

ULSTER COUNTY BOARD OF HEALTH

June 13, 2016

AGENDA

CALL TO ORDER

- **OLD BUSINESS**

- a. Approval of the May 2016 minutes

- **NEW BUSINESS**

- a. Commissioner's Report

- Old Homestead Mobile Home Park Update
- Winchell's Pizza
- County Water Testing Update
- Zika Update

- b. Medical Examiner's Report

MEETING CONCLUSION

**Ulster County Board of Health
June 13, 2016**

Members PRESENT: Anne Cardinale, RN GCNS-BC, Board Member
Mary Ann Hildebrandt, MPA, Secretary
Peter Graham, ESQ, Board Member
Marc Tack, DO, Board Member
Dominique Delma, MD, Vice Chair

DOH/DMH PRESENT: Carol Smith, MD, MPH, Commissioner of Health
Shelley Mertens, Environmental Health Director

GUESTS: Lee Cane, Mid-Hudson League of Women Voters

ABSENT: None

EXCUSED: Elizabeth Kelly, RN, Board Member
Walter Woodley, MD, Chairperson
Douglas Heller, MD, Medical Examiner
Amy McCracken, Deputy Commissioner of MH
Nereida Veytia, Deputy/Patient Services Director

I. Approval of Minutes: A motion was made by Mr. Graham to approve the May 2016 minutes. The motion was seconded by Ms. Hildebrandt and unanimously approved.

II. Agency Reports:

a. Commissioner's Report:

- **Old Homestead Mobile Home Park Update:** Letters received from the Town Board Council of the Town of Wawarsing and Ulster County Department of Health's response were distributed to the Board (see attached). Discussion ensued regarding strategies to ensure the septic issue is remediated and that the fines are collected. Mr. Graham recommended that the Commissioner of Health's fine to the park owner be converted into a money judgement filed with the County Clerk. This will place a lien on all of the owner's property and not just the park. This money judgement will place a lien on all property currently owned and any accumulated within the next ten years. Dr. Smith will discuss this recommendation with the County Attorney. Dr. Tack recommended that the press be notified and/or the County Executive or Dr. Smith contact the Town Supervisor to discuss a resolution. It was also recommended that County representation attend the next Town of Wawarsing Board meeting. Ultimately, it was decided to have Dr. Smith bring forward the recommendation of a money judgement to the County Attorney and to wait for a response from the Town of Wawarsing regarding UCDOH response letter. Ms. Hildebrandt requested that the Board be notified if a response from the Town is received prior to the July 11th Board of Health meeting.
- **Winchell's Pizza:** Ms. Mertens stated that an inspection was conducted at this food service facility and was found to have 6

high risk red violations. A Formal Hearing is scheduled for June 27th. The owner of the facility delivered a letter to UCDOH requesting the Hearing be cancelled claiming that all violations were remediated. However, due to prior history with this facility UCDOH will be moving forward with the scheduled June 27th Formal Hearing.

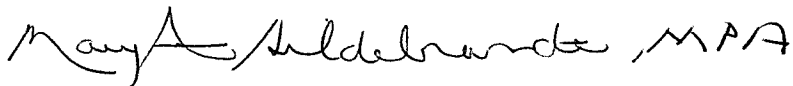
- **County Water Testing:** Ms. Mertens reported that three more rounds of testing were completed. All of the tests came back within the normal range with the exception of a few that were above action level at first draw. However, levels were in normal range after the second flush. The high levels of lead in the water are a result of a piping issue. All of the non - potable signs throughout County buildings will remain until a plan to remediate the piping issue is in place.
- **Zika Update:** Dr. Smith reported that the Annual Vector Disease Meeting took place at UCDOH on June 3rd. Richard C. Falco, Ph.D., Regional Medical Entomologist-New York State Dept. of Health conducted the training with participants from UCDOH Patient Services Division, Environmental Health Division and the Health Education Unit. The focus of the training was Zika. Primarily about the trapping and collecting of the mosquitos. NYS is hiring temporary summer help to assist with the trapping and collecting. UCDOH will be assigned one worker to assist UCDOH Sanitarians in Ulster County.

b. Medical Examiner's Report: The Medical Examiner's Report was distributed (see attached). It was noted that the April and May suicide numbers were extremely high. This appears to be a typo or mathematical error. Dr. Smith's office will review the numbers again and will amend the chart accordingly.

