

Westchester County

**890th Board of Health Meeting  
May 19, 2022  
Scarsdale Public Library/Remote Meeting via Webex  
8:30 a.m.**

**BOARD MEMBERS IN ATTENDANCE:**

Douglas Aspros, DVM  
Robert Baker, MD  
William Davis  
Ruth Merkatz  
Mary Ellen McGurty  
Jamie Sirkin  
Ed Brancati  
Mary Ellen McGurty  
Jewel Williams Johnson  
Cynthia Chazotte, MD  
Melinda Abrams  
Anthony Maddalena

**DOH STAFF:**

Sherlita Amler, MD  
John Hopper  
Peter DeLucia  
Caren Halbfinger  
Delroy Taylor

**EXCUSED:**

Peter Liebert, MD

**COUNTY EXECUTIVE'S OFFICE:**

Aviva Meyer

**PUBLIC:**

Dr. Baker opened the 891st meeting of the Westchester County Board of Health at 8:35 a.m. The Board met in person and remotely via Webex due to the COVID-19 pandemic.

Dr. Baker asked for a motion to approve the March and April 2022 minutes. Mrs. Sirkin made the motion; Mrs. Merkatz seconded; the motion passed unanimously.

**ADMINISTRATIVE CASES:**

Dr. Baker introduced Cases 1-16 and asked if there were any questions. Mrs. Merkatz had a question about Case No. 11, Chicken Masters of Yonkers, LLC/ doing business as Wing Stop. She wanted to know about how long it takes an establishment to correct such problems. Dr. Amler said it depends on the situation. Mr. Hopper said it had taken a long time in this case, but the business owner had claimed supply issues had slowed them down. Mr. Hopper said the problems were caused by a lack of maintenance.

Mr. Maddalena made a motion to accept the hearing officers' recommendations for Cases 1-16; Dr. Aspros seconded; the motion passed unanimously.

**OLD BUSINESS:**

Mr. DeLucia presented two options to the Board for further discussion concerning County Sanitary Code changes to increase supervision at hotel and motel pools. The current code does not require that hotel staff be present at the pool when it is in use or even at the hotel unless there is an organized party. The Board discussed the pros and cons of each at length. Dr. Amler noted that there was a shortage of lifeguards throughout the County, so requiring the presence of a lifeguard would likely be infeasible. However, the Board agreed that it would like to require a Level 3 staff, who is age 18 or older, familiar with the safety plan, certified in CPR and is onsite. The Board also could require that a Level 3 staff remain poolside whenever someone was in the pool. Board members said they want eyes on the pool. At a future meeting, Mr. DeLucia will return to the Board with revised language, and the Board will vote to hold a public hearing before the sanitary code can be amended. Enforcement would include shutting down the pool for a violation until after it has been adjudicated, Dr. Amler and Mr. DeLucia said.

Mrs. Sirkin noted that the amendment that the Board is considering is stricter than that of any county.

The Board is considering these revisions following two drownings, of a child and an adult that occurred in hotel pools in the past several years, and one near drowning of a child.

### **NEW BUSINESS:**

The Board of Legislators is considering additional legislation that would post notices of the top allergens in restaurant kitchens and in front of the house listing the top eight allergens. Mr. DeLucia attended the last Board of Legislators committee meeting. Ms. Johnson told the Board that the BOL would hold a public hearing next Monday regarding free online training for food service personnel about food allergy safety in restaurants, and adding signs to restaurants with information about common allergens, symptoms of reactions to common allergens and action to be taken in case of food allergies.

### **COMMISSIONER'S REPORT**

Dr. Amler said the County is in the midst of another COVID-19 bump, as are many other parts of the country. Due to the prevalence of at-home testing, the Department does not know how many people have tested positive for COVID-19. Of the tests reported to the Department currently, 9 to 12 percent are positive, similar to the positivity rate in early February. Although there is some concern, there has not been a corresponding increase in hospitalizations or deaths. The County follows NYS and CDC guidance. Westchester does not plan to mandate masks. She said she had been asked whether unvaccinated people were to blame for the variants. She said that anyone with the virus has the ability to mutate the virus.

Dr. Amler mentioned that about a week ago, cases of monkey pox had occurred in England, and a few days ago, monkey pox had been identified in Boston. It can be transmitted person to person, causes pustules and can be fatal.

Dr. Amler said people will need to decide for themselves how they live with the continuing threat of COVID-19, and that it might not be the same for everyone, depending on their risks. She recommended that anyone consult their own physician who knows the medications they are taking

and their medical history, before deciding on medication to treat COVID-19. Dr. Amler said she anticipated that the CDC ACIP would soon approve the COVID-19 vaccine for children age 5 and younger. Regarding the hospitalization numbers for COVID-19, Dr. Amler said about half those in the hospital were there for something other than COVID-19, but happened to be tested as part of hospital admissions procedures. Dr. Amler talked about her recent experiences in conversations with residents regarding their COVID positive testing experience. Several reported that it took about four days from the time symptoms occur until they tested positive for COVID using at-home tests.

### **Food Allergy**

Dr. Amler said repairs are proceeding at the Department's Mount Kisco offices, where a flood had displaced some staff temporarily. Flood damage to the Yonkers office will probably not be ready until the end of the summer.

The Board discussed the need for more engineers and for competitive pay and a path to promotion for engineers and physicians. Both Dr. Amler and Mr. DeLucia said the administration had been very helpful.

Mr. DeLucia said the County Health Department would receive an award from the Parks Department because of their collaboration during the pandemic.

Dr. Baker said the Westchester County Medical Society had notified her that she would receive a Friends of Medicine award.

Dr. Baker asked for a motion to adjourn the meeting, Ms. Johnson so moved; Dr. Aspros seconded the motion; all in favor, none opposed, the motion carried.

The meeting adjourned at 10:35 a.m.

Respectfully submitted, Caren Halbfinger