

Chautauqua County Board of Health  
MINUTES

**Meeting Date/Time:** Thursday, March 21, 2019 @ 6:00 p.m.  
**Location:** HRC Bldg., 4<sup>th</sup> floor conference room, Mayville  
**Scribe:** Sherri Rater

**ATTENDANCE:**

BOH Members	P/A	BOH Members	P/A	Others Present	Title
Tom Erlandson	P	Mark Tarbrake	P	Karen Engstrom	Citizen
Dr. Tallett	P	Dr. Ney	P	Jake Szumigala	Citizen
Dr. Hewes	P	Dr. Khan	P	Bruce Roll	Citizen
Natasha Souter	P	Elisabeth Rankin	P	Stan Childs	Citizen
Andrew O'Brien	P			Catherine Childs	Citizen
<b>Others Present</b>		<b>Title</b>		Roy Harvey	Citizen
Dr. Berke		County Physician		Lynn Bedford	Citizen
Kristen Wright		Assistant County Attorney		Barry Bedford	Citizen
Mark Stow		Env. Health Director		Mark Twichell	Citizen
Sherri Rater		Scribe		Fred Keller	Citizen

<b>Call to order</b>	The meeting was called to order by President Tom Erlandson at 6:00 p.m.
<b>Privilege of the Floor</b>	<p><b>Jake Szumigala, Town of Arkwright resident.</b> We would like to enlighten the Board on something that we have dealt with for 18 months concerning wind turbines and the health effects that we have dealt with. We are suffering every day in the Town of Arkwright from headaches, nausea, dizzy spells, and sleep deprivation. These are real things. The sound you hear is like a jet. If you as a resident and do not hear it, your loved ones do. It is not a normal ache or pain; it is a pain that drives you to leave your home, it's that bad. I installed foam earplugs into my wife's ear and counted 19 seconds and her headache was gone. Her headaches go away when we leave the residence. My wife is wearing ear plugs at home right now. There is nothing we can do about it but leave or wear earplugs in our ears while at home. That is not living. We go home to dream for a future for our families and ourselves. We are not dreaming because we are not sleeping.</p> <p>The division in our town is high. 40 people benefited from wind turbines, the rest of us are collateral damage. I don't look at my 10 and 11 year old daughters as collateral damage. The only time my wife does not hurt is when there was a power outage recently and the turbines were down for five days. Please educate yourselves, come see our town and spend a couple of hours here.</p>

	<p><b>Stanley Childs, Town of Arkwright resident who lives on Straight Road</b>  I am surrounded by 15 wind turbines. The closest one is 1100 feet from our property line and 1200 feet from my house. I have a screen-printing business in my home. Customers have sat in my office and stated how amazed they were at the wind mills and then had to leave within the hour because of huge headaches and nausea. They would call by the time they made it to Route 60 and say their headache was gone. Our chickens stopped producing eggs for a long time, they are slowly coming back. My wife experiences headaches from time to time. When she leaves the house they are gone.</p> <p>Also from time to time we get a flicker affect, where the sun/moon comes behind the windmills and makes a shadow, our house becomes a strobe. Because there are so many of them, there are three or four strobing out of sync. You wake up and feel sick to your stomach right away.</p> <p>We have four buildings on our property and most are tin. The sound is like a drum. It's not always something you can hear but rather a vibration.</p> <p><b>Lynn Bedford, lives on Cable Road in Arkwright</b>  I attended the last Board of Health meeting and spoke. Since then my health has gotten worse. Started to develop heart palpitations and a pounding of pressure in my chest about 3 weeks ago. The only way I can get away from it besides leaving my house is to go to my basement to get away from the noise. That is the only way I can get relief. I have also experienced nights where at 3am I wake up and hear a horrible sound. Not sure if it is because the wind is changing direction or something else. I have tried ear plugs and listened to music. These are machines, we are human beings---something has to be done. This is the first spring the wind turbines have been on and I am not sure how I am going to do my gardening. Sounds like a jets flying over her house.</p>
<p><b>Approval of Minutes from January 17, 2019</b></p>	<p>Dr. Khan made a motion to approve the January 17, 2019 minutes, Dr. Hewes 2<sup>nd</sup>. All in favor. Motion carried.</p>
<p><b>Hearing Officer Recommendations</b></p>	<p>In the matter of Patrick Lucariello, Walnut Creek Mobile Home Park case # 19-3. Respondent was charged with violating Section 5-1.52 Table 11B in that he failed to submit results of repeat microbiological sample required after a failed sample from the previous month and failed to maintain chlorine in the distribution system at the mobile home park on 12/4/18. Environmental Health Unit staff returned to the park on 12/5/18 and verified that chlorine residuals were within an acceptable range. The Hearing Officer recommendation is \$1000 per violation for a total of \$2000 to be paid within 90 days. Mr. Lucariello declined to come to meeting and said he was sick. He stated he has someone interested in purchasing the property and if it doesn't work out he is going to auction it off. Mr. Lucariello was advised that his permit to operate a mobile home park expires on 4/30/19 and it may not be renewed if he hasn't taken care of the fines. He said he does not care because he will not be seeking to renew his permit. There is a similar previous violation where he was ordered to pay \$1000 by 3/31/19. You can sell the property with violations pending. If potential buyer is going to operate as a mobile home park they would have to meet the code requirements. There are 18 units in the park but only 5 units are currently in operation. Dr. Hewes moves to accept the Hearing Officer's recommendation. Tarbrake 2<sup>nd</sup>. All in favor. Motion carried.</p>
<p><b>Phase 1 Sewer Extension</b></p>	<p>Erlandson is a member of South and Center Sewer District Board. The Sewer District is taking steps to extend the sewer line from Ashville Boces to Stow. We just entered into a contract for engineering services to do a study along with proposed route. Members of the Sewer Board are concerned about both permanent and</p>