III. **Meeting Adjournment:** A motion was made to adjourn the meeting by Dr. Tack, motion was seconded by Ms. Cardinale and unanimously approved.

IV. **Next Meeting:** The next meeting is scheduled for July 11, 2016, 6:30 PM at the Golden Hill Office Building.

Respectfully submitted by:



Mary Ann Hildebrandt, MPA
Secretary - Board of Health

LAW OFFICES OF
COLLIER & BERGER, PLLC

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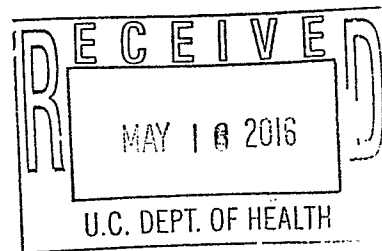
WILLIAM H. COLLIER, III

PETER L. BERGER, Of Counsel

Successor to:
Kaiser, Murray & Collier
Berger & Friedman, PLLC

May 13, 2016

Hon. Carol M. Smith, MD MPH
Ulster County Department of
Health and Mental Health
239 Golden Hill Lane
Kingston, NY 12401



Re: Mobil Home Park LLC, SBL: 75.82-1-37

Dear Doctor Smith,

I have been asked by the Town Board of the Town of Wawarsing to write this letter in my capacity as the Attorney for the Town of Wawarsing. It has been brought to the Town Board's attention that it appears that a potentially dangerous condition exists at Mobil Home Park LLC, aka 7-15 Joshua Ave., Wawarsing, NY, aka, SBL: 75.82-1-37.

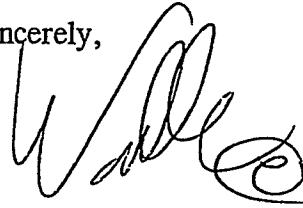
On site there are approximately twenty manufactured homes occupied mostly by families, many of which have young children. The site is served by private well and septic. It appears that raw sewage is permeating the surface area of the site creating a potentially dangerous and unhealthy living environment for the occupants and neighbors.

The Town Board is of the opinion that your department possesses the necessary and appropriate statutory and regulatory power and trained personnel to properly assess and address this potential health risk.

Thus, on behalf of the Town Board of the Town of Wawarsing and its residents, I would urge you to have the appropriate personnel from your office immediately investigate this site and impose remedial measures, as needed. To the extent that you can reveal to the Town Board the results of your findings and the action taken, that would be appreciated.

Thank you for your time, concern, and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Collier, III', with a stylized flourish at the end.

William H. Collier, III

WHC:gg

Cc: Supervisor Leonard Distel
Councilman Michael Durso
Councilman Terry Houck
Councilman Stephen Bradley
Councilman Dan Johnson
MCEO Dan Pollan



ULSTER COUNTY DEPARTMENT OF HEALTH

300 Flatbush Avenue, Kingston, NY 12401-2740, (845) 340-3150, Fax (845) 334-8337

MICHAEL P. HEIN
County Executive

CAROL M. SMITH, MD, MPH
Commissioner of Health

June 7, 2016

~~William H. Collier, III, Esq.~~
Collier & Berger, PLLC
130 South Main Street, PO Box 509
Ellenville, New York 12428

Re: Mobile Home Park LLC, SBL: 75.82-1-37

Dear Mr. Collier:

This letter is in response to your letter addressed to me and dated May 13, 2016. In your letter, you stated that the Town Board of Wawarsing is of the opinion that the Ulster County Department of Health has the appropriate and statutory power to address the existing conditions at the Mobile Home Park LLC, a/k/a 7-15 Joshua Avenue, Wawarsing, New York. Contrary to the Town Board's opinion, it is this department's position that the statutory responsibility to immediately address and cure the potentially dangerous risk existing at 7-15 Joshua Avenue rest solely in the hands of the Town of Wawarsing. Section 41-1 to 41-9 of your Town Code provides the legal framework under which the Town has the legal responsibility to act. Specifically, Chapter 41-1 of the Town's Code states as its purpose "...to promote, safeguard and preserve the health, welfare and property of the residents of and owner of property located in the Town of Wawarsing by providing for the removal or repair of buildings...from any cause, may now be or shall hereafter become dangerous or unsafe to the public." Section 41-3(F) of the Town's Code goes on to define what is an unsafe or dangerous structure or building as being "Those having...sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein." Finally, the Town's Code explicitly provides for notice to be given to the owner of the property to fix the problem and to hold a hearing before the Town Board followed by removal of the structure or building in the event the owner fails or refuses to repair or remove the structure. The Town's Code also provides for the Town to fix the problem and assess the cost against the real property. Based on the foregoing, it is clear that the Town of Wawarsing's Town Code provides the statutory framework within which to act, and obligates the Town to carry out such action.

