of all rental and service contracts, showing that the construction and operation constitute no threat of pollution to surface or underground water locations, to be attached.

(f) The location and construction of water supply facilities, designed to serve fully all reasonably anticipated requirements at a rate of one pint of potable water per person, per hour, for the maximum estimated hourly attendance. One tap and one drinking fountain shall be provided per 1,000 persons and shall be separately located with adequate soakage pits or drainage. Detailed plans for approval by the permit-issuing official, showing that the water supply meets Part 5 of this Title and laboratory results of both bacteriological and chemical analyses of all new water supply sources, shall be attached.

(g) Detailed plans for internal storage and collection of refuse, including provisions for disposal and cleaning the property and immediate surrounding properties within 48 hours after the event.

(h) Detailed plans for emergency first aid to serve fully all reasonably anticipated requirements. Such plans shall state the arrangements made with hospitals and ambulances in the area, including names and locations, the number of doctors and nurses at the site and on call, and arrangements made with all other medical personnel and facilities, either at the site or on call.

(i) Detailed plans for amplifying equipment designed to control the noise level at the perimeter of the site to no more than 70 decibels on the A scale of a sound level meter which meets the specifications of the American National Standards Institute.

(j) Detailed plans for lighting designed to illuminate the public areas of the site at all times and demonstrating that the lighting will not reflect on any area beyond the boundary of said site.

(k) A plan showing that the proposed activity is adequately buffered from all residential areas within 500 feet.

7-4.8 Liability and property damage insurance.

The applicant shall provide evidence of liability and property damage insurance in such form and amount as shall be determined by the permit-issuing official to be reasonable in relation to the risks and hazards involved and in relation to or in any way arising out of the proposed activity, together with a written hold-harmless agreement to the public at large for any loss or damage above and beyond insurance coverage.

7-4.9 Proof of financial resources.

The applicant shall submit proof of financial resources sufficient to execute the plans as submitted.

7-4.10 Other Requirements

Structures at a mass gathering which are available for workers for overnight occupancy shall meet the requirements of Subpart 7-1 of this Title.

Appendix B:

Ulster County Sanitary Code

ARTICLE XV

MASS GATHERINGS

15.1.0 Declaration Of Policy

It is hereby declared to be the health policy of the Ulster Health District to assure that the owners and operators of Mass Gathering operate their premises in such a manner as to avoid imminent health hazards.

Part 7, Subpart 7-4 (Mass Gatherings) of the State Sanitary Code is adopted by reference, as enacted and now or subsequently amended, in its application to Ulster County, with the same force and effect as though fully incorporated herein and set forth at length.

15.2.0 Definition

15.2.1 Mass Gathering

The term “**Mass Gathering**” shall mean one which is likely to attract five thousand (5,000) people or more and continue for twenty-four (24) hours or more but shall not include a temporary residence under permit.

15.3.0 Permit

15.3.1 It shall be unlawful for any person to hold or promote, by advertising or otherwise, a Mass Gathering in Ulster County unless such person possesses a valid permit to operate a Mass Gathering issued by the Commissioner/Director, pursuant to this Article.

15.3.2 Only persons who comply with Subparts 7-4 of the State Sanitary Code shall be entitled to receive and retain such permit.

15.3.3 A separate permit shall be required for each mass gathering.

15.3.4 Application shall be made at least fifteen (15) days before the first day of advertising and at least sixty (60) days before the first day of intended operation on a form prescribed by the Commissioner/Director.

15.3.5 A permit may be suspended by the Commissioner/Director without notice upon violation by the permit holder of any of the requirements of the New

York State and Ulster County Sanitary Codes, or when, in his/her opinion, there exists an imminent hazard to public health.

15.4.0 Fees

A fee will be charged for each Mass Gathering for which a permit is issued. This fee shall be paid by cash, check or money order made payable to the Commissioner of Finance of Ulster County. Payment shall accompany the application for the permit.

Appendix C: Log of Mass Gatherings

Event Name & Promoter	Event Location	Expected Attendance	Actions Taken	Follow-up Notes (event success, future events)

Appendix D: Pre-Event Meeting Invitation Template

(Month Date, Year)

(Inside address)

Re: (Event Name), Public Function (Municipality)

Ladies/Gentlemen:

(Event Name) is coming up quickly. The Ulster County Department of Health, in its role as primary permit issuer for this public function has a responsibility to assure that the requirements of Part 18 of the New York State Sanitary Code and Article XV of the Ulster County Sanitary Code are met. As a vital partner in assuring that health and safety requirements are properly addressed, your attendance is requested at a meeting to be held at the Ulster County Department of Emergency Response at 392 Creek Road in the Town of Hyde Park in Room 113 on (Day, Month Date, Year) at (Time AM/PM).

Enclosed is a proposed agenda for the meeting. If there are any additional items that you would like to include, please contact (Program Manager), Senior Public Health Sanitarian at (Tele No.) who is coordinating the department's planning and response for this event.

It is hoped that representatives from your agency who are directly involved with this event will be able to attend. Your RSVP to (Program Manager) would be appreciated.

I would like to thank you for your cooperation in past years and look forward to a (Event Name) that is as safe and healthy as possible. You can reach me at any time during normal business hours at 845-486-3466.

Very truly yours,

Richard J. Robbins
Associate Public Health Sanitarian

Appendix E: Suggested Agenda for a Mass Gathering Pre-Event Meeting

- **Identify Stakeholders**

1	Promoter	
2	Property owner/manager	
3	Ulster County Department of Health (UCDOH)	
4	Local Police Department	
5	Local EMS Provider	
6	Local Fire Company	
7	Ulster County Department of Emergency Response (DCDER)	
8	Private Security Firm	
9	Local Code Enforcement Officer/Fire Inspector	
10	Are there any additional stakeholders?	

- **Documents for Review**

- 1-Application for permit
- 2- Emergency Medical Operational Plan
- 3- Crowd Control Plan
- 4-Emergency medical treatment log book from past events

- **Permit**

- 1-Will the application for a permit be made at least 15 days before the first day of advertising the event?
- 2-Will the application for a permit be made at least 30 days before the first day of the event?
- 3-Will the application for a permit include an Emergency Medical Services Operational Plan?
- 4-Who will review the Emergency Medical Operational Plan to see if it is acceptable?
- 5-Is there a need for changes to the Emergency Medical Operational Plan from past events?
- 6-Is a copy of the Crowd Control Plan to be filed with the New York State Emergency Management Office?
- 7-Was a copy of the Crowd Control Plan attached to the application?
- 8-Who will review the Crowd Control Plan to see if it is acceptable?
- 9-Is there a need for any changes to the Crowd Control Plan from past events?

10-Is there a need for any supplemental plans, reports or specifications to be included with the application?

- **Emergency Medical** (for events anticipating between 5000 and 15000 attendees).

1-Has the anticipated attendance changed from the initial application in past years? Is there any anticipation it will change this year?

2-Is there an emergency health care facility proposed onsite to be staffed by two EMTs?

