



CATTARAUGUS COUNTY BOARD OF HEALTH

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Public Health
Prevent. Promote. Protect.
Cattaraugus County
Health Department
Established 1923

Joseph Bohan, MD, President

Giles Hamlin, MD, Vice-President

Zahid Chohan, MD

Kelly J. Andreano, Legislator

Theresa Raftis

David L. Smith, Mayor

Kathryn Cooney Thrush, NP, MSN

Donna Vickman, LPN

MINUTES August 2, 2023

The 915th meeting of the Cattaraugus County Board of Health (BOH) was held at the Old Library Restaurant on August 2, 2023.

The following members were present:

Joseph Bohan, MD

Zahid Chohan, MD

Legislator Kelly Andreano

Kathryn Cooney-Thrush, NP, MSN

Theresa Raftis

Mayor David Smith

Donna Vickman, LPN

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Dr. Jeff Gingerich, President of St. Bonaventure University-Guest Speaker

Jill Smith-Resident Guest

Ashley Smith, County Attorney

Haley Saunders, County Attorney Intern

Ray Jordan, Senior Public Health Sanitarian (Virtual)

Debra Lacher, Secretary to the Public Health Director

James Lawrence, Emergency Preparedness Director

Collette Lulay-Pound, Administrative Officer

Rick Miller, Olean Times Herald Reporter

Lynne Moore, Director of Nursing

Dave Porter, Hearing Officer

Robert Ring, Environmental Health Director

Legislator Ginger Schroder (Virtual)

Matt Tyssee, Health Educator

Gilbert Witte, MD, Medical Director

The meeting was called to order by Dr. Bohan. The roll was called and a quorum was present.

Old Business: Dr. Bohan called for the approval of the minutes. Mayor Smith made a motion to approve the minutes for the May 3rd, 2023 meeting, the motion was seconded by Dr. Chohan, and unanimously approved. Ms. Raftis made a motion to approve the minutes for the July 12th, 2023 BOH meeting, the motion was seconded by Ms. Vickman and unanimously approved.

Dr. Bohan introduced and welcomed guest speaker Dr. Jeff Gingerich, the 22nd President of St. Bonaventure University (SBU) who took office just over (1) year ago.

Dr. Gingerich shared that on August 17th, there will be a local gathering for residents who would like to come on the campus and see what is in store for the future at SBU. Most of their financial model is built on enrollment and fundraising. Enrollment for last year's first year undergraduate students was (571) which is the largest that SBU has had in the past twenty years, and this upcoming SBU freshman class is trending in the direction of (593) students. He stated that the graduate numbers consist of half of the students taking classes on-line and half are taking classes on campus. One of SBU challenges is graduate enrollments which is currently (756) but will go down this year as classes move through.

Dr. Gingerich stated that there is one interesting thing about the School of Health Professions and that is, usually older students are interested in the program but they didn't want to live in the dorms with the undergraduates, or the Allegany houses. This fall, SBU will begin building graduate housing for students on campus, which will go right in front of St. Francis Hall where the School of Health Professions is currently housed. Initial plans is to build (43) apartment style housing to benefit the graduate students interested in staying on campus.

The Jandoli School of Communication has a great program that could run up against any other school of communication in the country. The current building is really substandard, the current plan is to expand Murphy Hall both outward and upgrade. The inside will include a news desk with televisions, a green room, a television station, a radio station, and renovation of the classrooms. Enough money has been raised to almost begin phase I of this project.

The University Chapel is also slated for a facelift, the inside renovations have already been completed. The Doyle Conference Hall has also gone under successful inside renovations which have generated the ability to host a lot of community events including weddings. The courtyard associated with the Doyle Conference Hall has been a nice addition. The Marchiori pavilion which is in front of Deveraux Hall is a place for students to hang out, and is available to the community for almost year round use.

Maintaining undergraduate enrollment is critical for the University so that means new programs. SBU cannot sustain the University with just the traditional residential undergrads.

Developing the right graduate program will be a big thing for SBU moving forward whether the students are on campus or on-line.

Understanding what students are interested in, and what the employment needs are, requires the University to have the correct programs to fill this niche. Particularly the health care field, SBU has tried to see where the jobs are now, and where students can find employment.

Dr. Gingerich stated that he envisions St. Bonaventure as one of the leading private University's in Western New York and to be seen as a first choice school throughout the Northeast region and to be known as the school who got it right. Many schools are struggling and some are even closing, and SBU wants to continue to showcase themselves as a modern University. The University is very intentional about connecting with the local community and working on strategies to improve the community together. Bonaventure can only succeed if Cattaraugus County is succeeding and vice versa.