The Ulster County Department of Health's responsibilities extend only to the issuing of a permit to the owner of the mobile park to operate the mobile park. In your letter you asked that my office immediately investigate and impose remedial measures. On June 3, 2016, a member of my staff visited the site and reported that the conditions have deteriorated. The only action that the Ulster County Department of Health is authorized to undertake is the revocation of the permit to operate the site which we are in the process of assessing. Absent the Town fixing the issue at the site as required

by the Town Code, the Ulster County Department of Health will be left with no alternative but to revoke the permit to operate the mobile home park, thereby causing the potential displacement of numerous families in the Town of Wawarsing. I trust that the Town Board will immediately undertake the proper measures to address the problem.

Sincerely,

A handwritten signature in black ink, reading "Carol M. Smith, MD, MPH". The signature is written in a cursive style with a large initial "C" and "S".

Carol M. Smith, MD, MPH
Ulster County Commissioner of Health and Mental Health

cc: DOH file

CS:kk

KNOW ZIKA VIRUS

**Pregnant women should not travel to Zika areas.
Zika may cause harm to your baby.
If you or your partner *must* travel, you should know:**



Before You Travel

Talk to your health care provider about the risks of Zika.

Learn how to protect yourself from mosquito bites.

When Traveling

Avoid travel to places where Zika is present.

Otherwise, use an insect repellent, wear protective clothes, and stay indoors when possible.

If You Have Traveled

If you are pregnant, you can get tested.

Talk to your health care provider about Zika and testing.

If Your Sex Partner Has Traveled

Zika can be transmitted through unprotected sex.

If you are pregnant and your partner traveled to a Zika area, you should not have sex. If you do have sex, your partner should wear a condom correctly from start to finish.

If you had unprotected sex during pregnancy with a partner who traveled to a Zika area, you can get tested.

Talk to your health care provider about Zika and testing.

Get the FAQs on Zika Virus:

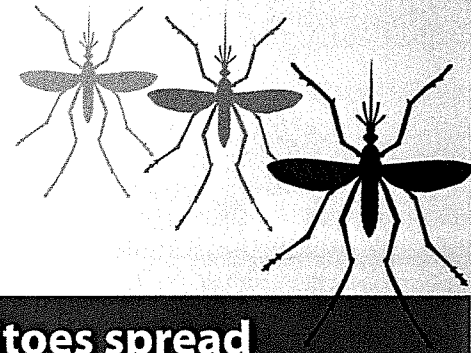
www.health.ny.gov/zika

Hotline: 1-888-364-4723



Department of Health

Mosquito Bite Prevention (United States)



Not all mosquitoes are the same. Different mosquitoes spread different viruses and bite at different times of the day.

Type of Mosquito

Viruses spread

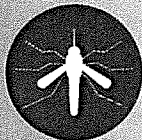
Biting habits



Aedes aegypti,
Aedes albopictus

Chikungunya,
Dengue, Zika

Primarily daytime, but
can also bite at night



Culex species

West Nile

Evening to morning

Protect yourself and your family from mosquito bites

Use insect repellent

Use an Environmental Protection Agency (EPA)-registered insect repellent with one of the following active ingredients. When used as directed, EPA-registered insect repellents are proven safe and effective, even for pregnant and breastfeeding women.

Active ingredient

Higher percentages of active ingredient provide longer protection

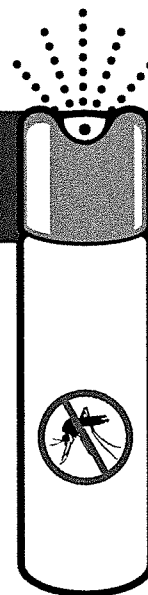
DEET

Picaridin (known as KBR 3023 and icaridin outside the US)

IR3535

Oil of lemon eucalyptus (OLE) or para-menthane-diol (PMD)

2-undecanone



Find the insect repellent that's right for you by using **EPA's search tool***.

