

## HEALTH COMMITTEE

### OF THE

## SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Health Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, April 23, 2015 at 2:00 p.m.

### **MEMBERS PRESENT:**

Legislator William Spencer - Chairman  
Legislator Kate Browning - Vice-Chair  
Legislator Robert Calarco  
Legislator Leslie Kennedy  
Legislator Monica Martinez  
Legislator Rob Trotta

### **ALSO IN ATTENDANCE:**

George Nolan - Counsel to the Legislature  
Sarah Simpson - Assistant Counsel to the Legislature  
Jason Richberg - Chief Deputy Clerk/Suffolk County Legislature  
Craig Freas - Budget Review Office  
Elizabeth Alexander - Aide to Chairman Spencer  
Greg Moran - Aide to Legislator Trotta  
Ali Nazir - Aide to Legislator Kennedy  
Debbie Harris - Aide to Legislator Stern  
Michael Pitcher - Aide to Presiding Officer Gregory  
Katie Horst - County Executive's Office  
Kerri Suoto - County Executive's Office  
Shannyn Ball - County Executive's Office  
Dr. Linda Mermelstein - Chief Deputy Commissioner/Department of Health Services  
Art Flesher - Department of Health Services  
Amy Juchatz - Department of Health Services  
Alison Branco - Department of Health Services  
Zach Viola - AME  
Kristin Bello - Empire State College/Mather Hospital  
Erin Baccariello - Empire State College/Mather Hospital  
Maryann Wisniewski - Empire State College/Mather Hospital  
Annie McClelland - Citizens Campaign for the Environment  
Jordan Christensen - Citizens Campaign for the Environment  
Danny Towle  
Diane Towle  
All Other Interested Parties

### **MINUTES TAKEN BY:**

Alison Mahoney - Court Stenographer

### **MINUTES TRANSCRIBED BY:**

Lucia Braaten - Court Stenographer

*(\*The meeting was called to order at 2:12 P.M. \*)*

**CHAIRMAN SPENCER:**

Okay. We are going to begin the Health Committee. If everyone could please rise for our salute to the flag to be led by Legislator Leslie Kennedy.

*(\*Salutation\*)*

Could we have a moment of silence for those who continue to serve this country, both at home and abroad.

*(\*Moment of Silence Observed\*)*

Good afternoon, and welcome to the Health Committee. And it gives me great pleasure to welcome our newest Legislator from the 12th District. She's no stranger to us. She's worked very hard in the community for a number of years, but she is a health care professional in and of her own right, and this is really a very appropriate committee for her to serve on. So I look forward to her expertise, her experience and her insight, and I am extremely excited to be working with Legislator Leslie Kennedy. Let's give her a big hand.

*(\*Applause\*)*

So we are going to go to our public comments. But since our last committee meeting, there have been some correspondence back and forth on I.R. 2176, the Toxic-Free Toys Act, between the Commissioner and this committee. And we are going to be addressing that later on, but I think the sponsor is making some -- has made some changes in response to the Commissioner's letter. But since this letter was addressed to the Health Committee, we will make sure that it is also preserved in the record.

I do have some cards, and the first card is from Danny Towle. Danny Towle. Welcome, Danny. Please come up to the podium. You've been here before, and you can address the committee for three minutes on whatever you'd like.

**MR. TOWLE:**

Thank you. All right, it's on. Like you said, Honorable Sir, my name is Danny Towle. I have been with the Department of Health Services for 23 years in the Patient Care Unit. I'm currently stationed at the Riverhead Health Center. Obviously, I have the ear of the members of patient care, and with the privatization of the health centers, many of them are fearful that, you know, once the layoff clause in our contract expires at the end of 2016, that the positions they're being put in now are going to be temporary positions, and eventually, you know, come 2017, they're going to be laid off.

I'd also like to quickly mention that on behalf of the patients, since the East End clinics have been turned over to Hudson River HealthCare, we at the Riverhead Health Center have gotten calls from Hudson River HealthCare workers asking where could we help find places for HIV patients there to go. So I think that's an issue that's going to need to be addressed, especially with the transition of the Brentwood Health Center.

I'd seen a press releases from Mr. Bellone stating that we're going to save \$25 million over the next four years. You know, I don't believe that, I think it's a lie. I mean, I've seen the same press releases when it came to John J. Foley, and if my math is correct, between the \$12 million it cost to maintain it this year and the \$11.5 million that you had budgeted, that's probably been spent already, that you need to come and find -- since you're not selling it, that adds up to \$23 1/2 million

that the taxpayers are going to be on the hook for this year and the facility is closed. So, I mean, part of your job is to fix problems, not to create bigger and more problems. So I think that's an issue that definitely needs to be looked at.

I also have seen press releases stating that Hudson River HealthCare will be able to provide more comprehensive health care, and I don't necessarily believe that to be the case. So I haven't seen any articles on how many more patients Hudson River HealthCare is seeing as per the County after the transitions take place. I haven't seen any articles in reference to the subsidies that the County is paying Hudson River HealthCare. I haven't seen any articles that our former County Executive, Pat Halpin, works with Hudson River HealthCare, you know, so forth and so on. All you'll see is the positive spin that you want people to believe, which isn't necessary true all the time.

On a personal note, my mother was laid off from the John J. Foley Skilled Nursing Facility. She lived in -- well, she's lived in Suffolk County for over 50 years. She was making, I think, \$35,000 a year, and, you know, Suffolk County couldn't afford to pay her. And after the voters of the First Congressional District laid off Tim Bishop and his staff, four of those people found their way back onto the County payroll, three as Deputy County Executives, and one working for my Legislator, Sarah Anker. I think that's -- somebody should be ashamed of themselves for that. Thank you.