Dr. Bohan stated that when President Gingerich first mentioned the (\$125 million) fund raising goal, he wondered what would the University spend it on, but that is just a drop in the bucket for all the plans outlined by the President. Mayor Smith stated he was a 1997 alumni of St. Bonaventure, where he received a Master's degree of Education, and School Administration, and it was the best experience of his life. He congratulated Dr. Gingerich on a great first year, and wished him the best of luck. Legislator Andreano added that several years ago a group came to the Local Early Intervention Coordinating Council board meeting and talked to them about the Physician's Assistant Program, and the biggest hurdle was getting accredited. Bringing on an online Speech Therapy program is going to be a huge success for the University. President Gingerich stated that it has become clear that the Speech Language Pathology program is part of their next mission and fits with everything they are doing in the school of health professions. Dr. Bohan asked if the students in the health professions programs were getting positions upon graduation. Dr. Gingerich stated yes, everyone out of the new Physician's Assistant program at graduation knew where they were going and had a placement. One thing we do struggle with is locating clinical sites locally.

DIRECTORS REPORT: Dr. Watkins thanked Dr. Gingerich for his presentation and for enlightening the Board on what is happening at Saint Bonaventure University.

Dr. Watkins stated that right after the last Board meeting he received a health advisory notice from NYSDOH on legionellosis, advising local health departments that NYS has a high burden of legionellosis. That LHD's should be prepared to advise local providers to consider legionellosis in there diagnosis of community acquired pneumonias. Additionally, LHD's should promptly investigate cases to identify potential clusters. Dr. Watkins discussed legionella and stated that the summer months can bring about different respiratory illnesses. He gave a short history of Legionella, stating that 47 years ago, legionella was a mystery disease that sickened (221) individuals and caused nearly (35) deaths. The outbreak happened at a convention of the American Legion, which is an association of military veterans.

On July 21, 1976 the American Legion opened its annual (3) day convention at the Bellevue-Stratford Hotel in Philadelphia, Pennsylvania. More than (2,000) attendees mostly men were in attendance. On the last day, Ray Brennan, a (61) year old retired Air Force Captain and an American Legion Bookkeeper, returned home from the convention complaining of lethargy. On July 27th he died at his home of an apparent heart attack. Shortly afterwards, on July 30th another Legionnaire, Frank Aveni, age (60), also died of an apparent heart attack, as did three other Legionnaires. One day later on August the 1st, six (6) more Legionnaires died. They ranged in age from (39 to 82) and like all the others they complained about lethargy, chest pain, lung congestion and fever. Within a week, more than (130) people, mostly men, had been hospitalized, and (25) had died. Three of the Legionnaires had been patients of Dr. Campbell, a physician in Bloomsburg, Pennsylvania, who noticed that all three of the men had been at the Legionnaires convention in Philadelphia. This physician contacted the Pennsylvania Department of Health who contacted the Center for Disease Control and Prevention (CDC) and they did an extensive investigation. By September, the focus had shifted from an outside cause, such as a disease carrier, to the hotel environment itself. In January 1977, the Legionella bacterium was finally identified and isolated and was found to be breeding in the cooling tower of the hotel's air conditioning system, which then spread it throughout the building.

Dr. Watkins stated that the bacteria is found naturally in the environment, usually in water or soil. Legionella grows best in warm temperatures of (68 to 122) degrees Fahrenheit. Like the kind found in hot tubs, cooling towers, hot water tanks, large plumbing systems, and decorative fountains that are not properly maintained. People contract Legionella by inhaling aerosolized water droplets containing the bacteria, or by aspiration of contaminated drinking water. There are other modes of transmission such as barrels used to collect rainwater, lawn sprinklers, irrigation systems, and fire suppression systems, safety showers, and eye-wash stations, even medical supplies like a bronchoscope, ice machines, and humidifiers.

Symptoms of Legionella usually develops two to ten days after exposure; they include headache, muscle aches, fever of (104) degrees Fahrenheit or higher, cough, shortness of breath, chest pain, nausea, vomiting, diarrhea, confusion and mental changes. The actual chest x-rays look no different than any x-ray of a person who has pneumonia but sometimes the clinical picture can look much worse than a person actually feels after they have been treated for it. In NYS, from (2018-2022) there were nearly (5,000) legionella cases reported statewide. In (2020) NYS reported more case of legionella than any other State. In (2022), (18) community-acquired and (15) facility related legionnaires disease clusters were identified in NYS, including NYC. These clusters that have been identified not only in NYC but also in WNY. Erie County has a large number of cases. In Cattaraugus County, the average number of cases are around (4-5) cases per year. If a person is healthy and young and they breathe in legionella bacterium, they are not likely to contract the disease. However, there are certain risk groups that are more likely; if a person is over the age of (50), they are male, a smoker, a person with lung disease, or other chronic diseases, and those with a compromised immune system, are considered people of high risk.

