



CATTARAUGUS COUNTY BOARD OF HEALTH

1 Leo Moss Drive, Olean, NY 14760, Tel. (716)373-8050, Fax (716) 701-3737



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

Joseph Bohan, MD, President

Giles Hamlin, MD, Vice-President

Kelly J. Andreano, Legislator

Zahid Chohan, MD

Sondra Fox, RN, MSN, C.S.

Richard Haberer

Theresa Raftis

David L. Smith, Mayor

Kathryn Cooney Thrush, NP, MSN

MINUTES November 4, 2020

The 890th meeting of the Cattaraugus County Board of Health (BOH) was held virtually on November 4, 2020.

The following members were present:

Joseph Bohan, MD

Theresa Raftis

Giles Hamlin, MD

Mayor David L. Smith

Legislator Kelly Andreano

Kathryn Cooney-Thrush, NP, MSN

Sondra Fox, RN, MSN, C.S.

Also present were:

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

Ashley Milliman, County Attorney

Legislator Richard Helmich

Brian Carpenter, IT Support

Mark Goshgarian, Spectrum News Buffalo

Raymond Jordan, Sr. Public Health Sanitarian

Debra Lacher, Secretary to the Public Health Director

Colette Lulay-Pound, Administrative Officer

Rick Miller, Olean Times Herald Reporter

Lynne Moore, Director of Patients Services

Kip Morrow, Legislator

Dave Porter, Hearing Officer

Ginger Schroder, Legislator

Paul Schwach, MD, Clinical Director

Rick Smith, Legislator

Gilbert Witte, MD, Medical Director

Eric Wohlers, Environmental Health Director

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

Dr Bohan asked the Board for a motion to accept the October minutes that were distributed by email. Mayor Smith made a motion to approve the minutes of the BOH meeting held October 7, 2020, the motion was seconded by Dr. Hamlin and unanimously approved.

Dr. Bohan shared that he had received a letter from Dr. Howard Zucker, the NYS Department of Health Commissioner, acknowledging Dr. Watkins reappointment as our Executive Director for Cattaraugus County, agreeing he has done an extraordinary job, and added his endorsement. Dr. Watkins thanked the Board and Dr. Bohan for their kind words.

DIRECTORS REPORT: Dr. Watkins stated that today's report is an update on the department's COVID-19 related response as it continues to be a large part of the daily workload for the department.

Dr. Watkins reported that as of Monday, November 2, 2020 NYS reported a total of (513,689) confirmed cases of COVID-19 and (25,853) deaths. The rate of newly confirmed cases in NYS has started to increase, on Monday, the State reported (2,321) new cases. That is just (688) more cases than what was reported the day prior, which was (1,633) new cases.

The number of hospitalized COVID-19 patients reported on Monday, November 2nd were (1,227), of which, (268) were in the intensive care units.

Finally, the number of deaths being reported in NYS from COVID-19 related complications on November 2nd were (15). The number of deaths being reported on a daily basis continues to remain flat, which is a good thing as there was a time when we were seeing hundreds of deaths reported on a daily basis.

In Cattaraugus County, as of date, there are a grand total of (272) residents who are currently under quarantine. There are (25) under precautionary quarantine, and (247) under mandatory quarantine.

A total of (44,610) COVID-19 tests have been administered in Cattaraugus County of which (44,087) have been negative tests. In addition to the (500) confirmed positive cases, (373) have recovered, and there have been (18) deaths.

Cattaraugus County has administered (44,610) COVID-19 tests, of which, (44,087) have been negative. Of all the test administered, there is a (99%) negative rate, and a (1.12%) positive rate. Of the (500) positive cases, (373) individuals recovered, the recovery rate is (75%); the death rate is (3.6%) in Cattaraugus County compared to a (5%) death rate in NYS.

Of the (109) active cases, (11) are hospitalized (7) are at Olean General Hospital (OGH), (2) at WCA, (1) at St. Joseph's Hospital in Buffalo, and (1) at St. Vincent's in Erie, Pa.

Of the (500) cases we have in Cattaraugus County (207) were identified in October, in addition, of the (18) deaths recorded in the county (12) of those deaths were recorded in the month of October. The number of positive cases includes (104) healthcare workers, (189) asymptomatic, and (198) that were contacts of positives. The youngest individual that we have recorded as a confirmed positive in the month of October was (2) years old, and the oldest is a (100) year old.

On November 2nd, Cattaraugus County had a daily percent positive of (2.7%), the 7 day rolling average percent positive is (3.3%) and the 14 day rolling average is (2.5%). Comparatively, New York State (NYS) daily percent positive is (1.8%), its 7 day rolling average percent positive is (1.6%) and its 14 day rolling average percent positive is (1.5%).

According to recently released guidance, movie theaters in counties outside of New York City that have a COVID-19 positivity rate below 2% on a 14 day rolling average and these counties do not contain any cluster zones may reopen their facilities. Based on these guidelines, Cattaraugus County movie theaters are not allowed to reopen at this time.

