

HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING
Held In The
PUTNAM COUNTY OFFICE BUILDING
ROOM 318
CARMEL, NEW YORK 10512
Members: Chairman Oliverio, Legislators LoBue and Scuccimarra

Tuesday

May 13, 2014

The meeting was called to order at 6:33 P.M. by Chairman Oliverio who requested Legislator LoBue lead in the Pledge of Allegiance. Upon roll call, Legislators LoBue and Scuccimarra, and Chairman Oliverio were present.

Item #3 – Approval of Minutes – April 10, 2014

Chairman Oliverio made a motion to approve the minutes; Seconded by Legislator LoBue. All in Favor.

Item #4 – Budgetary Amendment (14A037)/ Health Department/ Reorganization/ Presentation/ Commissioner of Health, Dr. Beals

Chairman Oliverio stated there is a savings of approximately \$29,000 this year.

Commissioner of Health Dr. Allen Beals stated there will be a savings of \$40,000 for the following year.

Chairman Oliverio stated he applauds Commissioner Beals' restructuring the Health Department and the restructuring saves the tax payers' money.

Commissioner Beals stated the proposed restructuring of the Health Department will save money and increase service to our community. He stated Barbara Simone a full-time nurse in the Women, Infants and Children Program ("WIC") program resigned. He stated the position could be filled as a part-time position and the position could be filled with an in-house employee. He stated there was also a need for a part-time bilingual assistant health educator in the Health Department. The part-time bilingual assistant health educator would be filled at a lower salary. He stated the part-time replacements will create a fiscal savings. He stated when he first began working for the Health Department, the WIC program was only serving 1,050 people and now the WIC program is currently serving 1,300 people. He then stated the cost to the County went from \$100,031 to \$30,000 with the WIC Grant.

Legislator LoBue stated she commends Commissioner Beals for reducing the cost to the County and increasing the efficiency of the Health Department.

Chairman Oliverio made a motion to move the Budgetary Amendment (14A037)/Health Department/Reorganization/Presentation/Commissioner of Health, Dr. Beals to the Personnel/ Audit Committee Meeting; Seconded by Legislator LoBue. All in Favor.

Item #5 – Proposed Local Law to Amend Article 10 of the Charter to add two new Sections Entitled “Deputy Commissioner of Social Services” and “Deputy Commissioner of Mental Health”

Chairman Oliverio stated he is a little confused in what is occurring from a personnel perspective.

Director of Personnel Paul Eldridge stated everything is going to stay the same. He stated in order for the Health Department to keep the Deputy Commissioner of Social Services as a non-competitive position there needs to be a clause with legislation that indicates the “deputy can act for or in place of”. He stated anytime there is a change in title one has to go through the process of New York State Civil Service Commission to get the appendences of our rules updated.

Chairman Oliverio questioned if Deputy Commissioner of Social Services Joe DeMarzo is both the Deputy Commissioner of Social Services and the Deputy Commissioner of Mental Health.

Deputy Commissioner DeMarzo stated he is the Deputy Commissioner of both positions.

Director Eldridge stated the titles just need to be added to the appendences in the New York State Civil Services Commission.

Chairman Oliverio stated he originally believed the County was creating two (2) separate positions.

Director Eldridge stated this matter originated when the Department of Health and the Department of Social Services combined in Putnam County. He stated this is one of the last steps to get New York State to approve the two (2) departments being merged.

Chairman Oliverio made a motion to approve Proposed Local Law to Amend Article 10 of the Charter to Add Two New Sections Entitled “Deputy Commissioner of Social Services” and “Deputy Commissioner of Mental Health”; Seconded by Legislator LoBue. All in Favor.

Item #6 – Invasive Species of Bamboo/ Cornell Cooperative Extension Rep/ Discussion

Chairman Oliverio stated he has received a complaint from a constituent regarding invasive bamboo. He then stated Putnam Valley has an abundance of invasive bamboo.