The disease is usually detected with a laboratory culture, but hospitals may use the urinary antigen test for initial detection. Other ways to diagnose legionella is with a Polymerase Chain Reaction (PCR) test or a lung biopsy.

Treatment for legionella consists of macrolides, or quinolones. For prevention it is important to try to minimize the growth of legionella in built water systems, if a building has a cooling tower system in NYS, the owner is required to have those towers registered, they must prepare and implement a maintenance program and test for Legionella. Testing should be done every (90) days, and if maintenance work is done on the tower at any time, a test should be conducted for legionella in (14) days after the maintenance has been performed.

There are a total of (20) registered cooling towers in Cattaraugus County, (12) are in operation, (4) which operate year round, (8) seasonally, and (8) are decommissioned. There is (1) over at St. Bonaventure University which has been decommissioned.

Dr. Witte stated that legionella is really more common than we think it is because we don't actually identify the cause of most community acquired pneumonia cases. Dr. Chohan asked why there were so many deaths at that convention prior to discovery and why weren't they treated with antibiotics. Dr. Witte stated that most were older people, we didn't know what they had, and we treated with penicillin which is ineffective for this disease.

Dr. Watkins shared that the first week of August is always World Breastfeeding Week. The department's Women Infant and Children (WIC) division started the promotion yesterday by hosting a picnic at War Veterans Park with the Mayor of Olean and families of the program.

Breastfeeding and human milk is recommended as the first food for infants as it supplies all the necessary nutrients in the proper amount. Feeding only human milk is recommended for the first six months, and then introduce complementary solid foods, but continuing human milk feeding until two years of age. Infants who are breastfed have reduced risks of asthma, obesity, sudden infant death syndrome (SIDS), diarrhea, and vomiting. Breastfeeding also reduces the mother's risk of high blood pressure, and breast cancer. The WIC division also has another event planned tomorrow at the Olean Public Library where they will have a mom's night painting class, that Board members are invited to attend as well.

Copies of two department policies were provided to all the Board members for Board approval. They included a Policy for Communication with the Public; "Policy PHE-02". This provides a standard for all forms of communication that is sent out. This policy was approved back in 2015 and there were only a few revisions made to the updated policy. The second policy also deals with Communications but specifically details how the department will use its brand, which is a way to recognize the department's Public Health logos. The policy is called Education/Communication/Branding; "Policy PHE-01". Dr. Bohan inquired if both policies have been in place and are simply being renewed/updated. Dr. Watkins affirmed that this was true. Ms. Vickman made a motion to accept both policies as presented, the motion was seconded by Ms. Raftis, and unanimously approved.

ENFORCEMENT LIST: Mr. Porter reviewed the enforcement from the administrative hearing held on 6-13-2023 at 9:00 AM; Docket # 23-008.

Respondent: Codi Kennedy, 53 Maple Avenue, Gowanda, NY 14070.

Violations: Subsection 24.2.5 of the sanitary code of Cattaraugus County Health Department (CCHD). Failure to provide proof of a current rabies vaccination certificate and the animal confinement verification form for his dog Kodiak to the Health Department following a biting incident.

Recommendation: The \$75.00 civil compromise offered be changed to a \$75.00 fine and then doubled for no show to the administrative hearing. The \$150.00 fine, proof of rabies vaccination and confinement report to be received by the CCHD by 8-31-23. Failure of full compliance will result in a \$10.00 per day per diem for every day late after 8-31-23.

A motion was made by Mayor Smith to accept the recommendation made by Mr. Porter, seconded by Dr. Chohan, and unanimously approved.

Mr. Porter reviewed the enforcement from the administrative hearing held on 6-6-2023 at 9:45 AM; Docket # 23-009.

Respondent: Paul Roberts c/o Michelle Roberts, 364 Montgomery St. Apt 2A, Brooklyn, NY 11225. Location of property 113 ½ North 3rd Street, Olean, New York 14760.