**CHAIRMAN SPENCER:**

Thank you, Mr. Towle, for your comments, and we will definitely take them to heart. Legislator Browning has a question for you. Mr. Towle?

**LEG. BROWNING:**

Real quick, Danny. How many years has your Mom worked for the County?

**MR. TOWLE:**

Fifteen all together.

**LEG. BROWNING:**

Okay.

**MR. TOWLE:**

She's still unemployed.

**CHAIRMAN SPENCER:**

Our next speaker is Jim Datri, and he is representing himself on extended family residence, is his topic.

**MR. DATRI:**

Good afternoon. I only heard about this meeting about three hours back, and so I'm more disorganized than usual in my comments here.

I belong to a club that I love for the last 20 years, Appalachian Mountain Club. We have about 70,000 members and guests, all of which are open to come to our camp on Fire Island, which is a 24-bunk bunkhouse with kitchen. I made arrangements many years ago to have enough funds to build a much better kitchen, a fully equipped and legal kitchen, but the club wants to keep this old kitchen that doesn't meet the standards of the Health Department of Suffolk County by far. They're also right on the edge of the bay, about 30 feet from the edge of the bay, and they sleep 24 people, feed people. Their septic system is the most minimal system that you could want, and I don't think it meets the qualifications either.

But what I came today about, I took your food course about a year-and-a-half ago just on a whim to

do it, and in that I learned how terrible and dangerous the food service was at this camp. So I went to Stephen Kane, and I forget the other names, in the Health Department, told them about it, and they said, "Wow, we didn't know that. We've only gone out there weekdays where this real problem doesn't exist. But we'll go out there weekends now and make sure they aren't serving food the way they do on weekends."

Springtime came and they did nothing about it, so I reminded them and they said, "Oh, well, we got this memo from the State that says these laws don't apply to church groups," and that kind of stuff. And I said, "Well, that doesn't apply here." I wrote to the State and the State wrote back and said, sure enough, that doesn't apply. And again, Stephen Kane and the Health Department said, "Okay, we'll make sure that they don't do that." And months later, they're still doing the same thing; this is last Fall now. So I said, "What is going on?" They said, "Well, the Town Attorney has told us that this comes under extended family temporary residence." Now this is like 70,000 members who don't know each other. Anyone can join, and an unlimited number of guests. Extended family, as I would know it, and I think most people know it, is family that might include cousins, and stepkids, and grandparents, and that.

The important thing is that they say that since its an extended family residence, that the laws of County food service do not apply, we don't regulate them in any way. So there's food service, which is a required payment of the guest to buy this food, prepared by a small group of people and then served to everybody, sold to them, is not covered.

I really would like the County to either close up this loophole with a memorandum, just like the State did, or make sure that everybody in the County, all the temporary residences know that just by making a club, they can be exempt from all the food service regulations of the County and I think that would be a bad move.

**CHAIRMAN SPENCER:**

Mr. Datri, I appreciate your comments.

**MR. DATRI:**

Thank you.

**CHAIRMAN SPENCER:**

I have strict rules on the time, and I gave you a few seconds beyond. But I did --

**MR. DATRI:**

Thank you.

**CHAIRMAN SPENCER:**

-- want to ask you just a question. I remember you coming to the Board of Health with a similar concern.

**MR. DATRI:**

Yes.

**CHAIRMAN SPENCER:**

And my question to you was this particular establishment, can the public go there and pay for a meal?

**MR. DATRI:**

All that you have to do is join the club, and you can join the club for \$25.

**CHAIRMAN SPENCER:**

Okay.

**MR. DATRI:**

And so that's what I would suggest, that any temporary residence does, just make a club, and make all your guests join the club and then you're exempt from all of the food rules. That wouldn't be good for the County.

**CHAIRMAN SPENCER:**

Are you a member of this particular --

**MR. DATRI:**

I have been a member for more than 20 years.

**CHAIRMAN SPENCER:**

So this is your club that you're a member of?

**MR. DATRI:**

I am a member of the club, it's not my -- I won't say it's my club, but I'm a member of the club.

**CHAIRMAN SPENCER:**

And your concern comes from a public health risk --

**MR. DATRI:**

Point of view, yes.

**CHAIRMAN SPENCER:**

-- with public health? Have you internally addressed this with the officers of the club? Is this something you're at odds with? Are you member in good standing?

**MR. DATRI:**

Totally member in good standing for many years. I'm on the Membership Committee. Just like I love my country, but disagree with a lot of things that a Legislator of the country might do or make a rule of, I disagree with this.

**CHAIRMAN SPENCER:**

Fair enough. And I'm asking these questions, that now that you've brought it to this committee, and as the Chair of this committee, you know, I feel an obligation to respond to your inquiry. And I -- you know, I will gather more details with you privately. I have your contact information, and we'll reach out and -- but I heard you describe the situation, but I wanted to know what your immediate issue was. Was it the traffic, was it the people that were coming there, or this was you being a good citizen saying, "In good conscience, I feel this is a danger to our community for this eating establishment to exist in my club"? Is that -- I just wanted to make sure I understood your standing in the matter on your position.

**MR. DATRI:**

Most importantly, I would like, as a citizen of the County, and for my concerns for the health of the County, that any food service in this establishment meet the requirements of the Department of Health. They have a food -- they have the -- the kitchen use most of the time during the week for any member to make their own food, make -- bring, make and eat their own food, and, of course, they can share it with their friend, or whatever. On the weekends, it's a food plan that has come along with the reservation for the weekend, it's all one, room and board. Now, even if they separated it and make, okay, this part of the payment is for room and this part of the payment is for

board, it would still be the same problem. It would just be like a cafeteria separate from the lodging.

