



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

Kelly J. Andreano, Legislator

Zahid Chohan, MD

Sondra Fox, RN, MSN, C.S.

Theresa Raftis

David L. Smith, Mayor

Kathryn Cooney Thrush, NP, MSN

MINUTES

November 3, 2021

The 899th meeting of the Cattaraugus County Board of Health (BOH) was held at the Old Library Restaurant on November 3, 2021.

The following members were present:

Joseph Bohan, MD

Giles Hamlin, MD

Zahid Chohan, MD

Legislator Kelly Andreano

Mayor David L. Smith

Theresa Raftis

Kathryn Cooney-Thrush, NP, MSN

Also present were:

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

Ashley Milliman, County Attorney

Legislator Richard Helmich

Legislator Kip Morrow

Legislator Ginger Schroder (virtual)

Brenda Hanson, Resident (virtual)

Marissa Del Monaco, Resource Specialist

James Lawrence, Emergency Preparedness Director

Debra Lacher, Secretary to the Public Health Director

Collette Lulay-Pound, Administrative Officer

Rick Miller, Olean Times Herald Reporter (virtual)

Lynne Moore, Director of Patient Services

Dave Porter, Hearing Officer

Heidi Reese, Health Education Assistant

Matthew Tyssee, Health Educator

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 for a motion to approve the meeting minutes.

A motion to approve the Board of Health (BOH) meeting minutes from September 1, 2021 was made by Ms. Cooney-Thrush, seconded by Ms. Raftis, and unanimously approved.

Dr. Bohan asked for a motion to approve the Professional Advisory Committee (PAC) Minutes from July 21, 2021. A motion to approve the PAC minutes was made by Dr. Hamlin and seconded by Dr. Witte, and unanimously approved.

Dr. Bohan shared with the Board that Mr. Richard Haberer notified the Board via a letter that effective November 1, 2021 he was resigning from the board as he is relocating out of the county. Mr. Haberer noted in his letter that it has been a pleasure to work with such a fine and dedicated group of individuals that makes the Board what it is today. Dr. Bohan stated that Mr. Haberer was one of those individuals who had an unremarkable ability to rationalize issues and apply common sense to them, he added that his service to the Board was greatly appreciated. A plaque in honor of Mr. Haberer's ten years of service was shared with those in attendance.

DIRECTORS REPORT: Dr. Watkins shared the 81 page 2019-2020 annual report with the Board and recognized the following staff members, Marissa Del Monaco, James Lawrence, Heidi Reese, and Matthew Tyssee who worked hard at putting together the document during the COVID response.

He stated that the report has been divided into the ten essential public health services and there are lots of comparative analysis in the report. The report shows that homecare had an average daily census of (276) patients in 2020 compared to (266) in 2019. The program provided care for over (1,200) unduplicated individuals each year. There has been a continual decrease in the services that are provided in this program and can be best seen in the homecare program disciplines which includes skilled nursing, physical therapy, occupational therapy, speech therapy, medical social work, home health aides, and nutritionist visits.

The maternal child health program assists individuals, who may be uninsured or underinsured, to enroll in a presumptive Medicaid health program. In 2020 the department assisted (10) eligible individuals to receive this service, in addition, (19) individuals received (27) visits through the Medicaid Obstetric Maternal Services (MOMS) program compared to (13) individuals receiving (81) visits in 2019 through the MOMS program.

Other programs includes the community health clinic and its objective is to reduce unwanted pregnancies and diseases within the community. The number of teenage pregnancies fell significantly in 2020, with a number that is much lower than the department has seen in many years, this is a turning point from 1990 when Cattaraugus County had one of the highest teenage pregnancy rates in New York State (NYS). The clinics also test for and treat sexually transmitted diseases (STD) such as chlamydia, (the most commonly identified STD), gonorrhea, syphilis, and HIV.