3-Is there an ambulance planned to be onsite staffed by one EMT?

4-Is the proposed ambulance certified and equipped pursuant to Subparts 800.21, 800.22, 800.23 and 800.24?

5-Are the services of a physician available to the site within fifteen minutes or is Advanced Life Support provided on site?

6-Is the ambulance planned to remain onsite throughout the event, except when transporting patients?

7-Is documentation provided that shows that local, municipal and public safety officials including police, fire and local emergency services personnel have been advised of the event in writing?

8-If there is any modification of the planned staffing or the method of providing emergency health care facilities or the onsite ambulance from the initial application, who will review?

9-Is a chronological log and individual record of each patient receiving emergency medical care planned to be maintained?

10-Does the applicant plan to file a "Public Function Event Report" with the UCDOH within five days following the event?

- **Sanitary Facilities**

1-Is there an adequate number of toilets and hand washing sinks planned to be available for each sex, based on past experience?

2-How long is the anticipated maximum waiting time to use the sanitary facilities?

3-Are the toilet facilities and hand washing sinks conveniently located?

4-Are there plans to maintain the sanitary facilities and hand washing sinks adequately throughout the duration of the event?

- **Water supply**

1-What are the plans for assuring that adequate drinking water is available—quantity, quality and convenient location throughout the event?

- **Refuse**

1-Are there an adequate number of refuse storage containers planned to be provided on site?

2-Are the containers located as appropriate?

3-Is refuse planned to be disposed of in an acceptable manner during and after the event?

- **Tobacco control**
 - 1-Is the use of tobacco prohibited on the site during the event?
 - 2-What are the plans for communicating the prohibition adequately to the event-goers (advertising as smoke-free, signage at entrance and inside venue, public address announcements)?
 - 3-What steps are planned to be taken to ensure compliance with the prohibition?
 - 4-Which personnel are planned to respond to violations?
 - 5-What actions will be taken when violations of the prohibition are found?

 - **Food service**
 - 1-Will all food service facilities be under permit?
 - 2-Is there a list of food service facilities planning to operate at the event?

 - **Event Staffing**
 - 1-Is the promoter/property manager planning to provide adequate staff to handle the event based on past experience?
 - 2-How will the staff respond to requests from the UCDOH for action?
 - 3-Is there an accessible command center to bring concerns to during the event?
 - 4-Is there an evident chain-of command for staff at the event?

 - **Communication**
 - 1-What are the plans for adequate communication between the promoter and the UCDOH prior to the event?
 - 2-What are the plans for adequate communication between the promoter and the UCDOH during the event?
 - 3-What are the plans for adequate communication amongst all stakeholders prior to the event?
 - 4-What are the plans for adequate communication amongst all stakeholders during the event?
 - 5-What communications systems are planned to be used, i.e. radios, cell phones, etc.? Have these systems been adequate at past events?

 - **UCDOH Staffing**
 - 1-Is there adequate planned staffing at the event by UCDOH?
 - 2-Is the skill-set of each UCDOH staffer appropriate for the event?
 - 3-Are UCDOH staffers properly prepared for the event?
 - 4-How will UCDOH staff be identified during the event?

 - **Other Concerns**
 - 1-Will adequate sunscreen be available for purchase/use by patrons?
 - 2-Are facilities adequate for cooling people as needed?
 - 3-Promoter?
-
-

4-Property owner/manager?

5-Police?

6-Fire?

7-EMS?

8-UCDOH?

9-Additional stakeholders?

Appendix F: Suggested Agenda for a Mass Gathering Post-Event Meeting

- **Stakeholders**

1	Promoter	
2	Property owner/manager	
3	Ulster County Department of Health (UCDOH)	
4	Local Police Department	
5	Local EMS Provider	
6	Local Fire Company	
7	Ulster County Department of Emergency Response (DCDER)	
8	Private Security Firm	
9	Local Code Enforcement Officer/Fire Inspector	
10	Additional stakeholders?	

- **Documents for Review**

- 1-Application for permit
- 2- Emergency Medical Operational Plan
- 3- Crowd Control Plan
- 4-Emergency medical treatment log
- 5-Individual patient care records
- 6-Fire reports
- 7-Police reports
- 8-UCDOH inspection reports
- 9- Food service inspection reports
- 10-Complaints received

- **Permit**

- 1-Was the application for a permit made at least 15 days before the first day of advertising the event?
- 2-Was the application for a permit made at least 30 days before the first day of the event?
- 3-Was the application for a permit accompanied by an Emergency Medical Services Operational Plan?
- 4-Was the Emergency Medical Operational Plan acceptable?
- 5-Is there a need for changes to the Emergency Medical Operational Plan?

- 6-Was a copy of the Crowd Control Plan filed with the New York State Emergency Management Office?
- 7-Was a copy of the Crowd Control Plan attached to the application?
- 8-Was the Crowd Control Plan acceptable?
- 9-Is there a need for any changes to the Crowd Control Plan?
- 10-Is there a need for any supplemental plans, reports or specifications to be included with the application for future events?
- 11-Was the permit for the event posted in the emergency health care unit during the event?

- **Emergency Medical**

- 1-Was the attendance within 20% of expectation?
- 2-Was there an emergency health care facility onsite staffed by two EMTs?
- 3-Was there an ambulance onsite staffed by one EMT?
- 4-Was the ambulance certified and equipped pursuant to Subparts 800.21, 800.22, 800.23 and 800.24?
- 5-Were the services of a physician available to the site within fifteen minutes or was Advanced Life Support provided on site?
- 6-Did the ambulance remain onsite throughout the event, except when transporting patients?
- 7-Was documentation provided that showed that local, municipal and public safety officials including police, fire and local emergency services personnel had been advised of the event in writing?
- 8-Was there any modification of the planned staffing or the method of providing emergency health care facilities or the onsite ambulance?
- 9-Was a chronological log and individual record of each patient receiving emergency medical care maintained?
- 10-Review nature and handling of each case of emergency medical care rendered.
- 11-Were there any unusual occurrences during the event?
- 12-Was a "Public Function Event Report" filed with the UCDOH within five days following the event?

- **Sanitary Facilities**

- 1-Was an adequate number of toilets and hand washing sinks available for each sex?
- 2-How long was the maximum waiting time to use the sanitary facilities?
- 3-Were the toilet facilities and hand washing sinks conveniently located?
- 4-Were the sanitary facilities and hand washing sinks adequately maintained throughout the duration of the event?

- **Water supply**

- 1-Was there adequate drinking water available—quantity, quality and convenient location throughout the event?

- **Refuse**

- 1-Were there an adequate number of refuse storage containers on site?

- 2-Were the containers located as appropriate?
- 3-Was refuse disposed of in an acceptable manner during and after the event?