Whatever it is, right from the beginning, 20 years ago, when I first got a plan to raise the money to build a building with a proper kitchen and all, that was one of my concerns. I didn't know that it was an illegal kitchen at that time until I took the food course, then I said, "Wow."

**CHAIRMAN SPENCER:**

Well, thank you for, you know, taking the time out of your afternoon and coming and being a good citizen.

**MR. DATRI:**

Thank you.

**CHAIRMAN SPENCER:**

And my Chief will talk with you, Liz, and we will get your information and we'll see what we can do to address your concerns. Thank you.

**MR. DATRI:**

Do you mean now, or she'll call me?

**CHAIRMAN SPENCER:**

She'll speak to you on the side.

**MR. DATRI:**

Thank you, Sir. Thank you all.

**CHAIRMAN SPENCER:**

Any other questions from my colleagues? No, we're okay. Thank you, Sir.

Our next speaker is Annie McClelland, and from the Citizens Campaign for the Environment, on Toxin Free Toys.

**MS. MC CLELLAND:**

Hi. My name is Annie McClelland and I represent Citizens Campaign for the Environment. I'm speaking on behalf of my colleague, Jordan Christensen, today who had some dental surgery earlier this week.

CCE has worked for 30 years to protect New York residents from exposure to toxic chemicals, and we strongly support a Toxin Free Toys Act. It's our understanding that this legislation has had some changes, and we haven't had a chance to review the changes, so I'll just speak general really right now. But according to Washington State Department of Health, over 5,000 children's products contain chemicals of high concern. Toxins used in children's products have links to cancer, reproductive problems, learning disabilities and chronic health problems. Kids are especially vulnerable to these chemicals, because they're small and their bodies are developing.

In 2015, there is absolutely no reason for these toxic chemicals to be allowed in children's toys, clothes, jewelry, furniture or other products. Manufacturers that willingly and knowingly utilize toxics in items designed for children should find a stop sign at the boundary of the Suffolk County line. Tolerating toxics in toys is not supported in the public, nor should it be supported by our elected representatives.

It's irresponsible to continue allowing children to be exposed to dangerous chemicals through their

toys and clothes. CCE urges the Legislature to pass substantive legislation that would ban these harmful carcinogenic chemicals from children's products immediately. And lastly, but most importantly, we feel that it's very important that this legislation happens in 2015, so we hope you can make that happen. Thank you.

**CHAIRMAN SPENCER:**

Thank you, Annie. We appreciate your time and your testimony. Thank you.

That's all the cards that I have. Is there anyone else that wishes to be heard? Were you able to fill out a card? If not, our Clerk will give you a card. What's -- can you tell us your name?

**MS. FASULLO:**

Yes, hi. The name is Jane --

**CHAIRMAN SPENCER:**

Push the button, please.

**MS. FASULLO:**

I got it.

**CHAIRMAN SPENCER:**

Beautiful.

**MS. FASULLO:**

Oh, the green light is drawing me. I'm not used to green lights, I'm used to red ones.

*(\*Laughter\*)*

The name is Jane Fasullo. I'm with Sierra Club, Long Island Group, and I'm speaking to the child-safe products issue as well.

I have a small concern. In the version that I have in front of me right now, it has to do with the applicability of the law to sporting goods products. It concerns me because there are many children involved in sports, and the fact that the exposure for them, but not others, is okay. I'm not quite sure why that was written in. I don't know if its appropriate to ask why it was written in, or if that's just something I should make as a comment.

**CHAIRMAN SPENCER:**

Well, the sponsor is not here, but I understand there have been significant changes, that this form that we're currently looking at today is not the form that we are going to be considering moving forward. So I think to -- before we answer your question, or be able to answer it best, we would like to have you get a revised version of the bill.

**MS. FASULLO:**

And do you know when that would be available?

**CHAIRMAN SPENCER:**

It's -- Counsel?

**MR. NOLAN:**

I'm not sure when it's going to be filed. I know it's going through some revisions now.

**CHAIRMAN SPENCER:**

So maybe some of the changes you're addressing may have already been addressed in this new version.

**MS. FASULLO:**

I understand.

**CHAIRMAN SPENCER:**

So we'll be --

**MS. FASULLO:**

Then I'm going to move on to the second one that I was concerned about and that's the microbead banning. I'm very happy to see that this law is, in fact, coming into place. But, again, I have some slight concerns. Is this going to be adjusted in some way in the future? Is there any process by which this is being changed in any way?

**CHAIRMAN SPENCER:**

It's still currently in public hearing, and the sponsor is also working with similar concerns. And I'm sure Legislator Hahn, who's the sponsor of both of these, would love to hear, as she's going through that deliberative process, and she should probably address some of your concerns that you have.

**MS. FASULLO:**

Thank you very much.

**CHAIRMAN SPENCER:**

Fair enough?

**MS. FASULLO:**

I appreciate it. I'll get in touch with her.

**CHAIRMAN SPENCER:**

Thank you, appreciate it.

All right, that's all the cards that I have at this time. We'll close the public comment.

And we're going to move on to our presentation. Today we're privileged to have with us Mr. Noel Boyland from Boyland Associates. And there is a definite concern within Suffolk County, that has close to 10,000 employees and we're self-insured, that one of the things we want to do is to look out for the health and welfare of our employees as much as we can, and make sure that they have access to good health information, and health alternatives, and healthy lifestyles. And we have been working with Legislator Lindsay to establish a program for something such as this. And Mr. Boyland will be talking about the health and wellbeing of Suffolk County employees.