The lead poisoning program is followed by both nursing and environmental health staff. In 2019 there were over (1,600) elevated blood lead levels that were identified through the electronic reporting Health Commerce System. In the same year, nurses made 43 home visits to children with EBLL's. In 2019-2020 environmental health staff conducted environmental investigation at 80 residences associated with these children. Lead paint hazards were identified at 19 residences and a notice to the effect was shared with the homeowners.

The environmental health division oversees both the State and County sanitary codes for the department. The public water system program works with operation and management personnel at (174) public and (10) non-public water systems throughout the county to ensure the provision of safe drinking water. During 2019-2020 environmental health staff performed required inspections at (161) public water supplies.

Environmental Health staff also performs routine facility inspections, to insure compliance with regulatory requirements. In 2019-2020, field staff completed 698 inspections during which 264 critical violations were discovered. There were (72) formal enforcement actions that were brought to hearing with (26) requiring a BOH decision.

Additional programs include health education, early intervention, a child find program, a physically handicapped program, children with special health care needs, women infant and children's program known as the WIC program, the full service clinical laboratory, and the public health emergency preparedness program.

The department is preparing for reaccreditation. Two annual reports were submitted for the reaccreditation process. One of the comments received after submitting one of the annual reports was that the department has aligned itself with performance management plans, and strategic community health improvement plans which aligns directly with what the public health accreditation board is looking for.

In March 2020 the department identified its first COVID-19 case. Weeks later the department had to reassign staff duties to respond to COVID-19 outbreaks that was occurring throughout the county. At the end of the year there were (2,565) positive cases, and (50) deaths due to COVID-19.

Total budgeted revenue in 2019 was (\$11,455,867) and in 2020 it was (\$11,670,891). For the expenses, both years pretty much met the budgeted revenue amounts.

Dr. Watkins gave a COVID-19 update to the Board. He stated that there has been (8,433) confirmed positive COVID-19 cases in Cattaraugus County, of which (4,148) cases have been reported in the Southeast quadrant of the county. Concerning is the (519) active cases that the department is following, that means there are (519) calls that must be made every day by staff to find out how patients are doing.

As of date, there has been a total of (190,182) COVID-19 tests administered in the county, of which, (182,822) were returned as negative. That reflects a (96%) negative rate and with a total of (8,433) positive cases recorded, that reflects a (4%) positive rate. Of the (8,433) positive cases (7,739) have recovered which reflects a (92%) recovery rate.

There are (146) recorded deaths in Cattaraugus County, which reflects a (1.7%) death rate. Of the (519) active cases, (36) cases are now hospitalized. Of the (8,433) positive cases, (4%) are healthcare workers, (19%) reported no symptoms, and (47%) were contacts of positives. Of the (8,433) positive cases, the age range between 0 to 19 has the largest accumulative number of cases.

Dr. Watkins showed a COVID-19 percent positive dashboard that is used as part of a metric system by NYS to determine how well a region or county is doing. The number of percent positives cases are based on the number of COVID-19 tests administered and the number of positive cases confirmed. The dashboard showed that Cattaraugus County has a daily COVID-19 percent positive rate of (18.6%), and the seven day rolling average percent positive rate is (9.8%). In NYS overall, the daily percent positive rate is (4%) with a seven day rolling average of (3.3%). As of date, Cattaraugus County continues to have a high rate of community transmission of COVID-19.

The municipality with the lowest vaccination rate amongst all other municipalities in the county is Conewango Valley, with only (17.5%) of the residents in that zip code who are fully vaccinated.

Breakthrough cases are fully vaccinated individuals who contract and test positive for COVID-19. Of the (35,349) fully vaccinated residents there have been (621) who were fully vaccinated that have tested positive for COVID-19 indicating that (1.75%) of those fully vaccinated are now counted as breakthrough cases. A total of (146) deaths have been reported so far and (135) of those individuals were unvaccinated.