- **Tobacco control**

- 1-Was the use of tobacco prohibited on the site during the event?
- 2-Was the prohibition adequately communicated to the event-goers (advertising as smoke-free, signage at entrance and inside venue, public address announcements)?
- 3-Was there compliance with the prohibition?
- 4-What steps were taken to ensure compliance with the prohibition was attained?
- 5-How many incidents of violation were noted?
- 6-Which personnel responded to violations?
- 7-What actions were taken when violations of the prohibition were found?
- 8-What are the recommendations for gaining better compliance at future events?

- **Food service**

- 1-Were all food service facilities under permit?
- 2-Were inspections conducted of all food service facilities?
- 3-Were any violations documented?
- 4-Review violations
- 5-Was any food embargoed or voluntarily destroyed?
- 6-Was compliance gained after citing violations?
- 7-Were any food service facilities closed for non-compliance?
- 8-Were there any reports of food borne illness after the event?
- 9-Were there any complaints of improper sanitary practices during or after the event?
- 10-Were any food service facilities referred for formal action?

- **Event Staffing**

- 1-Did the promoter/property manager provide adequate staff to handle the event?
- 2-Was the staff responsive to requests from the UCDOH for action?
- 3-Was there an accessible command center to bring concerns to during the event?
- 4-Was there an evident chain-of command for staff at the event?

- **Communication**

- 1-Was there adequate communication between the promoter and the UCDOH prior to the event?
- 2-Was there adequate communication between the promoter and the UCDOH during the event?
- 3-Was there adequate communication amongst all stakeholders prior to the event?
- 4-Was there adequate communication amongst all stakeholders during the event?
- 5-Did interactions between the UCDOH and EMS, fire and police go smoothly?
- 6-Did communications systems work as planned, i.e. radios, cell phones, etc.?

- **UCDOH Staffing**

- 1-Was there adequate staffing at the event by UCDOH?
- 2-Was the skill-set of each UCDOH staffer appropriate for the event?
- 3-Were UCDOH staffers properly prepared for the event?
- 4-Was it easy to identify UCDOH staff?

- **Other Concerns**

- 1-Was adequate sunscreen available for purchase/use by patrons?
- 2-Were facilities adequate for cooling people as needed?
- 3- Promoter?

4-Property owner/manager?

5-Police?

6-Fire?

7-EMS?

8-UCDOH?

9-Additional stakeholders?

10-Template for other events at facility

- **Recommendations for future events**

Appendix G: Additional Documents

Application to Hold a Mass Gathering

The following documents are included as part of this Appendix:

***Attachment 1: NYSDOH Application for a Permit to Operate
DOH-3915***

Attachment 2: NYSDOH Mass Gathering Checklist

***Attachment 3: UCDOH Public Function Emergency Response
and Public Safety Declaration***

***Attachment 4: NYSDOH Mass Gathering Inspection Report
DOH-5015***

***Attachment 5: Mass Gathering Security Control Plan
Environmental Health Manual Technical Reference CSFP 281***

Application for a Permit to Operate

NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Community Environmental Health and Food Protection

GENERAL INSTRUCTIONS

Complete all items that apply to your establishment.

All applicants must complete sections A,B,G,& H. If you have any questions, contact the local health department that issues your permit.

SECTION A: Facility Information

Facility Name, Facility Address, Telephone Number, Fax Number and Municipality: Self explanatory

Capacity

- A. Food services: enter actual seating capacity, or enter 00 for take out only.
- B. Recreational vehicle parks, campsites, agricultural fairgrounds and mobile home parks: enter the number of actual sites.
- C. Children's camp: enter the maximum number of campers the camp is approved for at one time.
- D. Temporary residences and migrant farmworker labor camps, swimming pools, bathing beaches, mass gatherings: enter the maximum number of people the facility is approved to hold.
- E. Recreational aquatic spray ground: enter 00.

Facility Status: Check either profit or nonprofit. If nonprofit, submission of documentation (incorporation paper) verifying status may be required.

Facility Type: From the list below enter the facility type that best describes the main or primary operation of the facility. Some multiple operation facilities may require submission of separate permit application(s). Please consult the health department that issues your permit with any questions.

Facility Types

Agricultural Fairgrounds

Bathing Beaches
Freshwater River
Impoundment/Pond
Lake
Ocean Surf
Other Saltwater

Campground/Recreational Vehicle Park

Children's Camps
Day Camp
Day Camp -
Developmentally Disabled
Day Camp -
Municipal
Day Camp -
Traveling
Overnight Camp
Overnight Camp -
Developmentally Disabled
Overnight Camp -
Municipal

Mass Gathering

Migrant Farm Worker Housing
Farm Labor Housing

Mobile Home Parks

Recreational Aquatic Spray Grounds

Indoor
Outdoor

Swimming Pools

Indoor
Outdoor
Indoor/Outdoor
Wave Pool - Indoor
Wave Pool - Outdoor
Wave Pool - Indoor/Outdoor
Aquatic Amusement - Indoor
Aquatic Amusement - Outdoor
Aquatic Amusement - Indoor/
Outdoor
Spa

Temporary Residences

Labor Camps other than Migrant
Interior Corridor - Single Story
Interior Corridor - Two Story
Interior Corridor - Three Story
Interior Corridor - Four or more Story
Exterior Corridor - Single Story
Exterior Corridor - Two Story
Exterior Corridor - Three Story
Exterior Corridor - Four or more Story
Cabin or Bungalow Colony

Food Service Establishment

Restaurant
Caterer
School
Institution
State Office for the Aging (SOFA) -
Prep Site
State Office for the Aging (SOFA) -
Satellite Site
Summer Feeding Program (USDA) -
Prep Site
Summer Feeding Program (USDA) -
Satellite Site

Temporary Food

Mobile Food

Vending Food Machines

State Agency Licensed Facilities
State Licensed Inspected Facility
State Owned Operated Facility
Day Care Center - Residential
Day Care Center - Non-Residential

Water Supply/Sewage System:

Check "public" if the facility is serviced by a municipal or public system. Check "private" (onsite) if the system(s) and its operation is onsite and only for this facility. A water/sewage system that is commonly used by several establishments (i.e.: a mall operation) would be a public system.

Operations under this registration:

Provide the number of specific operations that apply to this registration. Complete even if the primary or main operation of the facility was identified under the facility type. A swimming complex with one spa, one beach, one indoor and two outdoor pools would report a facility type swimming pool-Indoor and enter 1 for spa, 1 for bathing beach, 1 for indoor pool and 2 for outdoor pools in the operations under this registration Section A. Some facilities with multiple operations require separate applications, (i.e., a food service operated at a swimming pool complex would require a separate swimming pool and food service application, and would report their specific operations on the appropriate application forms).

Expected Opening/Closing Date:

Enter the expected opening and closing dates (i.e., June 1 is 06/01). If the operation is year-round, enter 01/01 for opening and 12/31 for closing.

Days of Operation:

Check each box for the day(s) the facility will be open under routine operation.

Hours of Operation:

Enter the hour the facility is expected to open and close under routine operation. Circle A.M. or P.M. as appropriate.