So, Noel, sorry for the wait, but thank you for being here, and the floor is yours.

**MR. BOYLAND:**

Okay. Am I on?

**CHAIRMAN SPENCER:**

No, not yet. Push --

**MR. BOYLAND:**

Now I'm on.

**CHAIRMAN SPENCER:**

You're on.

**MR. BOYLAND:**

Thank you, Legislator Spencer, and thank you the other Legislators of the Health Committee, and thank you in advance for the 15 or 20 minutes that we'll spend on this very important topic.

My personal background is in human capital consulting. I spent 20 years at a large and prestigious human capital consulting firm, and some of my expertise and focus in that area was on employee health benefits, and also organizational culture. Several years ago I decided to go on my own and focus exclusively on those, because that's personally where my passion was, and I thought I could make a very important impact in our society.

Our time together I kind of structured into three pieces. The first piece was just to speak for a couple of minutes about health and wellbeing, and maybe dispel some prior conceptions folks have of that.

The second was the approach to how to improve that in an organization, and in this particular case, the organizations of Suffolk, of Suffolk County, and, finally, spend a few minutes on why this matters.

In terms of health and wellbeing, this is a schematic which I like to refer to. Most people think instinctively in terms of health, in terms of physical health, physical strength, endurance, agility, etcetera. That's probably the most obvious manifestation of our health and wellbeing. But what's probably at least as important is our mental health, our acuity, agility, our endurance, our memory, etcetera. This is set up as kind of a pyramid. I'm sure you, as a committee, face this issue often, but those, physical and mental health are really propped up through emotional health, and that's, you know, a feeling of safety, self-esteem, self-confidence, happiness, relationships, etcetera. I'll speak about it a little bit more further, but poor emotional health really pushes physical and mental health to the side and makes it extremely difficult to achieve, much in terms of physical and mental health, if there isn't that solid foundation of emotional health. So we'll speak a little bit about that further.

Finally, I use the term spiritual health here, which is probably, thanks to some of my colleagues on the West Coast, Gallup calls it purpose, wellbeing. This is particularly important, especially when individuals are going through difficult times or times of change. Purpose, or purpose wellbeing, or spiritual wellbeing is kind of what's -- kind of what's my mission, why am I here? For many of you, I suspect it's public service. It's the reason why you're sitting where you are. For others, it may be helping caring for individuals, for instance, Dr. Spencer and your other job. And all of that -- all of these are very important to achieving optimal wellbeing. So I do want to kind of dispel or really kind of expand the thinking of wellbeing well beyond physical.

The next -- this next slide here is really what we can do about it. The most obvious things are food and movement, exercise and eating nutritiously. That's what first comes to mind for most individuals, and improving health and wellbeing. What's gaining more and more attention is focus and renewal; appropriate sleep, appropriate time for breaks, not being stressed, unduly stressed. This is particularly important in our electronic age, as most of us are glued to our iPhones or -- well, I used to say Blackberries, but not anymore, computer devices.

There's many, many studies and they're not -- and they're not contested, that without appropriate sleep, appropriate stress management, that physical and mental health deteriorates extremely quickly, regardless of what someone does on the food and movement side.

The next few that I wanted to just give a little bit of attention to are things that individuals or groups

can do in terms of positive emotions. And there's very interesting research that's happened in the last ten years on this, and how our physical health improves by injecting positive emotions into -- into our lives. Or I wouldn't even say injecting positive emotions as much as nurturing positive emotions. One example I like to give is on the gratitude side.

There was a study done a number of years ago and they had separated individuals into three groups. One group of individuals was asked at the end of each day or before bed at night to write down what happened during their day, just kind of randomly write down some things that happened during their day. Second group was to write down things that they wanted -- they were unhappy about what happened during the day, things they would perhaps want to fix going forward. And the third group was asked to write about things that they're grateful for, for the things that happened during their day. They measured subjective wellbeing, as well as a number of biomarkers before the experiment began, and 30 days after the experiment, or after 30 days of continuous journaling -- journaling of this, and they found that the group that showed gratitude or wrote down gratitude not just reported better physical wellbeing, but also had reported better sleep, had lower biomarkers of inflammation, had actually exercised more as a result, and there were a couple of others as well. These are things, whether it's using creativity, personal growth, gratitude, all which have an enormous impact on individuals' wellbeing. And as we -- as you look forward to how to help County employees, there's more to helping County employees than kind of getting people to exercise and eat right. In fact, these in many studies have shown to be even more effective interventions.

Finally, fun and recreation is also something that has been shown to improve wellbeing, not just because it's fun, but often because it involves often movement, personal growth or creativity.

All of this is kind of glued together and amplified by relationships. I was reading this morning, our new Surgeon General, Vivek Murthy, had said that with any sort of major change we need to make in our lives, it's much easier to do it with other people. Murthy says, "We succeed and thrive best when we work together and support each other. When we struggle alone, that's when the struggle can seem impossible." This is kind of a big -- kind of the key background to the approach, the approach on health improvement, is to do it with others. And doing it within an organization, where people spend much of their day working, is an ideal location.

So, in terms of the approach, the approach is a cultural approach. It's -- and that differs from what most worksite wellness approaches have been, which is an individual approach. The individual approach was really kind of based on fixing the individual. But what we know in public health, and organizational behavior, and anthropology, even in ethical behavior, is that the behaviors of most people are generally driven by what the cultural norms and within the culture or subculture in which they find themselves. You know, that first kind of subculture is household, and it's very -- as some of you may know, it's very difficult to be healthy in a household that isn't healthy, and on the other hand, it's much easier to be healthy in a household that is healthy.