As reported at our last meeting several COVID-19 Abbott ID Now rapid test instrument were loaned to the department by Health Research Incorporated (HRI). NYS did send a team of workers to our area for one week (October 19th-October 24th), to conduct enhanced testing in our area due to the increased transmission rate of COVID-19 in WNY. A total of (1,037) residents were tested during that week. Dr. Witte asked how many of those residents tested positive. Dr. Watkins replied there were approximately (20) residents who tested positive during that week from that particular site.

The department is in receipt of more rapid test kits as we had depleted our stock during the week of enhanced testing. However, the kits that were sent are the Abbott BinaxNOW, which test for the antigen (protein) of SARS CoV-2, different from the Abbott ID Now test kits that we received earlier which is a molecular test that tests for the virus RNA. Dr. Watkins stated that he has reservations using the Abbott BinaxNOW test kits, as it is an antigen test which has a lower sensitivity rate than the molecular test. In addition, when using this test kit, confirmatory testing is required in outbreak situations for symptomatic individuals in the general population who receive a negative result on the BinaxNOW and for asymptomatic individuals who receive positive results in a non-outbreak situation in a nursing home or adult care facility. The department would prefer to have the Abbott ID Now test kits over the BinaxNOW rapid antigen test kits. Dr. Bohan asked if they were a nasal or sputum test. Dr. Watkins replied that it is an anterior nasal test, with a result in 15 minutes, the pushback is the validity of the test results in certain situations and the need to go back to conduct confirmatory tests.

Finally, the department's developing plans on how to distribute the COVID-19 vaccines within the community. The department is working with both CDC and NYSDOH to make this distribution happen. We have completed our COVID-19 vaccination provider's agreement form, and submitted it to CDC. Phase 1 of the distribution will include healthcare workers, and Long term care facility workers. This vaccine will be a two dose vaccine with the first dose given on day zero, wait 21 days or 28 days depending on the vaccine manufacture and then administer the second dose. This could be problematic as patients are less likely to return for a second dose. We are going to work with our local providers, and pharmacies to make sure they have ample supply of the vaccine in order to get as many residents inoculated as possible.

The Governor has recently released a new travel advisory for travelers coming into NYS. The new advisory states that all travelers entering New York from a state that is not a contiguous state, or from a CDC Level 2 or 3 Travel Health Notice country, shall quarantine for a period of 14 days, consistent with NYSDOH regulations for quarantine, unless:

1. For travelers who traveled outside of New York for more than 24 hours, such travelers must obtain testing within 72 hours prior to arrival in New York, AND
2. Such travelers must, upon arrival in New York, quarantine according to Department of Health guidelines, for a minimum of three days, measured from time of arrival, and on day 4 may seek a diagnostic test to exit quarantine.

For travelers that meet the criteria, the traveler may exit quarantine upon receipt of the second negative test result. Contiguous states are Pennsylvania, New Jersey, Connecticut, Massachusetts and Vermont.

Influenza season has begun and the department is still recommending that anyone 6 months of age and older to get a vaccine against influenza. As of date, there has been very little influenza seen in the area, only (3) cases have been identified (2) were influenza A and the other had both influenza A and B. It is important to be vaccinated for influenza so we can reduce the hospitalization rate associated with this virus.

Dr. Bohan stated that he looked at the John Hopkins COVID-19 map tracker and the site list Cattaraugus County about 10-15% higher than the numbers posted on the Health Department's COVID-19 map tracker, and inquired how they were getting their numbers. Dr. Watkins replied that often, we have residents who may decide to have a second test once they were identified as a positive and John Hopkins, who pulls its data from NYSDOH COVID-19 tracker, will count that second test towards our County positive cases. Once confirmed, that a resident has a prior positive test, the new positive test results are supposed to move off the confirmed positive case count which is often delayed on the NYSDOH COVID-19 tracker.

ENFORCEMENT LIST: Mr. Porter, Hearing Administrator Officer reported on the administrative hearings held October 13, 2020.

DOCKET #20-020:

Respondent: Timothy Smith, 1088 Olean-Portville Rd., Olean, NY

Violations: A.) 10NYCRR Sec. 67-2.6(b) Timothy Smith was issued a notice and demand dated 12/20/2019 which required the discontinuance of conditions conducive to lead poisoning at 112 W. Green Street located at City of Olean, The deadline for remediation of the identified Lead Hazards for the interior was established as 2/28/2020 and the exterior as July 31, 2020. On 2/28/2020 an extension to 5/1/2020 was granted for the interior work. As of 9/25/2020 the lead work on the interior has not been completed and remediation for the exterior has not been started. Location of property is 112 W. Green Street, Olean, NY. A two story home with two apartments, upper occupied and lower unoccupied.

- Recommendation:
1. The civil compromise of \$75.00 offered to be changed to a \$75.00 fine and paid by 11-30-20.
 2. Mr. Smith submitted a proposed compliance schedule to the Department on October 16, 2020. Mr. Smith proposed a date of completion of November 14, 2020 for the interior, which includes the replacement of the upstairs apartment windows and the front entrance. Mr. Smith's projected date of completion of the exterior is May 15, 2021.
 3. Failure to meet the compliance dates will start administrative hearing procedures.
 4. Failure to pay the fine by 11-30-20 will result in a \$10.00 per day per diem until paid.