SECTION B: Operator/Owner Information

Name of Legal Operator or Operating Corporation (Person in Charge)

Enter name of the legal entity that operates the facility. If the facility is operated by a corporation, enter the name of the operating corporation and the name of the person in charge of the day to day operation. Provide the name(s) of the corporate officers/partners in Section F.

Permanent Address of Operator and Telephone Number

Enter the mailing address including street, city, state and zip code where the legal operator wants to receive mailed correspondence. Enter the telephone and fax number of the legal operator.

Employer Identification/Social Security Number

Enter the name of the owner of facility if different from the operator.

Email Address and Fax No.

Enter the email address and fax no. where important health and safety alert messages should be sent during an emergency.

Name of Owner

Enter the name of the owner of facility if different from the operator.

Permanent Address of Owner and Telephone Number

Enter the mailing address and telephone number of the owner if different from operator.

SECTION C: Complete only for temporary food service establishments, regulated under Subpart 14-2 NYSSC

SECTION D: Complete only for mobile food service vehicles or pushcarts, regulated under Subpart 14-4 NYSSC

Check the appropriate type of unit. If motorized, provide the license plate number. Provide the name and address of the commissary where the food is prepared. Attach a separate list of the types of food(s) and/or beverages to be served.

SECTION E: Complete only for food/beverage vending machines regulated under Subpart 14-5 NYSSC

Attach a list of the number and type of food dispensing machines including the address and telephone number of each site under this permit.

SECTION F: Partners and Corporation Officers

If a facility is operated by a partnership or corporation, provide the name, title, permanent mailing address and telephone number of all corporate officers or partners involved in the operation or ownership of the facility.

SECTION G: Workers' Compensation and Disability Insurance

Check the appropriate box(s) and submit a copy of the form(s) with this application to demonstrate compliance with the Workers' Compensation Law.

SECTION H: Signature

Provide the signature of the individual operator, a corporate officer or other authorized identified official in Section F. Please print the name, title and date in the space provided. Failure to sign the form may delay issuance of your permit to operate. Operation without a valid permit is a violation of the State Sanitary Code and is punishable by fines.

SECTION I: To be completed by the local health department

Application for a Permit to Operate

Complete all items that apply to your establishment (all applicants must complete Sections A, B, G and H), sign on the back page and return to the local health department.

Ulster County Department of Health

Environmental Health Services

300 Flatbush Avenue, Kingston, NY 12401-2740

Section A: Facility Information (Entire section must be completed by all applicants.)

Facility name _____

Facility address _____

City _____ State _____ Zip _____ Telephone no. (____) _____ Fax no. (____) _____

Municipality T V C Capacity Facility Status Profit Non-profit

Facility Type _____

Water Supply

- Public (municipal)
- Private (onsite)

Sewage System

- Public (municipal)
- Private (onsite)

Number of operation(s) under this registration

- Indoor Pools
- Outdoor Pools
- Spa Pools
- Day Camps
- Bathing Beaches
- Food Service
- Frozen Dessert
- Recreational Aquatic Spray Grounds

Indicate days of operation by checking the appropriate boxes. In Operation: **Year-Round** or **Seasonal**

Expected opening date
Month/Day

Expected closing date
Month/Day

S M T W T F S

Hours of operation
Open AM PM

Close AM PM

Section B: Operator/Owner Information (Entire section must be completed by all applicants.)

Legal operator or operating corporation _____
(If corporation or partnership, Section F must be completed.)

Person in charge _____

Permanent address _____

City _____ State _____ Zip _____ Telephone no. (____) _____

Email address _____ Fax no. (____) _____

Employer Identification Number OR Social Security Number - -

Owner _____

Permanent address _____

City _____ State _____ Zip _____ Telephone no. (____) _____

Section C: Complete for temporary food service establishments only (attach additional sheets as necessary).

Name and location of event _____

Name of food	Supplier of ingredients	Where and how foods will be prepared and served

Section D: Complete for mobile food service establishments or pushcarts only.

Type of Vehicle Motorized Pushcart Other (specify) _____

Motor vehicle license-no. (for motorized vehicles)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Commissary name _____

Address _____

City _____ State _____ Zip _____ Telephone no. () _____

List on separate sheet types of food and beverages served.

Section E: Food and beverage machines only. Attach a list of all machine locations and food dispensed.

Section F: Partners and Corporate Officers

List all partners and corporate officers in the operation of the facility. Include vice president(s), secretary, treasurer. Attach DOH-2135 (or additional sheets) as necessary.

Name	Title	Address	Telephone No.
			()
			()
			()
			()

Section G: Workers' Compensation and Disability Insurance (All applicants must complete this section).

Check the appropriate box(es) and submit a copy of the form(s) with this application to demonstrate compliance with the Workers' Compensation Law.

A. Workers' Compensation and Disability Insurance Coverage Provided

Workers' Compensation

- Form C-105.2 Certificate of Workers' Compensation Insurance OR
- Form U-26.3 Certificate of Workers' Compensation Insurance OR
- Form SI-12 Certificate of Workers' Compensation Self-Insurance OR
- GSI-105.2 Certificate of Participation In Workers' Compensation Group Self-Insurance

AND

Disability Insurance

- DB-120.1 Certificate of Disability Benefits OR
- Form DB-155 Certificate of Disability Benefits Self-Insurance

B. Workers' Compensation and Disability Insurance Coverage Provided NOT Provided.

- Form CE-200 Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage

Section H: Signature (Entire section must be completed by all applicants).

FALSE STATEMENTS MADE ON THIS APPLICATION ARE PUNISHABLE UNDER THE PENAL LAW.

Failure to sign this form may delay issuance of your permit to operate. Operation without a valid permit is a violation of the State Sanitary Code.

Signature of individual operator or authorized official _____

Print name of person signing _____ Title _____ Date _____

Section I: FOR OFFICE USE ONLY

Permit issuance recommended? Yes No Permit Effective Date

--	--	--	--	--	--

 Permit Expiration Date

--	--	--	--	--	--

Conditions of approval _____

Signature _____ Title _____ Date _____

MASS GATHERING CHECKLIST			
*This checklist is to be used by the permit-issuing officials to determine implementation of code requirements			
NAME OF FACILITY		Date of checklist	___/___/___
LOCATION OF FACILITY, COUNTY		TOWN, VILLAGE, OR CITY	
CODE & SUBPART	DO NOT USE ONE		REMARKS
	YES	NO	
Permit Requirements			
(a) Permit Required			
(b) Application submitted 15 days before first advertising			
(b) Application submitted 45 days before first day of gathering			
(b) Water and Sewage facilities constructed 48 hours before first day of gathering			
(b) Application accompanied by plans, reports, and specs per PIO:			
Water supply & sewage facilities			
Adequate drainage			
Adequate toilet and lavatory facilities			
Adequate refuse storage & disposal facilities			
Wholesome food & sanitary food service			
Adequate medical facilities			
Insect & noxious weed control			
Adequate fire protection			
Other matters appropriate for security of life or health			
(e) permit will be posted or made available by operator upon request			
Engineering Report			
(a) General information on application			
(b) location & legal description of property (cert. copies disclosing nature of interest of the applicant relating to such property)			
(c) Dates and hours including travel time			
(d) Program & plans with emphasis on the following:			
(1) off-road parking plans (rate of up to 100 passenger cars or 30 buses per acre)			
(2) transportation plans (rate of no less than 20,000 persons per hour, including statement from Madison County Sheriff, State Police, and DOT certifying satisfactory traffic control)			
(3) detailed map of area (to scale) showing location of:			
Privies			
Hand-washing			
Water supplies			
Areas of assemblage			
Camping areas			
Food service areas			
Refuse storage, handling, & disposal areas			
Emergency access & egress roads			
(4) total # of people permitted to the event (net			