Cornell Cooperative Extension Community Educator, Jennifer Stengle stated she specializes in natural resources.

Chairman Oliverio stated the invasive species of bamboo is an issue that is escalating quickly.

Community Educator Stengle stated New York State is currently drafting regulation regarding the invasive bamboo. She stated it is currently only a proposed regulation. She stated many individuals use bamboo because it serves as a great barrier like a fence. She stated the bamboo

eventually becomes a problem when it gets out of control. She stated in the Town of Garrison, the bamboo has grown out onto the road.

Legislator Scuccimarra questioned if bamboo will be put on the invasive species list.

Community Educator Stengle stated bamboo is on the proposed invasive species list. She stated bamboo becomes an issue when it is a challenge to maintain.

Chairman Oliverio stated the bamboo becomes enormous and grows straight up. He stated he was unaware bamboo could survive in Putnam County's climate.

Community Educator Stengle stated the bamboo acclimates to our climate. She stated New York State regulations include a lot of plants and animals. She stated the prohibited species regulation will include things that are dangerous and that can change the ecosystem. She stated since the regulation is proposed it provides time for nurseries and beneficiaries to sell their material.

Chairman Oliverio questioned if the proposed regulation in New York State appears it will be passed.

Community Educator Stengle stated the proposed regulation in New York State appears that it will be passed.

Chairman Oliverio questioned what will happen with the existing bamboo in Putnam County.

Community Educator Stengle stated people will not be penalized for currently owning.

Legislator Scuccimarra stated it is important to educate the community on this matter.

Community Educator Stengle stated education and legislation are equally important. She stated some towns and municipalities have ordinances against planting bamboo.

Chairman Oliverio questioned if the regulations would only stop the sale of bamboo.

Community Educator Stengle stated yes there would only be regulations on stopping the sale of bamboo.

Legislator Albano questioned if bamboo can be tamed with a pesticide spray or other methods.

Community Educator Stengle stated bamboo is tamed by repeatedly cutting the bamboo, inserting stump injections, and spraying pesticides. She stated bamboo is hard to control. She stated when working on public lands a licensed pesticide applicator would be required.

Legislator Wright stated he believes Towns and Counties like Nassau County restrict any use of bamboo because the effects it has on the environment. He questioned if there is a time frame in which New York State will act upon the proposed regulations.

Community Educator Stengle stated a lot of nurseries came out to the public meetings regarding the proposed invasive species regulation. She stated the New York State Department of Environment Conservation (“DEC”) is going through the public comments and therefore the final version of the proposed regulation is not out yet. She stated the DEC’s intent is to move forward with the proposed regulation regarding the bamboo.

Chairman Oliverio stated he would like to see what New York State does with the proposed bamboo regulations because if New York State outlaws the sale of bamboo it provides the County a stronger position to prohibit the use of bamboo completely.

Legislator LoBue stated she agreed with Chairman Oliverio in which the Legislature should wait to see what New York State does with the proposed bamboo regulation.

Legislator Scuccimarra questioned if there are any other plants that have a similar effect as bamboo.

Community Educator Stengle stated there are a few plants that have the same effect as bamboo.

Legislator Scuccimarra proposed when the Legislature drafts a regulation on the bamboo the Legislature can also include the other invasive plants as well.

Community Educator Stengle stated Japanese Knot Weed is a similar plant to bamboo in how it creates a barrier.

Legislator Gross stated there is a vine in Putnam County that wraps around trees and squeezes them.

Community Educator Stengle stated the vine Oriental Bittersweet, is very aggressive and difficult to control. She stated the Oriental Bittersweet has a seed bank that builds up in the soil, which results in the plant being spread further. She stated the Oriental Bittersweet is on the proposed regulation list as well. She stated many nurseries and landscapers are aware of the vine’s effects and do not sell or use Oriental Bittersweet.

Legislator Albano stated the Legislature should not wait to propose a regulation on bamboo.

