

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING**  
**Held in Room 318**  
**Putnam County Office Building**  
**Carmel, New York 10512**

**(Chairman Oliverio, Legislators Scuccimarra & DiCarlo)**

**Tuesday** **February 12, 2013** **6:30 P.M.**

The meeting was called to order at 6:30 P.M. by Chairman Oliverio. Legislator Scuccimarra lead in the Pledge of Allegiance. Upon roll call Legislators Scuccimarra and DiCarlo and Chairman Oliverio were present.

**#3) Reality Check & POW'R against Tobacco/Protecting Young People from Tobacco Marketing/Presentation**

Chairman Oliverio made a motion to accept the additional. Seconded by Legislator DiCarlo. All in favor.

Chairman Oliverio invited Ms. Diane Moore up for the presentation. She is the Youth Program Specialist for the Putnam County Youth Bureau as well as the Youth Bureau coordinator for Reality check.

Ms. Moore brought with her a group of students who gave an extremely well organized, informative presentation regarding the dangers of smoking.

One of the first students to speak was Daniel Graap, who spoke about marketing of tobacco companies. One of the facts that Daniel stated was that 90% of people start to use tobacco under the age of 18, and out of the tobacco companies total Marketing Budget, 93% of the Tobacco Marketing money is spent on Point of Sale Marketing. Compared to the alcohol and junk food companies, those companies do not spend half of their budgets on this Point of Sale Marketing. This 93% of their total budget equates to about one million dollars per day in New York State alone. This type of marketing is usually very colorful to gain the attention of the customer, obviously targeted towards children.

Alonzo McLemore spoke to the Committee regarding the effects of smoking with the younger population. He explained that as they continue to smoke, and as they grow older, get married and have children, the effects of smoking will be passed on to their children as well. He himself has a respiratory issue and needs to use an inhaler every day. One way that we can stop this is to cover up the "Power Walls" which gas stations and convenience stores have at this time. These are the areas which house the cigarettes and display the different brands they sell.

Alexa Byrnes stated that she also has asthma, and uses her inhaler every day. Alexa also stated that both of her parents smoke. She also has two younger siblings, one which is 2 years old and another 11 years old. She feels that they are very impressionable and is concerned about their health from second hand smoke.

Mackenzie Luby took the initiative to prepare posters showing the different brands of cigarettes with their Logo's. The way she presented them with different names to show kids that it is "NOT" cool to smoke was excellent.

Fehintola Falana stated that the packaging of the cigarettes is an attraction to kids. It makes it like it is attractive to smoke.

Mary Becker spoke about her Grandmother who finally stopped smoking at a very late time in her life, but it was unfortunately too late. She has since passed away from the long term effects of smoking.

Chairman Oliverio stated that as a child, his Dad smoked three packs of cigarettes per day He remembers that as a child he himself had a constant cough. The message that these young people are putting out to everyone is outstanding and he applauds them all for their efforts. He believes the Legislature would be supportive in helping to protect young people from tobacco marketing.

Chairman Oliverio called upon Dr. Beals, Commissioner of Health to address the Committee briefly regarding antismoking campaigns.

Chairman Oliverio asked Dr. Beals about the licensing of tobacco products and reducing the exposure to second hand smoke. Does the County have the authority to Legislate on these topics or is it the jurisdiction of the State or Local Government?

Commissioner Beals was not sure.

Chairman Oliverio requested that we check with the Law Department regarding the Home Rule question.

#### **#4) Update/New York State Budget Impacts/Department of Social Services/Mental Health/Commissioner Piazza**

Commissioner Piazza stated that there is a Regulation 945 Law that the County has been working under regarding mental health issues. If it comes to the attention of his department that there is a problem within a household, with a spouse or child and has reason to suspect that are in immediate danger, the Department of Social Services does have the authority to retain the Police and remove that individual to a 939 Hospital (Putnam Hospital Center) for a psychiatric evaluation. If the person is dangerous, they will be placed in custody, which is the current Law. Things of this nature happen at least once a week. At this time, the number is currently much higher than in years past. There is also a 946 law that requires a Psychiatrist, a Nurse, a Psychologist or a licensed Social Worker to report to the Director of Community Services that this person may be dangerous to themselves or others. Every admission must be reported to a psychiatric hospital to the Department of Criminal Justice Services. If we are going to be reporting people to D.C.J.S. (Department of Criminal Justice Service) it becomes a confidentiality issue. The reality is that when we know that we are going to send a police officer out to a house or a place of business, they usually inquire as to what their history is. Example: they ask the called several questions such as are they violent? Do they have a history of

violence? Do they have access to a gun? By doing this the police officer has the information that he needs. The reality is that there were two hundred and ten thousand discharges from psychiatric hospitals in 2010. That means every discharge from a psychiatric hospital gets reported to D.C.J.S. This means that if someone is really depressed and is no threat or danger to anyone, voluntarily check into the hospital for a “tune up” let’s say, when they get discharged, they are reported to D.C.J.S. This law was passed very quickly, and there was not much of a chance to stop it. From a budget stand point it is an unfunded mandate.

Chairman Oliverio stated the confidentiality of this issue is horrible. At that rate you will not have anyone seeking help.