	<p>temporary residences in terms of what will happen if the county sewer inspection determines that the current septic systems need replaced knowing that a sewer line will be installed in 2022. We don't want residence to have to pay tens of thousands of dollars to replace a failing septic knowing that septic will be replaced with a new septic line in the near future. Stow states they have not started the mandatory inspections in this area simply because we are waiting for this sewer line to be approved. However, water and septic must be inspected when there is a property transfer. We have had seven transfers since the mandatory inspection program began and only one was satisfactory. One ended up with a holding tank and the other 5 have opted for new septic systems. We have offered the holding tank option to all of these. Erlandson adds that the three year timeline for the completion of the sewer line is optimistic. The first phase funding is in place. Next Tuesday night at 6:30pm at the Turner Center, Pierre Chagnon and Rally Kidder are being interviewed by Greg Peterson to talk specifically about the sewers.</p>
<p><b>Wind Turbines</b></p>	<p>At our last meeting we had a discussion and Erlandson agreed to draft a letter. The letter was drafted with help from citizens Dr. Twitchel and Joni Riggle. It is addressed to Dr. Zucker the Commissioner of NYSDOH. Essentially the letter asks that a representative from NYSDOH come and make a presentation to us regarding wind turbines. The draft letter was reviewed. The letter will be edited to include a copy to be sent to Associate Commissioner, Dr. Gregory Young from the Buffalo Western Regional Office. Tallett made a motion to approve letter with edits, Souter second. Motion carried.</p> <p>Erlandson reported to the Board, that yesterday morning, he and his wife went to visit Jake Szumigala and his wife's home in Arkwright for about two and a half hours to experience the wind turbines for themselves. It was enlightening, informative and quite disturbing to experience some of that.</p> <p>Discussion was had regarding sound decibels and what is allowed. The decibel level is not as important as the constant low frequency, visual and proximity issue. Jake Szumigala states the decibel level in Town of Arkwright was no more than 40. Decibel for a refrigerator is no more than 40. There have been several times over the winter that he has heard the wind turbines over his refrigerator. Wind direction all contributes to the sound that you get. Low frequency is felt 24/7 unless they are all off. It sounds like a train that is running all of the time. Trailer park residents have tremor vibration with a glass of water sitting out. Sound, sight and what you feel is causing a lot of the health issues – ringing in the ears, nausea, headaches. Sound interference was adopted by the French in WW2 as a weapon. They have been told by everyone there is nothing we can do to help you and feel that it is not acceptable to live in a prison in your own home.</p> <p>Hewes asks about solar panels and are there any health concerns there? Should we ask NYSDOH about this?– Jake Szumigala states his research that the main issue is that the ground cannot be utilized agriculturally– heat has been known to affect birds and bats.</p> <p>Erlandson and citizen Jake Szumigala indicates that the wind turbines have effects on soil organisms too. There is a master gardener in the Town of Randolph where they voted no wind towers. The master gardener said the towers kill the earthworms in the soil because of the vibrations. This has a domino effect effecting land production.</p> <p>Ney brought up some information that was presented to the Board at the last meeting where Brown County, WI</p>