Attachment 2

assembly area of at least 50 sq. ft/person + 50 sq. ft/person for camping area for 50% of the total population)			
(5) plan for limiting attendance, number & location of ticket booths, entrances, provisions for keeping non-ticket holders out			
(6) statement to complete construction, installation services, facilities, and weed/insect control at least 48 hours before event			
(7) detailed food service plan			
(8) detailed sign plan to locate facilities & roadways			
(9) statement from local fire authorities			
(10) detailed emergency situations plan (food, medical, evacuation, emergency access roads)			
(11) statement from local civil defense director			
(12) command post for MCDOH (at least one building/trailer w/ communication system)			
(13) statement on mosquito & biting fly populations			
(14) detailed plan for elimination of noxious weeds (48 hrs prior)			
(15) detailed security plan			
(16) letter from municipality (re: zoning & planning regs. met)			
(e) 100 persons per toilet & 750 per hand-washing, 50% male toilets to be urinals			
(f) location of potable water (one pint per person per hour/maximum hourly attendance) one drinking fountain per 1000 persons			
(g) refuse plan (disposal & cleaned w/ 48 hrs after)			
(h) plans for first aid, arrangements with hospitals, etc.			
(i) plans for amplifying (no more than 70dB on the A scale of a sound level meter)			
(j) plans for lighting public areas			
(k) plans showing activity is adequately buffered from residential areas (w/in 500 ft. radius)			
Miscellaneous Duties of Operator			
(a) operator agrees to exclude employees and not allow anyone to work at a mass gathering with significant risk of disease to the public.			
(b) Review child supervision (children under 16 not accompanied by an adult shall be supervised by adequate and competent adult supervision)			
(c) satisfactory arrangements to assure adequate medical/nursing supervision and care at, or readily available, to the mass gathering			
(d) Person in charge identified to be on site at all times (acceptable to PIO)			
(e) MCDOH is permitted timely access to property to access compliance			
(f) site provided with a network of interior & access roads – clear at all times for emergency vehicles			
(g) site map provided to all attendees showing location of facilities			
(h) separate overnight camping area(s) provided			
(i) adequate light for toilet areas, service areas, and walkways			
(j) maintenance & internal security staff acceptable to PIO			
(k) traffic controls measures in place to preclude hazards to vehicles/pedestrians			

Attachment 2

(l)no flammable or volatile liquids or materials stored in or adjacent – adequate fire fighting equipment available.			
(m)provide services & facilities outlined in engineering report approved by PIO.			
(n)provide emergency healthcare services required under Part 18			
Water and Sewage			
(a)existing and proposed water supply complies with mcl and turbidity per Subpart 5-1 and shall meet the following:			
(1)drinking water adequate quantity and quality (complies with 5-1), non-potable sources not easily accessible			
(2)source protected from contamination			
(3)absence of cross-connections, anti-siphon devices used			
(4)no common drinking utensils identified, drinking fountains of sanitary design			
(5)water treatment process/ records maintained			
(6)immediate notification of treatment changes/operation			
(7)minimum of 20 pounds per square inch, at peak demand, in all distribution points			
(b)adequate facilities provided to treat or dispose of sewage:			
(1)means of how sewage to be disposed (see code for treatment systems)			
(2)permit/approval for sewage discharge based on plans issued by PIO.			
(3)Construction in accordance with plans			
(4)no inadequately treated sewage to be discharged on ground			
Liability and Property Damage Insurance			
Applicant to provide evidence of public liability insurance – amount to be determined by PIO			
Written hold-harmless agreement to the public-at-large for any loss or damage above and beyond			
Proof of Financial Resources			
Proof of financial resources sufficient to execute plans as submitted			
Other Requirements			
Structures at mass gathering for overnight occupancy by workers meet the requirements of Subpart 7-1			

Ulster County Department of Health

Public Function Emergency Response
and Public Safety Declaration

The applicant for a permit for a Public Function declares that the following have responsibility for Emergency Response and Public Safety for this event and that each has been notified of the date, time and nature of the event. Where appropriate, contracts for service are in place.

Event: _____ Date of Event: _____

Location: _____ City/Town: _____

PROMOTER:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

PROPERTY OWNER:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

POLICE AGENCY:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

FIRE COMPANY:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

EMS PROVIDER:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

SECURITY FIRM:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

CODE ENFORCEMENT OFFICIAL:

Name: _____ Contact Name: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Applicant's Signature: _____ DATE: _____

Print Name: _____ Title: _____

Attachment 4

NEW YORK STATE DEPARTMENT OF HEALTH
Bureau of Community Environmental Health and Food Protection

Mass Gathering Inspection Report
A Review of Compliance with Subpart 7-4 of the New York State Sanitary Code

Facility Code		Facility Name			Address			Operator's Name		
Capacity		Operation Name			Time Began		Time Ended			
Office	Operation ID			Month	Day	Year	HCS ID		Time spent conducting service	
							<input type="radio"/> LHD/HIN <input type="radio"/> NYSDOH			
Service Type: INSPECTION <input type="radio"/> REINSPECTION <input type="radio"/> PRE-OPERATIONAL <input type="radio"/> COMPLAINT <input type="radio"/> FIELD VISIT <input type="radio"/> INCIDENT <input type="radio"/> ILLNESS <input type="radio"/>										
Number of Red Violations Found			Total Red Violations Not Corrected			Number of Blue Violations Found			Reinspection Required <input type="radio"/> Yes <input type="radio"/> No	