Treatment for COVID-19; positive COVID-19 cases within the community that have underlying health conditions should be encouraged to get the monoclonal antibody treatment as soon as they are diagnosed, this will really help to reduce the number of hospitalizations and potentially the number of deaths occurring in the county. Currently the hospital can only give (2) infusions a day, however discussions to get providers to administer the monoclonal antibody subcutaneously in their private offices is underway.

The hospital is at surge capacity, and the need to assist the hospital is most urgent. The department has reached out to NYSDOH for more assistance in the area. Legislator Andreano asked where is the help that Governor Hochul is claiming she can provide. Dr. Watkins replied that the State is aware of the needs of this community, the national guards have been brought up in the discussion, erecting a tent next to the hospital has also been discussed, but the problem that the hospital faces is staffing. Dr. Bohan added that it's even worse now that the State is no longer providing free COVID-19 testing supplies. The rest of the State's positive numbers have dropped but we are still on the upward slope of the bell shaped curve and the State has cut off this one attribute that could help track cases and get patients isolated. Dr. Witte added that residents also have to take responsibility. When you go out in the community people have stopped paying attention to preventive measures. You go into a store and no one is wearing a mask, staff at restaurants are no longer wearing a mask. Low vaccination rates in our community, and not adequately following guidelines attributes to our high positivity numbers.

Dr. Chohan added that even countries like India have an (80%) vaccination rate. Mayor Smith asked if there has been any conversation regarding closing school systems during Thanksgiving and Christmas, to slow the positivity rate. Dr. Watkins replied that the CDC believes that the transmission rate is actually low in most schools, and can be curtailed as long as the students and staff are following the guidelines. He added that closure would actually be the Superintendents call. Legislator Andreano stated that the health department is quarantining children and getting them moved out in a timely fashion so other children are not infected, but to encourage remote instruction would be detrimental to what is best for the children and the community. Dr. Watkins encourages all residents who received their COVID vaccine back in February, or March to get a booster as immunity levels tends to wane from the primary vaccine series.

Legislator Helmich questioned the table on page 33 of the annual report, he questioned why Pioneer School was not listed in any of the programs provide by the department's Health educators. Dr. Watkins stated that the department reaches out to all schools in the county but Pioneer has either declined our services or the department could have missed adding them to the table when developing the document. He indicated he would follow up.

Legislator Andreano asked if the department could focus on setting up treatment sites for the monoclonal therapy. Dr. Watkins responded that this is currently on the table but we have not yet found a location where we can put positive patients together in large numbers and have the staff monitor them. Dr. Witte replied that supplies are also very limited, expensive and most positive people do not need them. It should be reserved for those who are sick but not ill enough to be in the hospital. Dr. Watkins stated that a COVID positive patient's condition can change very rapidly and although they may not need treatment the prior day, another day could be a new situation.

Legislator Andreano asked if the data of the death statistics of the (11) vaccinated who died from COVID, if there was a breakdown of whether they had pre-existing conditions, what vaccine they had, and how soon did they get treatment at the hospital etc. Dr. Watkins stated that all of that data is available. Dr. Bohan stated that the annual report should be dedicated to Dr. Watkins and his health department staff for the heroic job they have done during this pandemic.

Ms. Raftis stated that in the community she believes there is lots of confusion regarding who can qualify for the booster at this time. Dr. Witte replied it is available for anyone over 65, those who work in positions where they are at increased risk, those with underlying health conditions, it is not approved for everyone yet but it will be very soon. Dr. Watkins added that the boosters for the Moderna and Pfizer vaccine is for those 65 years and older, frontline workers, and those with underlying health conditions but for those who received the J&J vaccine, anyone 18 years of age and older qualifies at this time for a booster 2 months after their last dose. The department's website has several upcoming booster clinics advertised, and the department will make sure the newspaper has a lists of the upcoming booster clinics in order that residents can be informed via that media source as well.

ENFORCEMENT LIST: Mr. Porter, Hearing Administrator Officer reported on the administrative hearings held September 14, 2021.