Chairman Oliverio stated the Legislature’s position in outlawing the invasive bamboo is weak because people can still purchase bamboo.

Legislator Albano stated he understands having a total ban on bamboo would be more effective, however he believes placing any regulation on bamboo would be a step in the right direction.

Chairman Oliverio stated he does not have a problem placing a ban on the bamboo. He stated he would like to see New York State place a regulation on the bamboo first and then have the County step in with further regulations. He questioned what municipalities in New York have outlawed bamboo.

Community Educator Stengle stated there are several counties in Long Island, New York and some counties in Connecticut that have outlawed bamboo. She stated these counties have posted their regulations online; therefore their regulations can serve as a template for other municipalities.

Chairman Oliverio questioned if it would be possible to receive copies of bamboo regulations in other municipalities for the Legislature to review.

Counsel Clem Van Ross stated he would search to see if the Legislature can receive the municipalities' regulation on bamboo.

Item #7 – Electronic Cigarettes/ Discussion

Legislator Scuccimarra stated at first electronic cigarettes were thought as a wonderful device to aid smokers in quit smoking. She stated she learned the United States Food and Drug Administration (“FDA”) is attempting to regulate electronic cigarettes. She stated the FDA does not know if the electronic cigarettes are harmful. She stated she is concerned with the younger population using electronic cigarettes.

Commissioner Beals stated he agreed with Legislator Scuccimarra in how the FDA is not clear on the effects of electronic cigarettes. He stated the vapors of the electronic cigarette potentially are carcinogenic. He stated using electronic cigarettes is not as serious of a health issue as smoking tobacco. If tobacco smokers switched to electronic cigarettes there would be an increase in the public health. He stated the issue is the full safety of electronic cigarettes is not known. He stated the market for the electronic cigarettes is being marketed similar to how tobacco cigarettes were marketed fifty (50) years ago. He stated the concern is the electronic cigarettes are being advertised with flavors, there is no registration for tax, or a required license to sell the electronic cigarettes. He stated they are being advertised in the same “sexy celebrity” manner. He stated the nicotine is in a liquid form. He stated there are no regulations on the caps of the liquid nicotine which results in poison control issues with children. He stated there are numerous bills in New York State that are attempting to address the issues of electronic cigarettes such as, second hand smoke. He stated in his opinion the regulations for tobacco cigarettes should apply to electronic cigarettes. Commissioner Beals stated the FDA decided electronic cigarettes should not be sold to minors. He stated the issue is electronic cigarettes are not regulated at all; for instance they can be purchased online.

Legislator Gross stated the electronic cigarettes are becoming a big business. He stated people are switching from using tobacco cigarettes to electronic cigarettes. He stated there are all kinds of flavors for the electronic cigarettes.

Legislator LoBue questioned if there is an age requirement to purchase the electronic cigarettes.

Commissioner Beals stated the FDA has recommended being eighteen (18) years old to purchase the electronic cigarettes. He stated New York State has a number of proposed bills such as electronic cigarettes should comply with the Clean Indoor Air Act. He stated there are proposals occurring on a New York State level.

Chairman Oliverio stated there are representatives from the Putnam County Department of Social Services who are going to the schools to educate students on the dangers of tobacco cigarettes and electronic cigarettes.

Deputy Commissioner DeMarzo stated he agreed with Commissioner Beals' statements. He stated the issue is no one understands the vapor piece of the electronic cigarette. He stated the simulation of smoking is dangerous. He stated there is also liquid THC that can be put into the electronic cigarettes. He stated overall the electronic cigarettes are not a healthy trend to be encouraged.

Legislator Scuccimarra stated she is concerned that with the advertisements children will be encouraged to try the electronic cigarettes. She questioned if the County can regulate electronic cigarettes.

Chairman Oliverio questioned what would Commissioner Beals recommend for the Legislature to do regarding this matter.

Commissioner Beals stated the Legislature should encourage the passing of the proposed bills in New York State.