PUBLIC HEALTH HAZARDS			
<input type="radio"/> Network of interior roads maintained/accessible for service and emergency vehicles	1	<input type="radio"/> Adequate maps and signs locating all facilities and roadways provided to all attendees	23
<input type="radio"/> Maintenance and internal security staff provided; Acceptable to PIO; Adequate for crowd control/security enforcement	2	<input type="radio"/> Lighting for toilet areas, service areas, walkways provided/adequate; Public areas illuminated; Light restricted to site	24
<input type="radio"/> No flammable/volatile materials stored in or adjacent to the area of the gathering	3	<input type="radio"/> Flammable/volatile liquids or materials properly stored	25
<input type="radio"/> Adequate fire fighting equipment available to protect life and health of attendees	4	<input type="radio"/> Adequate firefighting equipment available	26
<input type="radio"/> Potable water maximum contaminant levels and turbidity requirements not exceeded	5	<input type="radio"/> Net assembly area provided; Adequate	27
<input type="radio"/> Adequate quantity of potable water	6	<input type="radio"/> Adequate DOH command post and communication system provided	28
<input type="radio"/> Adequate treatment of potable water	7	<input type="radio"/> Insect control adequate	29
<input type="radio"/> Use of approved potable water supply	8	<input type="radio"/> Noxious weeds eliminated	30
<input type="radio"/> Absence of cross-connections in the potable water system	9	<input type="radio"/> Amplifying equipment controlled to 70 dbis. maximum at perimeter	31
<input type="radio"/> No sewage on ground that is accessible to occupants or may contaminate water supply	10	<input type="radio"/> Activity adequately buffered from residential areas within 500 feet	32
<input type="radio"/> Detailed emergency plans approved/implemented, including: food supplies, medical supplies, facilities and personnel, an evacuation plan, and emergency access roads	11	MEDICAL	
<input type="radio"/> Total number of participants does not exceed design capacity to cause inadequate security and/or crowd control	12	<input type="radio"/> Adequate medical, nursing, and EMS services and personnel provided or readily available	33
<input type="radio"/> Other violations deemed to be a public health hazard by the Permit Issuing Official	13	ACCESS ROADS / TRAFFIC CONTROL	
ADMINISTRATION			
<input type="radio"/> Valid permit; Complete application submitted at least 15 days prior to advertising and 45 days prior to the event; Separate permit for each event	14	<input type="radio"/> Interior roads provided, kept clear; Access roads provided, maintained; Traffic control measures implemented	34
<input type="radio"/> Engineering report - Complete; On-file; Approved	15	<input type="radio"/> Adequate parking facilities and transportation from parking areas provided	35
<input type="radio"/> Plans submitted and approved for new/modified sewage treatment facilities prior to construction; Construction in accordance with approved plans	16	<input type="radio"/> Signs adequate for locating all facilities and roadways	36
<input type="radio"/> Construction and installation of services and facilities statement; Completed 48 hours before event	17	SECURITY / CROWD CONTROL	
<input type="radio"/> Liability and property damage insurance; Written hold-harmless agreement submitted; Acceptable; Proof of financial resources sufficient	18	<input type="radio"/> Maintenance and internal security staff provided/acceptable; Security enforcement and crowd control plans implemented	37
<input type="radio"/> No known communicable disease carrier employed at event	19	<input type="radio"/> Capacity established and attendance limited; Non-ticket holders restricted; Adequate plan to control entry	38
<input type="radio"/> Children under 16 years of age provided with adequate and competent adult supervision	20	WATER	
<input type="radio"/> Acceptable "Individual in charge" provided/available	21	<input type="radio"/> Potable water supply quality acceptable; Maximum contaminant levels or turbidity requirements not exceeded; Laboratory results acceptable and provided	39
<input type="radio"/> Access permitted for inspection purposes	22	<input type="radio"/> Potable water readily available and easily accessible to occupants; Non-potable water inaccessible to occupants.	40
		<input type="radio"/> Adequate quantity available; 20 psi maintained in distribution system	41
		<input type="radio"/> Water supply located, constructed, and protected; Pipe, pump or other outlet delivering drinking water adequate and properly installed; Design rates, fixture ratios acceptable; Plans approved	42
		<input type="radio"/> Adequate treatment of potable water	43
		<input type="radio"/> System free of cross-connections	44
		<input type="radio"/> Drinking fountains of sanitary design; Required ratio; A common drinking utensil not provided	45
		<input type="radio"/> Operation records maintained; Submitted as required	46
		<input type="radio"/> Interruptions reported within 24 hours; Changes in sources or treatment approved	47
		SEWAGE	
		<input type="radio"/> Sewage facilities provided	48
		<input type="radio"/> Sewage facilities maintained; No sewage on ground	49
		TOILET / HANDWASH FACILITIES	
		<input type="radio"/> Toilet/handwashing facilities provided, located, maintained; Required ratios	50
		REFUSE	
		<input type="radio"/> Collection, storage, disposal of refuse; Property cleaned 48 hours after event	51
		CAMPGROUND	
		<input type="radio"/> Separate overnight camping area(s) provided; Size of camping area adequate	52
		FOOD SERVICE	
		For inspection of on-site food services, complete DOH-192 for Food Service Establishments, DOH-35 for Temporary Food Service Establishments and DOH-1611 for Mobile Food Service Establishments.	
		Additional forms completed? Yes <input type="radio"/> No <input type="radio"/>	
		SWIMMING POOLS AND BATHING BEACHES	
		For inspection of on-site bathing facilities, complete DOH-1321 for swimming pools and DOH-1322 for bathing beaches.	
		Additional forms completed? Yes <input type="radio"/> No <input type="radio"/>	
		OTHER REQUIREMENTS	
		For inspection of structures used for overnight occupancy by workers, complete DOH-1312 for Temporary Residences.	
		Additional form completed? Yes <input type="radio"/> No <input type="radio"/>	

Inspection By (signature)	Date	Report Received by	Date
		Print Name:	

Chapter 1 State Sanitary Code
Subpart 7-4 Mass Gatherings
Statutory authority: Public Health Law, § 225
http://www.health.ny.gov/regulations/nycrr/title_10/

Public Health Hazards

1. 7-4.3(f)
2. 7-4.3(j)
3. 7-4.3(l)
4. 7-4.3(l)
5. 7-4.5(a)
6. 7-4.5(a)(1)
7. 7-4.5(a)(1)
8. 7-4.5(a)(2)
9. 7-4.5(a)(3)
10. 7-4.5(b)(4)
11. 7-4.7(d)(10),(i),(ii),(iii),(iv)
12. 7-4.7(d)(15)
13. 7-4

Administration

14. 7-4.2(a),(b),(c),(e)
15. 7-4.7
16. 7-4.5(b)(1),(2),(3)
17. 7-4.7(d)(6), 7-4.3(m)
18. 7-4.8, 7-4.9

General

19. 7-4.3(a)
20. 7-4.3(b)
21. 7-4.3(d)
22. 7-4.3(e)
23. 7-4.3(g),(m)
24. 7-4.3(i), (m), 7-4.7(j)
25. 7-4.3(l)
26. 7-4.3(l)
27. 7-4.7(d)(4), 7-4.3(m)
28. 7-4.7(d)(12), 7-4.3(m)
29. 7-4.7(d)(13), 7-4.3(m)
30. 7-4.7(d)(14), 7-4.3(m)
31. 7-4.7(j), 7-4.3(m)
32. 7-4.7(k), 7-4.3(m)

Medical

33. 7-4.3(c),(m), (n), 7-4.7(h)

Access Roads/Traffic Control

34. 7-4.3(f), 7-4.3(k)
35. 7-4.7(d)(1), 7-4.7(d)(2), 7-4.3(m)
36. 7-4.7(d)(8), 7-4.3(m)