DOCKET #21-029:

Respondent: Michael Poliniak, 137 South 3rd Street, Olean, NY 14760.

Violations: Sanitary code CCHD Sec. 24.2.5 Respondent failed to submit proof of a current rabies vaccination, for his dog Luna, to the Health Department when directed following a biting incident.

Recommendation: The civil compromise of \$75.00 be changed to a \$75.00 fine to be paid on or before 11/30/21. A \$10.00 per day per diem will be levied for every day the respondent is not in compliance with the fine and current rabies vaccine for his dog, Luna.

A motion was made by Mayor Smith to accept Mr. Porter's recommendation, seconded by Ms. Raftis, and unanimously approved.

DOCKET #21-032:

Respondent: Joseph Vecchio, PO Box 101, Salamanca, NY DBA Pizonos Bar & Grill, 6638 Hardscrabble Rd., Great Valley, NY.

Violations: 1.) 10NYCRR Sec. 5-1.72 (c) (1) respondent failed to submit complete daily records for the operation of the non-community water system for the month of July 2021.

Recommendation: The \$100.00 civil compromise offered to the respondent be changed to a fine of \$100.00, then doubled to \$200.00 for failure to appear. The fine is to be paid on or before 11/30/21 or a \$10.00 per day per diem will be levied for non-compliance.

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

Mr. Porter, Hearing Administrator Officer reported on the administrative hearing held October 12, 2021.

DOCKET #21-036:

Respondent: Jason Hale, 3268 Martin Road, Delevan, NY 14042.

Violation: Sanitary code CCHD Chapter II Part 24.2.5 Respondent failed to submit proof of a current rabies vaccination, for his dog, to the Health Department when directed following a biting incident.

Recommendation: The \$75.00 civil compromise offered be changed to a \$75.00 fine for non-compliance and then doubled to \$150.00 for no-show. The fine and compliance of rabies vaccination must be met by 11/30/21. A \$10.00 per day per diem will be levied for every day not in compliance for the vaccination and payment of fine.

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

Three appeals were made submitted to the Board and a discussion was held on each.

The first appeal was Docket #21-013 William Forness; a motion was made by Dr. Bohan that the respondent provide proof of vaccination of his dog and pay a reduced fine of \$150.00 no later than 11/30/21. If the fine of \$150.00 and proof of vaccination is not received by the new due date the fine will be reinstated to the original amount with accumulation of \$10.00 per day per diem. The motion was seconded by Mayor Smith, and unanimously approved.

The second appeal was Docket #21-028 Jeff Stoltenberg/DBA MJ's Tavern; a motion was made by Mayor Smith to accept the appeal and issue a new hearing date, the motion was seconded by Ms. Raftis, and unanimously approved.

The third appeal was Docket #21-027 Rt. 9 Travel Center DBA/Moonlight Motel; a motion was made by Mayor Smith to deny the appeal, seconded by Dr. Chohan, and unanimously approved.

NURSING DIVISION REPORT: The current homecare census is (270), there were (120) admissions in September, and (115) discharges. In the month of October there were (115) admissions and (86) discharges.

Mandatory vaccinations for homecare staff has taken place, the department was fortunate in that (93%) of the workforce was in compliance prior to the mandate. The department ended up with (4) staff members who filed for a religious exemption.

In the lead program there are (106) children being followed. There were (7) children added in September, and (1) in October. The two highest blood lead levels were 9ug/dl, and 14ug/dl [normal <5ug/dl]. The child with the blood lead level of 9ug/dl had a level of 1ug/dl in 2020. The child with the blood lead level of 14ug/dl, this was the first high level for that child; both children will be followed until the blood lead levels are below 5ug/dl consistently.

Influenza clinics were started at the end of September with two or three clinics scheduled each week. A total of (642) vaccinations have been administered to the public.