There was a recent study done following 3700 couples over ten years, and they found for smoking cessation, if a husband and wife or partners went at it together, their likelihood of success was six times higher than if they did it alone.

In terms of improving activity and exercise, it was two-and-a-half times more likely done together than alone. In terms of losing weight, it was two times more effective for women and two-and-a-half times more effective for men, I'm not sure why. But, in any case, it kind of really underscores how important the household is and your partner is in terms of achieving -- achieving health and doing things together.

I focused a bit on that in my work. The biggest piece, as we said, is the workplace. I know what this -- what your body's focus is a lot of time is the community, and the community, obviously, has a

big impact on healthy behaviors. And, finally, larger society, you know, what we see in the media, what products are coming through the marketplace, those, obviously, have an enormous impact as well.

So the question becomes how do you make an impact on culture? It's a big question and a difficult question. This is a model that I use with clients. There are eight what I would call levers for how to change culture. Obviously, you don't just go in and you say the culture -- the culture is now this. You can't change culture directly, you can influence culture. So here are the eight levers that I often refer to. The four most important ones are on the solid line here and they involve leadership role modeling. The resources that are available, biggest resource are time resources. I work with a number of organizations where employees are not allowed to leave their desk for hours on end. It's very difficult to be healthy if you're not allowed to leave your desk for hours on end. So resources is very important, especially time resources.

Relationship development, as we spoke about. To the degree that organizations orchestrate activities around health, those prove to be extremely effective in driving healthy cultural norms within an organization. And finally, communication. You know, it's walking the talk, it's also talking the talk.

Other levers which might not be as powerful, but which are quite important, are recruiting, hiring and on-boarding. The organizations that do the best job of promoting employee health speak about it from the moment they're recruiting individuals to the hiring process, to the on-boarding process, speaking to them about the importance of healthy behaviors in the workplace, because, of course, their healthy behaviors affect others as well, it's not just themselves.

Traditions and Symbols: There are organizations, one I worked with changed the tradition of bagels on Wednesday mornings to salads provided by the company for lunch. That's a very -- movement from a not so healthy tradition to a very healthy tradition.

Learning and Development: Employees know some stuff. Employees, obviously, would like to learn more, that's important.

And Rewards and Recognition: The one thing I will say with rewards and recognition is there has been a lot of disagreement over what the appropriate role of rewards are within organizations, and that you can't pay for healthy behaviors. I think those of us who have had children or have children realize we can't pay our children to do certain things; the same thing happens with employees. That said, an employer can recognize positive behaviors and discourage not positive behaviors, and provide subtle subsidies and help for those that do want to engage in healthier activity.

In terms of the key resources that would need to be -- need to be deployed in order to kind of move the culture, it obviously starts at the leadership level. It's very rare that an organization has -- can go very far, unless leadership is walking the walk and talking the talk. Human resources area plays an important role in organizing and guiding things. What's most important, and was proven to be most effective, is employee volunteers. Among the 10,000 or so Suffolk County employees, I'm sure there are thousands who have passion for certain aspects of positive healthy behaviors, and organizations that have had success in creating healthy cultures harness that passion, and interest, and enthusiasm, and knowledge from their employees.

Finally, Suffolk County, unlike many organizations, is fortunate to have health professionals. The support of the health professionals would certainly be quite important, and would, again, help amplify the -- or improve the increasing likelihood of success.

Why does this stuff matter? And I probably might be stating the obvious to this committee. But

for those who want to brush up on the latest, the great news, most chronic disease is preventable, and it's preventable through healthy lifestyles. This bevy of literature is available to support this. About 80% of cardiovascular disease is life-style related. Ninety percent, in some studies I've seen up to 93% of diabetes is driven by poor lifestyle. Roughly 60% of cancers are driven by poor lifestyle. There's lot of emerging research now with regard to Alzheimer's, that I think it was even written about in the New York Times yesterday that certain diets have been shown to be associated with a 50% lower likelihood of Alzheimer's.

Our country spends about 85% of our health care dollars, our Medicare dollars on treating chronic disease, and about 80% of that is preventable. You know, Vivek Murthy, our new Surgeon General, and others have rightly emphasized that the certainly solution to our health care crisis as a country is around lifestyle. I would argue that equally important is the improvement in people's lives from engaging in healthy lifestyle.

More good news. Many people are trying to be healthy. In organizations that I've worked with, generally, about 80% of people are trying or embarking on a healthy lifestyle goal. So the myth that people are not interested or motivated is at least wrong in almost all of what I've seen personally, as well as the literature. Most are trying, but, sadly, 80% of people still don't exercise regularly, only 20% are exercising. So many people want to, but most are not.

Seventy-five percent of people don't eat okay. And what is okay? When I say okay, I mean four to five servings of fruits and vegetables a day. It's not a terribly high bar. Seventy-five percent are not doing that. When we look at a more rigorous nutrition standard, the results are often low single digits.

Twenty percent of folks smoke. I think it's an incredible improvement over -- where over 40% of adults smoked probably about 30, 35 years ago. I think it's incredible that we've cut that in half. It seems to have leveled out, though, at this point. Now, with e-cigarettes, we seem to be maybe trading off one set of problems for another, but it's a big problem.

When you take all three of these together, how about what percentage of individuals don't smoke, eat an okay diet, and exercise? Depending on the study, you look at roughly 3 to 5% of the population. There's enormous, enormous potential for improving lifestyles and improving lives.