Security Crowd Control

37. 7-4.3(j), 7-4.7(d)(15), 7-4.3(m),
38. 7-4.7(d)(4), 7-4.7(d)(5), 7-4.3(m)

Water

39. 7-4.5(a), 7-4.5(a)(1), 7-4.7(f), 7-4.3(m)
40. 7-4.5(a)(1)
41. 7-4.5(a)(1), 7-4.5(a)(7)
42. 7-4.5(a)(2), 7-4.7(f), 7-4.3(m)
43. 7-4.5(a)(1)
44. 7-4.5(a)(3)
45. 7-4.5(a)(4), 7-4.7(f), 7-4.3(m)
46. 7-4.5(a)(5)
47. 7-4.5(a)(6)

Sewage

48. 7-4.5(a)(2), 7-4.5(b), 7-4.5(b)(4)
49. 7-4.5(b), 7-4.5(b)(4)

Toilet/Handwash Facilities

50. 7-4.7(e), 7-4.3(m)

Refuse

51. 7-4.7(g), 7-4.3(m)

Campground

52. 7-4.3(h), 7-4.7(d)(4), 7-4.3(m)

Reporting of Violations

STATUS CODE EXPLANATION (use is a local health department option)

1. No violations observed.
2. All or parts of the Item are violations.
3. Item was not applicable/reviewed/evaluated/observed at the time of inspection.
5. Part or parts of the Item were observed to be in violation which were corrected at the time of inspection.

Any item with a shaded means that all or part of the item was found to be in violation at the time of inspection

ENVIRONMENTAL HEALTH MANUAL

NEW YORK STATE DEPARTMENT OF HEALTH OFFICE OF PUBLIC HEALTH CENTER FOR ENVIRONMENTAL HEALTH TECHNICAL REFERENCE	ITEM NO: CSFP 281 DATE: 8/14/89
	SUBJECT: Mass Gatherings Security Control Plan Page 1 of 1

PURPOSE

To provide guidance to local health units in meeting the requirements of Chapter 288 of the Laws of 1988 regarding security control plans.

GENERAL

Chapter 288 of the Laws of 1988 amended the State Labor Law to require owners and operators of certain places of public assembly to establish crowd control plans to be utilized in emergencies. The plan, which must include procedures to control the over consumption of alcoholic beverages, must be filed with local police and fire departments and the State Emergency Management Office-

The places of public assembly required to comply with these requirements are those with an Occupancy capacity of at least 5,000 persons.

Section 7-1.41(d)(15) of Subpart 7-1 of the State Sanitary Code currently requires all applications for a permit to operate a mass gathering (5,000 or more persons for more than 24 hours) to be accompanied by an engineering report which must include, "detailed plans for security enforcement, including prevention of the unlawful use of alcohol, narcotics or dangerous drugs at the site, methods for limiting the size of the proposed function to the number of participants for which the facilities are designed, and external as well as internal crowd control, including sufficient guards for crowd control and security enforcement."

When a mass gathering application is received, it must include the security control plan (Section 7-1.41(d)(15) Engineering Report). Such plan must be filed with local police and fire departments, the State Emergency Management Office, and the state or county law enforcement agency having the primary responsibility to respond in the event of in emergency.

The amended law became effective March 1, 1989. All applications for a mass gathering submitted on or after that date must comply with the new requirements.

ULSTER COUNTY DEPARTMENT OF HEALTH

MASS GATHERING COST CALCULATOR

Function	Title of Staff	# of Hours	Hourly Rate	Salary	Fringe		Total
					59.80%		
Supervisory Oversight	Commissioner of Health	16	\$ 82.11	\$ 1,314	\$ 786		\$ 2,099
	Secretary Comm of Health	16	\$ 30.12	\$ 482	\$ 288		\$ 770
	Director Environmental Services	30	\$ 44.53	\$ 1,336	\$ 799		\$ 2,135
	Environmental Health Mgr	56	\$ 38.30	\$ 2,145	\$ 1,283		\$ 3,427
	Director of Patient Services	15	\$ 46.33	\$ 695	\$ 416		\$ 1,111
Subtotal		133		\$ 5,971	\$ 3,571		\$ 9,542
Pre-Event Meeting	Commissioner of Health	6	\$ 82.11	\$ 493	\$ 295		\$ 787
	Secretary Comm of Health	6	\$ 30.12	\$ 181	\$ 108		\$ 289
	Director Environmental Services	8	\$ 44.53	\$ 356	\$ 213		\$ 569
	Senior Public Health Sanitarian	4	\$ 33.78	\$ 135	\$ 81		\$ 216
	Director of Patient Services	6	\$ 46.33	\$ 278	\$ 166		\$ 444
Subtotal		30		\$ 1,443	\$ 863		\$ 2,305
Preliminary Site Investigation	Asst Public Health Engineer	6	\$ 38.69	\$ 232	\$ 139		\$ 371
	Public Health Sanitarian	6	\$ 30.28	\$ 182	\$ 109		\$ 290
Subtotal		12		\$ 414	\$ 247		\$ 661
Engineer Review of Plans for Water & Sewer (Based on on-site systems)	Director Environmental Services	8	\$ 44.53	\$ 356	\$ 213		\$ 569
	Environmental Health Mgr	4	\$ 38.30	\$ 153	\$ 92		\$ 245
	Asst Public Health Engineer	35	\$ 38.69	\$ 1,354	\$ 810		\$ 2,164
Subtotal		47		\$ 1,864	\$ 1,114		\$ 2,978
Construction Inspection	Asst Public Health Engineer	12	\$ 38.69	\$ 464	\$ 278		\$ 742
	Public Health Sanitarian	12	\$ 30.28	\$ 363	\$ 217		\$ 581
Subtotal		24		\$ 828	\$ 495		\$ 1,323
Process Permit	Commissioner of Health	4	\$ 82.11	\$ 328	\$ 196		\$ 525
	Secretary Comm of Health	4	\$ 30.12	\$ 120	\$ 72		\$ 193
	Director Environmental Services	8	\$ 44.53	\$ 356	\$ 213		\$ 569
	Environmental Health Mgr	12	\$ 38.30	\$ 460	\$ 275		\$ 734
	Asst Public Health Engineer	1	\$ 38.69	\$ 39	\$ 23		\$ 62
	Administrative Staff	2	\$ 21.90	\$ 44	\$ 26		\$ 70
Subtotal		31		\$ 1,347	\$ 806		\$ 2,153
Process Temporary Food Paperwork	Environmental Health Mgr	5	\$ 38.30	\$ 192	\$ 115		\$ 306
	Administrative Staff	10	\$ 21.90	\$ 219	\$ 131		\$ 350
Subtotal		15		\$ 411	\$ 245		\$ 656
Site Inspection (@ overtime rates)	Asst Public Health Engineer	12	\$ 58.04	\$ 696	\$ 416		\$ 1,113
	Public Health Sanitarian	12	\$ 30.28	\$ 363	\$ 217		\$ 581
	Public Health Sanitarian	24	\$ 45.42	\$ 1,090	\$ 652		\$ 1,742
	Public Health Nurse	24	\$ 48.39	\$ 1,161	\$ 694		\$ 1,856
Subtotal		72		\$ 3,311	\$ 1,980		\$ 5,291
Post Event Meeting	Commissioner of Health	6	\$ 82.11	\$ 493	\$ 295		\$ 787
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	Director of Patient Services	8	\$ 46.33	\$ 371	\$ 222		\$ 592
Subtotal		40		\$ 1,860	\$ 1,112		\$ 2,972
Enforcement	Commissioner of Health	4	\$ 82.11	\$ 328	\$ 196		\$ 525
	Secretary Comm of Health	4	\$ 30.12	\$ 120	\$ 72		\$ 193
	Director Environmental Services	6	\$ 44.53	\$ 267	\$ 160		\$ 427
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	Director of Patient Services	4	\$ 46.33	\$ 185	\$ 111		\$ 296
Subtotal		30		\$ 1,361	\$ 814		\$ 2,175
Total Personal Services		434		\$ 18,809	\$ 11,248		\$ 30,057
Other Than Personal Services Costs (OTPS)	Misc OTPS @ 10%					\$	3,006
	Enforcement (Legal) Fees					\$	10,000
Total OTPS						\$	13,006
Total Cost for Event						\$	43,062