Violations: 10NYCRR Section 67-2.6 (b) Mr. Roberts was issued a Notice and Demand, dated 8-4-22, which required the discontinuance of conditions conducive to lead poisoning at 113 ½ North 3rd Street located in the City of Olean by 10-31-22. In the Notice and Demand, Mr. Roberts was requested to prepare and submit a written, detailed work plan to the Cattaraugus County Health Department (CCHD) outlining the methods to be used to correct the conditions conducive to lead poisoning. Mr. Robert's daughter has indicated they do not have a plan to correct the exterior hazards. On May 1st, 2023, a letter was mailed to Mr. Roberts informing him that he was in violation of 10NYCRR Section 67-2.6 and that failure to submit the exterior workplan by May 9, 2023 would be cause for legal action. To date, the workplan to remediate the exterior hazards has not been received.

Recommendation: The residence, at 113 N. 3rd St., Olean, NY be ordered to remain vacant until the exterior be brought into compliance with CCHD guidelines for lead remediation. The Health Department has approved signs to be posted indicating that the dwelling units cannot be occupied until such time that the lead is appropriately addressed. The signs have been posted.

A motion was made by Ms. Cooney-Thrush to accept the recommendation of Mr. Porter, seconded by Dr. Chohan and unanimously approved.

NURSING DIVISION REPORT: Mrs. Moore shared that the homecare census was (255). The department has hired (1) Registered Nurse, who will start on August 15th.

The homecare division has a volunteer, Janet Stiger, who will be recognized with a New York State award for "Older New Yorker of the Year" through the Department of Aging.

Lead program update: in July there were (88) lead tests conducted with the highest blood lead level (BLL) tested being (29.4ug/dl), [normal is \leq 5ug/dl], this child had previously tested at (36.7ug/dl). The next highest BLL was (24.5ug/dl) and that child previously had a BLL of (25.6ug/dl). The current case load is (97).

Currently the department is setting up community influenza/COVID-19 vaccine clinics.

HIV testing in July; in Olean, there were (8) tests conducted; in Salamanca, there were (4) tests conducted; and in Machias, there was (1) test conducted; no positive results were identified in any of the tests conducted.

Communicable diseases: for the month of July there were (2) cases of campylobacteriosis, (1) was an unknown cause where the individual was sick for just one day, and the second was possibly undercooked meat at a 4th of July party; there were (11) confirmed cases of chlamydia; (4) cases of gonorrhea; (6) probable chronic cases of Hepatitis C; and (3) positive cases of influenza A; (1) case of influenza B; and (1) case of legionella, this person had standing water in their basement.

Lyme disease: there were (60) tested, none confirmed as positive. Two salmonellosis cases both were hospitalized so it was never found out where they had contracted the disease. There were (2) cases of Strep Group B; (1) case of syphilis, and (47) positive COVID cases.

There were (3) rabies pre-exposure prophylaxis series given and (2) rabies post-exposure prophylaxis series administered in July: both for bats.

Dr. Witte asked if we would be giving RSV vaccines. Dr. Watkins replied that yes, the vaccines are expensive, but the department will offer the vaccine. He added that the vaccine has been approved for those age (60) and older based on discussions between the patient and their health care provider. An infant vaccine has not yet been approved but for their protection, infants have been approved for a RSV monoclonal antibody.

ENVIRONMENTAL HEALTH REPORT: Mr. Ring shared that there will be (4) rabies vaccine clinics this fall as they have added an additional one on Tuesday, September 19th in the Town of Lyndon at the Fire Department.

The Cattaraugus County Fair is this week, based on the State sanitary code, they are required to have (2) permits, one from the State and one from the department. The department will issue an agriculture fairground permit and inspect the whole facility including the campground, the water supply, food service, sewage collection, and some of the sanitation issues. The State also issues a public function permit as they have over (5,000) people. The department has (3) staff that are there for two to three days this week.

Annually the US Department of Agriculture does a program where they conduct rabies oral vaccine bait drop, from airplanes. These bait drops will occur in the northern part of Cattaraugus County. If the public has any questions they can call the environmental health division as we have intake forms that we can complete and assist them with their concerns. The goal is to reduce rabies transmission from wild animals.

The Health Program aides will collect data for the mosquito program until the end of August, and Mr. Ring will provide an update at the next Board meeting.

Dr. Bohan welcomed first lady Jill Smith from Gowanda, who came to the Board meeting.

Old/New Business: There will not be a BOH meeting in September, and the next BOH meeting is scheduled for October 11th, 2023.

A motion to adjourn was made by Dr. Chohan, seconded by Ms. Raftis, and unanimously approved.

Respectfully submitted,



Kevin D. Watkins, M.D., M.P.H.
Secretary to the Board of Health