As I said, on the medical cost side, high cost -- high-risk employees cost two to three times more from a medical cost perspective than low-risk employees. Even a bigger effect is on the productivity side. Healthier employees are shown to be more productive, more creative, take less sick time, etcetera, than less healthy employees. So there's a huge benefit to be gained there.

QALYs, DALYs & Longevity: For those in the public health world, those acronyms mean something. For those not, what it effectively means is longevity, is how many years of life we have, and QALY and DALYs are Quality Adjusted Life Years and Disability Adjusted Life Years, how many life in years we have. I've seen -- I've seen studies that suggest that with healthy behaviors, you not just extend longevity 10 to 15 years, but you also extend healthy living, a healthy part of your life by about an equal amount. Finally -- and I'm done.

**CHAIRMAN SPENCER:**

Okay.

**MR. BOYLAND:**

And, finally, is there an ethical obligation beyond the money for Suffolk County and for other employers to go forward?

So, with that, I'd be happy to take questions.

**CHAIRMAN SPENCER:**

I wasn't going to tell you to -- I was just going to ask a question, but it works out well anyway.

First of all, thank you. And I think that -- I appreciate what you're saying. You know, I think there's a balance that we have to strike between, you know, allowing people to make their own personal choices, and not have a sense where we lay off 10% of our employees, and then there are people that are struggling to get a job, and then it looks as if, you know, that maybe we could come off as being insincere, or as being -- trying to dictate to people what they should be doing. But I understand that we -- I approach this from a standpoint of -- that creating a healthy environment that offers choices. And I think that the benefit, that we know it matters, I think all of us here knows that it matters. But I think that, you know, there are people that are going through different things, and I see patients all the time, and I take care of them, who smoke. They know they shouldn't be smoking, they tell me they shouldn't smoke, but, you know, I care for them, and just as passionately as I do. And so I think that what our challenge here is to -- how do we create this wellness and this healthy environment and offer these choices without crossing the barrier to where we ostracize and single people out that may make different personal choices?

**MR. BOYLAND:**

It's a fantastic, fantastic question, and that's, in fact -- the majority of worksite wellness programs fail and that's why they fail.

**CHAIRMAN SPENCER:**

Yeah.

**MR. BOYLAND:**

Because the employer is dictating to the employees how they should live their life.

**CHAIRMAN SPENCER:**

Yes.

**MR. BOYLAND:**

What did we use to say when I was in consulting? Don't try and teach a pig to sing, because the pig won't sing and it just annoys the pig.

*(\*Laughter\*)*

You know, dictating to employees how they live their life doesn't work, and it just annoys and alienates the employees. The -- what I kind of showed a bit earlier here, which I think is magic here, is how to get this done, and how to get it done is really through the use of employees, and do what they want to do. Most -- many of the employees want to do the right things. They would like to help in support of their employer to do those things, but they want to do the right things. The companies and organizations where it works is they do what the employees want to do, and I've never seen it not work on that regard. So I think that's a fantastic point.

It also touches on the point of how much does this stuff cost. Almost all of these resources come from employee -- employee volunteering time. Their employees are looking for opportunities to be helpful in something that they care about. An employer gives an employee the opportunity to do that. Certainly not all employees will avail themselves, but in my experience, it's never been difficult getting employees to volunteer their time. In fact, the only problems that sometimes occur is too many employees want to help, and, of course, you can only have so many cooks in the kitchen. But very good point. Thank you.

**CHAIRMAN SPENCER:**

Do you have, in your personal experience with Boylan Associates, success stories of where you've done programs or introduced programs like this?

**MR. BOYLAND:**

Sure, I mean, many of them. One that I did want to point out was, and this is kind of growing quite quickly, is employees want to eat healthy, but eating healthy is not so easy. People are working many hours. They don't want to wait on line at supermarkets after work. So one of the things I'm doing is working with a farm out on the East End of Long Island in Suffolk County, Sang Lee Farms, and they have a CSA program where they deliver to corporate sites, in this case fresh fruits and vegetables once a week to employees. Employees don't have to go food shopping. Their food travels 50 miles to get to their table, rather than on average 1,500 miles, which is the food that you -- the food -- the produce that you buy in the supermarket. It's extremely healthy, farmed organically, supports our community. So that's kind of just one little example. I share with them opportunities, but the employees decide, the volunteer employees decide, "Hey, this is something that would be of interest to our people."

We just came from Estee Lauder where they're doing the same thing now for their employees. So that's kind of one example of what -- you know, what can take hold, one of hundreds of -- hundreds of examples.

**CHAIRMAN SPENCER:**

There was a special yesterday, it was Earth Day, and I saw the special last night talking about the fact that we waste 40% of the edible food in this country, and that when we keep trying to have farmers and manufacturers improve their techniques for efficiency when we literally throw away half of the food that's perfectly good to do. There must be some ways there that we're able to -- and then one in six people are starving.

**MR. BOYLAND:**

Uh-huh.

**CHAIRMAN SPENCER:**

Or at least food poor. So that's just mind-boggling that there are food pantries that are really looking to -- looking for food, and we're just throwing away half of it. So being able to incorporate something like that where -- I have nothing against hot dogs, but it would be great that, you know, you could walk out for lunch and there could be a hot dog truck there, but there could also be another truck that could have some other alternatives and people have a choice. So I don't want to take away the hot dog truck. If they want their hot dog, they can have that.

**MR. BOYLAND:**

Right.