	<p>made a declaration that wind turbines are human health hazards for all people. They eventually took action on it. They didn't call it an ordinance they called it a declaration. This was one of the handouts that were distributed at the last meeting.</p> <p>Citizen Jake Szumigala states that studies were done with the brown bat and Epizootic hemorrhagic disease (EHD) and its effects on livestock and white tail deer. EHD is a disease or virus that in some cases can be combated by deer but for the most part it cannot. It has a two week incubation period and eventually it will kill the white tail deer. In 1997 it wiped out almost 40% of deer in Montana. Through the years efforts have been made to combat this disease. The spread of EHD is through the biting midge which is one of the top five food sources consumed by the long eared and brown bat. Iowa is the leading state for wind production in the US and is also one of the hardest hit areas for EHD along with Illinois, Indiana, Wisconsin, New Jersey along with parts of Pennsylvania and Michigan. Without the long eared and brown bat to consume these bugs our deer herd is going to suffer from this and we will too as a human race due to the possible outbreak of Zika and West Nile spread by mosquitoes.</p> <p>The Legislature has discussed this topic and Representative Elisabeth Rankin states this information will be helpful for them.</p> <p>Citizen Jake Szumigala states he has spoken to County Executive Borrello and spoken to the Legislature several times. The last communication he had with them is that there is nothing the Legislature can do because Arkwright was not protected by Article 10 so basically they were at the mercy of their board and this was pushed through unannounced to most of the residents in our town.</p>
<p><b>Other Discussion</b></p>	<p>Wright – in regard to increasing the number of board members from 9 to 11. There are a few things that need to be amended in the administrative code and the County Law Department plans to do this all at once. Wright adds that with membership going up to 11 there would need to be 6 members in attendance for a quorum.</p> <p>Board of Health members: County Health Rankings was released earlier this week. Chautauqua County's ranking in health outcomes went from 56 to 59 out of the 62 counties in NYS. What can be done about this?</p> <ul style="list-style-type: none"> <li>• Health outcomes – drugs, alcohol, obesity, smoking, exercise, length of life.</li> <li>• Is our population decreasing? Unemployment rate is 6.8% others are at 2.9. The last three US censuses showed Chautauqua County population dropping.</li> <li>• Opioid crisis and suicides affect the health outcomes. County wide there has not been a systematic multi system approach to address suicide. It's good that we have made some strides to address the opioid crisis and we have a long way to go with it but we have a much further distance to go with regard to suicide. The factors that lead to suicide often start in the pediatric and adolescent years. One thing that we struggle with is not being able to get the counseling that is needed due to lack of counselors. One of the biggest disconnects is that mental health clinic model in Chautauqua County is that you see someone every 6-8 weeks. When you talk to parents of these children, they say this is not helping and that they need to be seen two times a week.</li> <li>• People in high schools are homeless – food insecurities – students are using food pantries.</li> </ul>

	<ul style="list-style-type: none"> <li>• The Health Department and other agencies are doing their jobs. The social determinants of health are the real issue here. Poverty level is so high in Jamestown that everyone gets free breakfasts and lunch. Many counties are affluent and we have single parents many working 2 and 3 jobs. Many children experience traumatic events at home which have a negative effect on other parts of their lives, school, etc. <ul style="list-style-type: none"> <li>○ The Health Department has clinic hours now in Silver Creek School. Word in the area is that the school is riddled with STDs and that is why the Health Department had to come in. This is a difference in perspective. Parents are not accepting the realization when these kids are starting to have sex. It's happening in middle school.</li> </ul> </li> <li>• We still have 26% smoking and national average is 17%; we are barely at 50% for flu vaccine; Lead is high.</li> </ul> <p><b>Erlandson: What can we do as a Board? The Health Department will send the County Health Rankings to the Board and each person should pick out three concerns and we can look at this at the next meeting. Ney adds that the topic will be discussed at the next Health Care Action Team on April 18<sup>th</sup>.</b></p> <p>On a positive note, the Tobacco 21 legislation was recently passed statewide. Governor Cuomo is expected to sign the legislation into law. Chautauqua County was one of the leaders in that we were one of the first counties in NYS to have it passed on a county level.</p> <p>There was some talk about the legalization of marijuana and that the Board should discuss this more at a future meeting.</p>
<b>Future Meeting Dates</b>	May 16, 2019, July 18, 2019, September 19, 2019, November 21, 2019
<b>Adjournment</b>	Motion to adjourn by Dr. Tallett, 2 <sup>nd</sup> by Dr. Ney @ 7:22 p.m.