Commissioner Piazza agreed.

Legislator Nacerino asked if this has any effect on the HIPA Law.

Commissioner Piazza stated we do not know.

Legislator DiCarlo questioned the expense to the County.

Commissioner Piazza stated we are not going to be drawing any extra to accomplish this, so he does not have an answer at this time.

Legislator DiCarlo stated that this does not make any sense whatsoever.

Commissioner Piazza stated that we walk that fine line every day. This just makes it a little more onerous on himself as well as his department, and they have concerns.

Commissioner Piazza went on to state that the Federal Government has done an audit of the State Medicaid program in particular, the State Office for People with Developmental Disabilities. According to the Federal Government across the state, the State Facilities overcharged \$15 billion dollars over the past years. They expect a payment of 1.1 billion dollars each year for the next fourteen or fifteen years. The Medicaid Director for the State commented that the state is going to fight this. If the state fails in the appeal, the state has already said that they will take that money out of the Medicaid funding, which means it will come out of the money for Hospitals, Nursing homes and Doctors. This is a real concern at a time when we have been talking about the Medicaid redesign and the movement into Managed Care, which is a huge shift for the Mental Health System. All of their behavioral Health will be managed by a mainstream managed care, which means that there is going to be less money in the system.

Chairman Oliverio asked that when Commissioner Piazza receives the information on the specifics of the SAFE Act in regard to how it is going to affect the County specifically, that he bring the Executive and Legislative Branches in the loop. This Legislature will do anything that it needs to do to help.

Commissioner Piazza stated that his department is taking steps to address the Medicaid overload. They have asked the state to move Putnam County in quicker into the Pilot Program which is a

state enrollment center. As the year rolls out he will have more information regarding when the State is taking over as well as what will not be taken over. One thing that can be done at the end of March or the beginning of April is to start doing some of the recertifications through their enrollment center. Hopefully they will be done correctly so it will not become a problem for his department. That will alleviate a small portion of the responsibility on us. The Executive as well as he are looking at doing contracting with entities with consultants that are able to take on some of the more difficult cases.

**#5) Update/ Electronic Recycling Pickup at Towns/Dr. Allan Beals**

Chairman Oliverio asked about the Electronic Recycling Pickup at the Towns, and where we are now with that.

Commissioner Beals stated that he has just recently worked out an agreement with a contractor that will take the (metal etc.) recyclables for no cost and they will also recycle. The agreement is now at the Law Department. He has notified all of the local municipalities as well. Once the contract is completed, he will notify the Committee.

Deputy County Executive Walker stated that when we have the contract, the appropriate people will be notified.

**#6) Correspondence/Dr. Allen Beals/Keep “Event Foods” Safe This Summer”**

Chairman Oliverio stated that Dr. Beals was very helpful with explanations regarding the issue at the Buddhist Monastery.

Dr. Beals stated he puts out a monthly column in the local paper of the importance of keeping food fresh and safe during the warmer season as it is a very important, and also is a state law. He wants to make sure that the public is safe.

**#7) Update/ Pre-School Transportation Program/Dr Allan Beals**

Chairman Oliverio asked Commissioner Beals where we are at this time with Pre-School Transportation Program.

Dr. Beals stated that there has been a Transportation Task Force put into place that is Chaired by Vincent Tamagna. At this time the Taskforce is exploring a lot of new ideas.

Legislator Nacerino questioned if there was a specific radius for these children to be bussed.

Dr Beals stated that it is at the discretion of the parents and the Committee at the schools that decide about the services, and the parents decide which facility they wish to use.

Dr. Beals went on to state that the average cost per child, just for transportation, is approximately \$20,000.00. The Early Intervention Program is close to 10 children and the average expense is

about \$27,000.00. We want to take care of all of these children, but this is consuming 40% of his Budget, and he still has the entire County to take care of. He is asking that everyone be prudent.

Legislator Richard Othmer questioned where the majority of the children go. He questioned if it was White Plains?

Dr. Beals stated no they also go to United Cerebral Palsy which is located in Patterson.

Legislator Othmer asked if we could partner up with some of the Northern Westchester towns if we are going to have a bus going down.

Dr Beals stated not really. They have just instituted something along those lines, which saves approximately \$80,000.00. There is a limit as to how long you can keep a child on a bus. Some of these children require a monitor, which is an additional person.

#### **#8) Public Health Safety/Indian Point Nuclear Plant/Discussion**

Chairman Oliverio stated that he had received a request from a constituent to begin to encourage Entergy to look at long range proposals for the storage of their spent fuel rods, from Indian Point They have been collecting these spent fuel rods since the plant opened in the 60's, which is a major concern. If there were to be a disaster such as the one that hit Japan, it would be devastating. We will not be doing anything on this tonight, but Chairman Oliverio would like to continue this discussion again next month.

#### **#9) Other Business**

There was no other business to discuss.

#### **#10) Adjournment**

Being no further business to discuss, Chairman Oliverio made a motion to adjourn the meeting. Seconded by Legislator DiCarlo. All in favor.

Respectfully submitted:

Claire E. Muller  
Administrative Assistant