**CHAIRMAN SPENCER:**

But these are -- but these are -- these are very important things. Any questions from any of my colleagues for Mr. Boyland? Well, I know that we're working with Legislator Lindsay to look at ideas, and this was an important step. Legislator Browning?

**LEG. BROWNING:**

Well, my question is, wouldn't the Administration have to buy into this?

**CHAIRMAN SPENCER:**

Well, certainly, we would work -- we would -- this is Legislator Lindsay's idea, but he is working with

the Administration, too, we'd all work together.

**LEG. BROWNING:**

I'll reserve my comments.

(\*Laughter\*)

**MR. BOYLAND:**

And as I said, right, leadership is absolutely critical. So if Administration is important, I would probably say spend your efforts elsewhere, so.

**LEG. BROWNING:**

I'm excited to see.

**CHAIRMAN SPENCER:**

Well, I think you strike the right balance. And no one -- you know, it's a topic that is common sense. We know the benefits of it, but it's just, again, respecting people when they're at work and not making them feel singled out, not making them feel pressured, and not mandating, and giving options.

So, Mr. Boyland, thank you for your time. I appreciate you coming before this committee.

**MR. BOYLAND:**

You're welcome, and thank you.

**CHAIRMAN SPENCER:**

I look forward to working with you. Thank you. With that, we are now ready to move on to our agenda.

**TABLED RESOLUTIONS**

And first is tabled resolution ***I.R. 2176 - A Local Law to protect children from exposure to toxic chemicals ("The Toxin Free Toys Act")***.

***(Sponsor: Kara Hahn)***. The public hearing was closed, but my understanding is that the desire of the sponsor is to table this, because there's substantial changes. So I make a motion to table, second by Legislator Trotta. All those in favor? Opposed? Abstentions? Motion is tabled. ***(Vote: Tabled 6-0-0-0)***

***I.R. 1151 - A Local Law to ban the sale of personal care products containing microbeads in Suffolk County (Sponsor: Kara Hahn)***. The public hearing is still open. Motion to table by Legislator Trotta, seconded by Legislator Kennedy. All those in favor? Opposed? Abstentions? Motion is tabled. ***(Vote: Tabled for Public Hearing 6-0-0-0)***

**INTRODUCTORY RESOLUTIONS**

***I.R. 1206 - Accepting and appropriating 50% Federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the Peconic Estuary Program (Sponsor: County Executive)***. Motion to approve by Legislator Martinez, seconded by Legislator Trotta. All those in favor? Opposed? Abstentions? ***(Vote: Approved 6-0-0-0)***.

We're taking money. You're okay with that, right? Okay. Motion carries.

***I.R. 1216 - Amending the 2015 Capital Budget and Program and appropriating funds in connection with renovations for County owned Health Centers (CP 4086) (Sponsor: County Executive).*** So is there -- could I ask for a brief explanation? I'll make a motion to approve. And do we have a second?

**LEG. TROTТА:**

Second.

**CHAIRMAN SPENCER:**

Second by Legislator Trotta. Could I have a brief -- yeah, second by Legislator Calarco. Could I have a brief explanation of just this resolution here from the Administration?

**MS. CULP:**

Hi.

**CHAIRMAN SPENCER:**

Hi.

**MS. CULP:**

Jen Culp with the Commissioner's Office.

**CHAIRMAN SPENCER:**

Nice to see you again, Jen. Thank you.

**MS. CULP:**

Good to see you as well. This resolution is for two of our County-owned buildings in the health centers, and included in the leases is the language regarding changes that need to be made to be brought into compliance with Article 28. So these are issues such as utilities, electrical, egress, ventilation, and the -- it says to pay 50%, or not to exceed 100,000 for Tri-Community, or 50%, not to exceed 50,000 for Shirley. So these are, again, changes that are in regards to Article 28.

**CHAIRMAN SPENCER:**

And this was with our original agreement with Hudson River?

**MS. CULP:**

Correct. It's in both of the leases.

**CHAIRMAN SPENCER:**

Both of the leases.

**MS. CULP:**

That were approved, uh-huh.

**LEG. TROTТА:**

So this is something that in the lease we have to -- okay. So now they're coming to us for the money; is that it?

**MS. CULP:**

This is moving -- this is identifying the funds.

**LEG. TROTТА:**

So we're paying for the renovations in the building?

**MS. CULP:**

No, we are only paying for 50%, or it's capped. So for Tri-Community, we're paying 50%, or up to 100,000, in regards to any changes that need to be made for Article 28 compliance, or for Shirley, it's 50% of the cost, capped at 50,000.

**LEG. TROTТА:**

And that's in the leases that we already have with them?

**MS. CULP:**

Yeah.

**MS. SEIDMAN:**

Hi. Phyllis Seidman from the County Attorney's Office. Just to clarify, when we entered into the leases, we agreed that the premises were fit for whatever legal requirements were going to be necessary for HRH to operate as an FQHC. And so we agree that there would possibly be some changes, some updates, things that were grandfathered in, because the County has been there without any changes to the occupant, the occupancy. So, in effect, we agreed, you know, at least we'll split them and cap them if we need to make it, you know, up to the legal requirements for them to be able to operate, and that's what we agreed to.

**LEG. TROTТА:**

Are you saying we were operating illegally?

**MS. SEIDMAN:**

No. I'm not sure where you got that from what I said, but there are certain requirement that an FQHC has that are different from a straight Article 28 State-operated facility, a State -- you know, State -- for State oversight of our facility. So we knew there would be some changes, there always are. They have a different model from the County. Eventually over time, it's a more efficient model, so we knew that there would be some changes. And, you know, we needed some updates and renovations. We have, you know, a subtenant in there now, a tenant.