Assumptions:
 3 day event
 2014 hourly and projected fringe rates

Last updated:
 August 9, 2013



Robin Nigro/Health
Department/Ulster County
08/20/2013 03:52 PM

To Nereida Veytia
cc Carol Smith/Health Department/Ulster County@Ulster
County, Kristin Carney/Mental Health Department/Ulster
County@Ulster County, lser@co.ulster.ny.us
bcc

Subject 2013 Flu/Pneumo Cost

Boudy

As requested, the following is the estimated cost to administer flu and pneumonia vaccinations at the 2013 clinics. Staff cost includes Nurses, Clerical Support, & Billing Clerk. Vaccine prices are our current cost at lowest prices available.

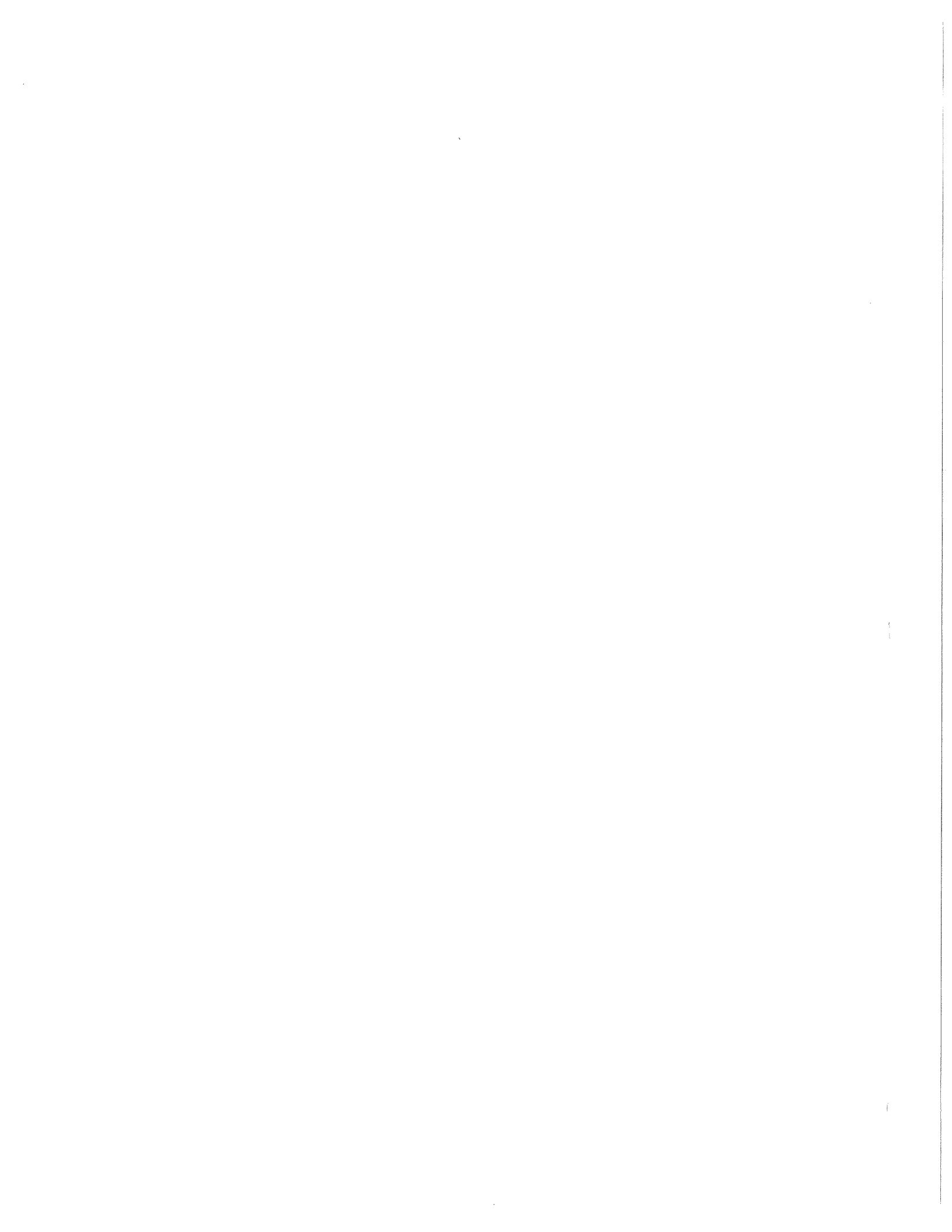
Cost Per Dose	Flu	Pneumo
Admin Cost (Est)		
Nursing PS/FB	\$ 5.87	\$ 5.87
Clerical PS/FB	\$ 2.00	\$ 2.00
Tot PS/FB	\$ 7.88	\$ 7.88
Vaccine Cost	\$ 10.84	\$ 61.56
Supply	\$ 0.37	0.37
Total Est Cost per dose	\$ 19.08	\$ 69.80
Recommendation	\$ 20.00	\$ 70.00
Charges Adopted by BOH		

Note:
2012 Charges were: Flu \$20 / Pneumo \$65 (cost of pneumo increased \$5.59/dose).

If you have any questions, please feel free to contact me.

Thanx,
Robin F. (Nigro) Bissinger, Accountant
Ulster County Department of Health, Financial Office Supervisor
300 Flatbush Avenue - Kingston, NY 12401-2740
E-Mail: rnig@co.ulster.ny.us
(845) 340-3158 or Internal x3158
(845) 340-3086 Fax

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Robin Nigro/Health
 Department/Ulster County
 08/20/2013 03:52 PM

To Nereida Veytia
 cc Carol Smith/Health Department/Ulster County@Ulster
 County, Kristin Carney/Mental Health Department/Ulster
 County@Ulster County, lser@co.ulster.ny.us

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