Chairman Oliverio stated the Legislature should write a memorialization regarding this matter. He questioned if Counsel Van Ross could draft a memorialization in support of the bill to safeguard electronic cigarettes currently in Center of the Assembly in New York State. He stated he would like to move this matter to the Full Legislative Meeting in June so all of the Legislators have an opportunity to speak about his matter.

Chairman Oliverio made a motion to approve a memorialization supporting the Assembly Bill to Electronic Cigarettes; Seconded by Legislator Scuccimarra. All in Favor.

Item #8 – Anthrax/Antibiotics/ First Responders/ Dr. Beals/ Discussion

Commissioner Beals stated he has received communication from United States Department of Health and Human Services and the United States Department of Homeland Security (“U.S. Departments”). He stated the U.S. Departments are suggesting that there is potential for terrorist attacks to occur. He stated there is a strategic stockpile of antibiotics that can be air lifted. He stated there is a concern that first responders may be inhibited from immediately responding to the outbreak. He stated Health Commissioners would be able to prescribe to first responder so they can possess the antibiotic, Doxycycline in their medicine cabinets so in an emergency event they can hand out the additional stockpile of antibiotics. He stated he brought up the matter in the Bureau of Emergency Services Task Force meeting. He stated first responders were enthusiastic about the proposal. He stated the County Health Department is currently conducting a survey to see if first responders are interested in having the antibiotics. He stated without the first responders having the antibiotic immediately available they will be inhibited in responding fast.

Chairman Oliverio questioned if a resolution is needed.

Commissioner Beals stated a resolution is not needed now. He stated he just wanted the Legislature to be aware what the Health Department is considering. He stated he has no problem writing out all of the prescriptions. He stated before he hands out the prescribed antibiotics the Health Department will develop a protocol for the subscription.

Legislator Nacerino stated she supports the ability to give antibiotics to first responders beforehand; she stated she believes doing so is a very proactive approach.

Legislator Tartaro questioned what the shelf life of the antibiotic is.

Commissioner Beals stated from a manufacture perspective the antibiotic will last five (5) years. He stated if the antibiotic is kept in a dark and dry place the antibiotic can last longer.

Item #9 – Putnam County Youth Board Appointment/ FYI- Duly Noted

Item #10 – PROACT/ Putnam County Discount Card/ FYI- Duly Noted

Item #11 – Correspondence/ Funding for Nursing Homes/ FYI- Duly Noted

Item #12 – Other Business

a. Approval/Grant Application/Health/Trap-Neuter-Return (TNR) Grant

Chairman Oliverio questioned if there is a need to take immediate action on the Trap-Neuter-Return (“TNR”) Grant.

Commissioner Beals stated there is no need to take immediate action on the TNR Grant.

Chairman Oliverio stated this matter will be moved to the June Health Committee meeting.

The Clerk of the Legislature, Diane Schonfeld pointed out to Chairman Oliverio that this matter was originally requested to be addressed by the Full Legislature at the June 2014 Full Meeting.

Chairman Oliverio invited Commissioner Beals to address this matter.

Commissioner Beals began to explain the importance behind the TNR Grant. He stated with the concern of health and welfare of the cats, the County is allocating \$2,500. He stated the program has been successful in two (2) ways. He stated the first is the County has trapped and neutered over 244 feral cats. He stated the second successful impact of the program is because of the education and public awareness. The County has saved a significant amount of money because the decrease in rabies treatments. He stated the TNR Program has been an extremely cost effective measure. He stated Petsmart has a program where they contribute extra funds for programs like the TNR program.

Chairman Oliverio questioned if there is a County match for the TNR Grant.

Commissioner Beals stated no there is no County match for the TNR Grant.

Chairman Oliverio made a motion to approve the Trap-Neuter-Return (TNR) Grant; Seconded by Legislator LoBue. All in Favor.

Item #13 – Adjournment

There being no further business, at 7:10 p.m. Chairman Oliverio made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Respectfully submitted by Administrative Assistant, Lisa Sommers.