A motion was made by Sondra Fox to accept Mr. Porter's recommendation, seconded by Dr. Hamlin, and unanimously approved.

Dr. Bohan asked if Legislator Andreano had checked to see if the City of Olean had written lead stipulations into their code. Legislator Andreano replied that she had spoken to the Mayor who was going to send her a copy of the certificate of occupancy but she has not yet received that copy. She stated that she will reach back out to the Mayor. Mr. Jordan interjected that lead is not tested in the city's inspection at this time. Dr. Bohan asked couldn't the Health Departments records on dwellings be shared with the City inspector. Mr. Jordan stated that would be a legal question for Attorney Milliman, who responded that this is a public document and this could be explored as a possibility. Dr. Watkins suggested that we have the code enforcement officer collaborate with the Environmental Health lead inspectors.

Dr. Bohan referenced the \$10.00 per day per diem, and asked if this was written in stone and must we stick with this as inflation has taken place. Dr. Watkins stated that the Board is allowed to accept Mr. Porter recommendations or amend them. Mrs. Fox suggested that someone look to see how effective the per diem rate is for compliance, and does it make a difference. Dr. Bohan asked that it be reported back at the next meeting.

NURSING DIVISION REPORT: Mrs. Moore, reported that the homecare census is (285) with (111) admissions in October, and (79) discharges.

There are (89) active cases in the lead program that are being followed with elevated blood lead levels (EBLL), greater than 5ug/dl (normal < 5ug/dl). There are (6) newly confirmed cases in October with EBLLs greater than 5-10ug/dl. There has not been a lot of testing due to the lead nurse being off for a few weeks, and there are no testing at the WIC clinics at this time due to COVID-19.

There have been a total of (20) influenza clinics with (2) scheduled for tomorrow. There have been approximately (1,100) flu vaccines given, and (236) of the department's homecare patients were vaccinated. There is still no high dose vaccine available, Dr. Witte interjected that the Olean Medical Group has received a shipment.

Clinic testing for HIV included (14) in Olean, (3) in Machias, and (5) in Salamanca, all of which were negative. For STD, there were (18) positive case of chlamydia, (2) cases of gonorrhea, and (1) case of syphilis.

Communicable disease report for October: there was (1) case of Giardia; (7) cases of chronic Hepatitis C, and (1) case of Hepatitis A, for which the department ended up immunizing (14) contacts of the Hepatitis A. There were (10) suspected cases of Lyme disease, none were confirmed. There were (4) invasive pneumococcal infections that are currently being investigated and will report next month; there were (3) strep group B invasive last month.

In the month of October there was (1) cat bite, and (1) dog bite that was a 6 year old boy; both started post-exposure rabies prophylaxis series this week.

Dr. Bohan asked if the high dose influenza vaccine is not available, is it recommended that you should wait. Dr. Witte replied that it is recommended that you take the regular influenza vaccine and not wait.

ENVIRONMENTAL HEALTH REPORT: Mr. Wohlers, reported that the newest Public Health Sanitarian was recently enrolled in the required NYS basic environmental health course, and should complete the course by the end of the year. For the first time the course has gone to an all virtual format.

Through the first six months of the pandemic the environmental health staff was utilized for helping with COVID education. In the past month there has been a surge in active cases, so increasingly the staff has been called upon to assist with scheduling, daily contact with those in quarantine, delivering mandatory quarantine orders, and essential supplies. Many environmental health staff are volunteering to assist the COVID staff on their days off and weekends during this time of the surge.

The department is seeing an increase in property transfers, and homes being sold.

Dr. Watkins shared the latest inspection report for the New Lakeview Chinese Restaurant, which had been emailed to all Board members prior to today's meeting. The report indicated that there were no red (critical) violations, and no blue violations.

He stated that the Board issued a \$1,500.00 fine to this establishment for multiple repeat violations that was identified two months ago, and that fine was paid in full. This is the second month in a row that the facility has showed no red (critical) or blue violations on its inspection report. It appears that they have turned this establishment around. If they receive one more report like this, the Board has agreed that they will hold off on monthly inspections going forward. Mr. Jordan interjected that inspections would then be a minimum of twice a year, which is standard for high risk restaurants.

Old/New Business: None to discuss.

Mayor Smith thanked Dr. Watkins, and Dr. Shomita Steiner for all of their efforts to assist Gowanda with a positive case that the Gowanda School system had this week. They were very patient, informative, despite an unimaginable workload, and the rate of positive cases that the community is currently seeing.

County Attorney Milliman stated that at the last Board meeting she was asked to inquire about the NYS Public Health Law regarding Article 13 on the regulation of smoking and vaping in public areas of membership association's facilities. Unfortunately this statute is a State Law of general application and there's no local law that could be adopted to circumvent it. Dr. Bohan stated that it was unfortunate but a resolution needs to come from the county Legislators to ask that the state do something to change it. Legislator Andreano stated that she had no problem putting this on the agenda after the first of the year.

There being no further business to discuss, a motion to adjourn was made by Dr. Hamlin, seconded by Mayor Smith and unanimously approved.

Respectfully submitted,



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