* The EPA's search tool is available at: www.epa.gov/insect-repellents/find-insect-repellent-right-you



U.S. Department of
Health and Human Services
Centers for Disease
Control and Prevention

Protect yourself and your family from mosquito bites (continued)

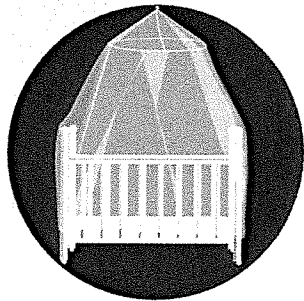


- ◆ Always follow the product label instructions.
- ◆ Reapply insect repellent every few hours, depending on which product and strength you choose.
 - » Do not spray repellent on the skin under clothing.
 - » If you are also using sunscreen, apply sunscreen first and insect repellent second.

Natural insect repellents (repellents not registered with EPA)

- ◆ The effectiveness of non-EPA registered insect repellents, including some natural repellents, is not known.
- ◆ To protect yourself against diseases like chikungunya, dengue, and Zika, CDC and EPA recommend using an EPA-registered insect repellent.
- ◆ When used as directed, EPA-registered insect repellents are proven safe and effective. For more information: www2.epa.gov/insect-repellents

If you have a baby or child



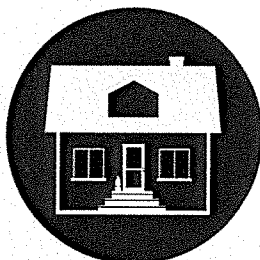
- ◆ Always follow instructions when applying insect repellent to children.
- ◆ Do not use insect repellent on babies younger than 2 months of age.
- ◆ Dress your child in clothing that covers arms and legs, or
 - ◆ Cover crib, stroller, and baby carrier with mosquito netting.
 - ◆ Do not apply insect repellent onto a child's hands, eyes, mouth, and cut or irritated skin.
 - » Adults: Spray insect repellent onto your hands and then apply to a child's face.
- ◆ Do not use products containing oil of lemon eucalyptus (OLE) or para-menthane-diol (PMD) on children under 3 years of age.

Treat clothing and gear



- ◆ Treat items such as boots, pants, socks, and tents with permethrin or purchase permethrin-treated clothing and gear.
 - » Permethrin-treated clothing will protect you after multiple washings. See product information to find out how long the protection will last.
 - » If treating items yourself, follow the product instructions.
 - » Do not use permethrin products directly on skin.

Mosquito-proof your home



- ◆ Use screens on windows and doors. Repair holes in screens to keep mosquitoes outside.
- ◆ Use air conditioning when available.
- ◆ Keep mosquitoes from laying eggs in and near standing water.
 - » Once a week, empty and scrub, turn over, cover, or throw out items that hold water, such as tires, buckets, planters, toys, pools, birdbaths, flowerpots, or trash containers. Check inside and outside your home.

WHAT CAN BE DONE?



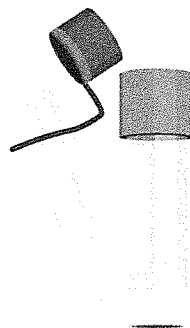
The Federal government is

- Working with international public health partners and state health departments to:
 - » Alert healthcare providers and the public about Zika.
 - » Post travel notices and other travel-related guidance.
 - » Provide state health laboratories with diagnostic tests.
 - » Detect and report cases.
 - » Support mosquito control programs both in the United States and around the world.
- Conducting studies to learn more about Zika virus and its effects during pregnancy and the possible associations between Zika and other outcomes like Guillain-Barré syndrome.
- Publishing and disseminating guidelines to healthcare providers to inform testing and treatment.



State and local public health agencies can

- Work with CDC's Arbovirus Diagnostic Laboratory and health departments with the capacity to test for Zika virus when indicated.
- Report laboratory-confirmed cases to CDC through ArboNET, the national surveillance system for arboviral disease.
- Participate in the U.S. Zika Pregnancy Registry to further understanding of Zika virus infection in pregnancy and congenital infection.
- Activate or enhance mosquito surveillance and control activities to respond to local cases of Zika.