James Lawrence, Public Health Emergency Preparedness Director, ran his first influenza clinics with approximately (200) employees participating between the Olean and Little Valley offices. The department still has high dose influenza vaccines and the regular quadrivalent influenza vaccine available if anyone is still in need of a vaccine.

Staffing continues to be an issue as several staff members have been asked to assist with the COVID-19 response. The department received its first doses of pediatric COVID-19 vaccine this week and a new ultra-low freezer has been purchased to store the Pfizer vaccine which must be stored in a freezer between -80°C to -60°C (-112°F to -76°F) until the expiry date printed on the label. In the past, the department utilized a freezer at Olean General Hospital, now all vaccines are stored on-site.

Testing for HIV in the months of September and October; Machias conducted (1) test in September and (1) in October; Olean conducted (13) tests in September and (6) tests in October; Salamanca conducted (2) tests in September, and there were no positive results at either site.

Communicable disease report; there were (17) positive cases of chlamydia for the month of September and (26) positive cases for the month of October; there were (4) cases of gonorrhea in September, and (6) positive cases in October; (1) positive case of syphilis in September and (2) positive cases in October. Hepatitis B, there was (1) case that was not confirmed in September, and (1) case not confirmed in October. Hepatitis C chronic, there were (4) cases confirmed in September and (1) probable case, there were (5) confirmed cases for the month of October, with (2) probable's. There were many tests completed for Lyme disease but only (1) confirmed for both the month of September and October. Strep group A, there were (2) confirmed cases in September and none in October. Influenza A, there were only (3) cases confirmed for September, and (7) cases confirmed for October. Influenza B, there were (1) confirmed case in September and (5) confirmed cases in October.

No pre or post-exposure rabies vaccine series were given for the months of September or October.

ENVIRONMENTAL HEALTH REPORT: Mr. Wohlers reported that mosquito spraying was conducted and traps were set. Some of the adult mosquitos were identified by the State entomologist and sent for testing. They did not isolate Eastern Equine Encephalitis virus from any of the pools submitted but one of the mosquito pools did come back positive for the Aedes Trivittatus Virus (TVT).

Dr. Watkins mentioned in the annual report discussion that food managers needed to acquire a ServSafe certification. Those certifications are only good for a few years and then they must complete a refresher course. Community Action did have an option of taking the course in-person with a serve-safe instructor but the instructor is no longer employed with the agency. The class can always be taken on-line but Community Action is working on certifying a new instructor for those who do not want to take the class on line.

During this COVID-19 pandemic the real estate market has increased with the number of real property transfers (RPT's) jumping from (457) in 2018, to (495) in 2019, to (501) in 2020, and already the department has conducted over (490) RPT's for 2021, putting the department on pace to exceed the last two years.

A mobile home park enforcement case was brought to the Board in September, action was taken due to non-compliance for over a year, and their permit was not renewed. Steps have been taken to close the mobile home park and a joint inspection was completed with the local town code enforcement officer. Several State code violations were identified, in addition to sanitary code violations. Each of the tenants were provided a copy of the placard that had been served on the owners.

There is another mobile home park that has some deplorable conditions and the department conducted a joint inspection with the town code enforcement officer within the last two weeks and are in the process of writing up those violations. The board will probably see, within the next couple of months, another hearing for possible closure.

A few years ago there were some enforcement cases regarding a property in Franklinville called the Woods at Bear Creek. They are a campground, with a number of violations involving the water system, operating without a permit, and other chronic problems. The property was sold in July 2021, and no one has contacted the department regarding their intentions moving forward.

The environmental protection agency is still involved with the hazardous waste site cleanups under the federal super fund program in East Olean. There is a new decision for cleaning up the former APEX site in East Olean and they are asking the department to assist them with setting up a public information meeting.

Old/New Business: There being no further business to discuss, a motion to adjourn was made by Ms. Raftis, seconded by Dr. Chohan and unanimously approved.

Respectfully submitted,



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