Healthcare providers can

- Know the symptoms of Zika. The most common symptoms of Zika are fever, rash, joint pain, and conjunctivitis (red eyes).
- Ask patients about their travel history.
- Contact their state and local health department to facilitate diagnostic laboratory testing.
- Offer serologic testing to asymptomatic pregnant women (women who do not report clinical illness consistent with Zika virus disease) who have possible exposure through travel to or residence in an area with Zika or who have had sex without a condom with a person who lives in or travels to an area with Zika. Testing should be offered between 2 and 12 weeks after pregnant women return from travel to areas with ongoing Zika virus transmission.
- For pregnant women with recent travel to an area with Zika virus transmission and ultrasound findings of microcephaly or intracranial calcifications, consider amniocentesis. Consultation with a maternal-fetal medicine specialist should be considered.
- Test for Zika virus infection in babies born to women with possible travel-associated or sexual exposure to Zika or who lived in an area with ongoing Zika virus transmission during pregnancy who were diagnosed with microcephaly or intracranial calcifications detected prenatally or at birth, or who have mothers with positive or inconclusive test results for Zika virus infection.
- Manage symptoms in infants with congenital Zika virus infection and monitor the child's development over time.



U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

Pregnant women can

- Avoid travel to areas where Zika virus is spreading.
- If they have to travel, talk to their healthcare provider before traveling to these areas.
- Strictly follow steps to prevent mosquito bites during trips to areas with Zika.
- Use condoms the right way every time they have sex or not have sex during pregnancy with a partner who lives in or has traveled to areas with Zika.

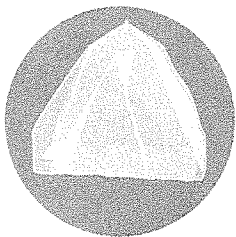


Women thinking about getting pregnant can

- Talk to their healthcare provider before traveling to areas where Zika virus is spreading.
- Strictly follow steps to prevent mosquito bites during trips to areas with Zika.

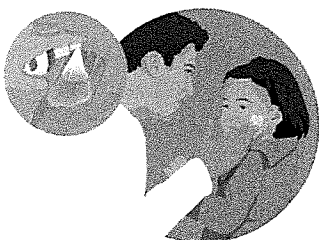
Everyone can

- Wear long-sleeved shirts and long pants.
- Treat clothing and gear with permethrin or buy permethrin-treated items.
 - » Do not apply permethrin directly on skin.
 - » Follow instructions carefully if treating clothing yourself.
 - » Read product information to see how long and after how many washings protection will last.



- Stay in places with air conditioning or that use window and door screens.
- Eliminate standing water in and around the home.
- Sleep under a mosquito bed net if air conditioned or screened rooms are not available or if sleeping outdoors.

- Use Environmental Protection Agency (EPA)-registered insect repellents. When used as directed, these repellents are proven safe and effective, even for pregnant and breastfeeding women.
 - » Always follow product label instructions and reapply as directed.
 - » Do not spray repellent on the skin under clothing.
 - » If you are also using sunscreen, apply sunscreen first.



- Dress children in clothing that covers arms and legs.
- Apply insect repellent to children (but not babies younger than 2 months).
- Spray insect repellent on hands to apply to a child's face.
- Cover cribs, strollers, and baby carriers with mosquito netting.

Medical Examiner's Report

	Call Received		Site Visits		Autopsies		Suicides		Motor Vehicle		Homicide	
	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016
Year	35	TBD	1	TBD	8	TBD	0	TBD	0	TBD	0	TBD
January	35	TBD	1	TBD	8	TBD	0	TBD	0	TBD	0	TBD
February	34	33	3	2	8	16	0	2	0	0	0	0
March	34	31	7	9	11	13	2	2	0	0	0	0
April	27	35	1	2	5	13	2	12	0	0	0	0
May	38	35	7	4	17	15	2	11	4	0	0	1
June	35		2		15		5		1		0	
July	19		2		9		0		0		0	
August	32		3		15		3		6		0	
September	34		6		13		2		1		0	
October	29		3		14		2		0		0	
November	37		8		15		4		0		0	
December	34		3		16		1		0		0	
Total	388	134	46	17	146	57	23	27	12	0	0	1