**LEG. TROTТА:**

I just heard someone like, you know, an hour ago say that we were responsible for providing with them buildings, but they were going to do all the renovations and everything else.

**MS. SEIDMAN:**

Well, they are. On an ongoing basis, they will maintain operation of the center, make ordinary repairs, even some extraordinary repairs. But we did agree for them to start out and operate, and to be able to move in and get whatever certificates they need to operate, the health center needed to be in compliance with certain laws and regulations, both State and Federal.

**LEG. TROTТА:**

How long have they been in this center?

**MS. CULP:**

Tri-Community is since June, and Shirley was November.

**LEG. TROTТА:**

They've been almost a year and six months. Now they're coming to us and saying there's something wrong and we're going to pay for it?

**MS. SEIDMAN:**

No. We'll, they've come to us previously. We were just discussing whether we agreed with the changes they said they needed. These things don't happen overnight. So, you know, whatever was needed up front was done and certain other things. You know, I don't know exactly where the parties are in their agreement on the scope of work, but, you know, it's not that they're just coming to us now.

**LEG. TROTTA:**

All right.

**CHAIRMAN SPENCER:**

Legislator Browning. Do you yield, Legislator Trotta? Have you been sufficiently --

**LEG. TROTTA:**

Yeah. I just don't think I'm going to vote on this, because I don't know what it is, I don't know what it was, I don't see the contract. I just -- you know, we're paying everything for them and now we're paying more?

**CHAIRMAN SPENCER:**

No, fair enough. I'm familiar because of going through the whole contract process and looking at it before. I think that preceded you coming on, and I kind of understand it. And I think those were some tough pills that we swallowed, but, you know, I see us now having an obligation to live up to what we committed to, so that's why I support it. But I understand, you know, maybe the position. Legislator Browning.

**LEG. BROWNING:**

Rob, I've never really been in the position to support Hudson River taking over our health centers, especially the ones that are owned and operated by County workers, but I know we own the Shirley building. It was -- we contracted with Brookhaven Hospital to operate that one. But now my question is -- and I don't know if you have the answer right now with Hudson River. The facilities that they own Upstate, who owns their buildings? And is there a plan? We own the Shirley building. Is there a plan for them to eventually buy it from us?

**MS. SEIDMAN:**

As to your first question, I'm not certain. They operate several facilities Upstate, so I can't answer that question.

As to the second question, you know, we have a 12 and a 15-year lease on these two premises. So for that -- for the foreseeable future, you know, we intend to remain the owner of the building. You know, I guess it's the will of the County, the will of the Legislature whether that changes, whether HRH is in a position to change that.

**LEG. BROWNING:**

Well, I would be more in the mind to say sell it to them, let them buy it, because we're going to have to come back in, you know, maybe five more years to do more repairs because we own it and we're the landlord.

**MS. SEIDMAN:**

Right. When we first entered into negotiations with HRH, all options were on the table, and, you know, going forward, we're open to any options.

**LEG. BROWNING:**

Is there a clause in the lease to allow us to get out of the lease if they decide?

**MS. SEIDMAN:**

Yes.

**LEG. BROWNING:**

Okay.

**CHAIRMAN SPENCER:**

Okay. Thank you very much. We have a motion and a second in front of us. All those in favor? Opposed?

**LEG. TROTТА:**

Opposed.

**CHAIRMAN SPENCER:**

Opposed. Abstentions? Okay. Motion carries 4-1; one opposition, Legislator Trotta. **(Vote: Approved 5-1-0-0)**

***I.R. 1217 - Amending the Operating Budget to re-allocate 100% State Aid from Pederson Krag Center to Family Service League to provide School-Based Mental Health Clinical Support Services to children and youth in Suffolk County (Sponsor: County Executive).***

Motion to approve and place on the Consent Calendar, seconded by Legislator Browning. I.R. 1236, amending the -- oh, I'm sorry. All those in favor? Opposed? Abstentions? Motion carries. **(Vote: Approved 6-0-0-0)**

***I.R. 1236 - Amending the 2015 Adopted Operating Budget to reallocate 100% State Aid from the New York State Office of Mental Health for Personalized Recovery Oriented Services (PROS) Providers.***

**(Sponsor: County Executive).** I'll make a motion to approve and place on the Consent Calendar, seconded by Legislator Martinez. All those in favor? Opposed? Abstentions? **(Vote: Approved 6-0-0-0)**

***I.R. 1237 - Amending the 2015 Adopted Operating Budget to accept and appropriate additional 100% Federal and State Aid funds from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) to various contract agencies for a Cost Of Living Adjustment (COLA) (Sponsor: County Executive).*** Same motion, same second, same vote. Okay. **(Vote: Approved 6-0-0-0)**

***I.R. 1250 - To appoint member to the Food Policy Council of Suffolk County (Janet Sklar) (Sponsor: Kara Hahn).*** Is Janet here? Is Janet here? Oh. Oh, my goodness, Janet. I have done you wrong. I normally would have taken your appointment out of order, and I am so sorry. You're blocked from my line of sight. I recognize pretty much everyone in the room. And I apologize, I would have taken you out of order and let you go about your day. So please, please forgive the Chair. If you wouldn't mind coming forward and having a seat at the table, we'd like to say hello and get to know you.

**MS. SKLAR:**

Thank you.

**CHAIRMAN SPENCER:**

It's even written. My staff did the right thing and they knew there was -- you know, there was an

appointment, and I apologize. Please forgive me. It was oversight for having you wait an hour to address you.

So welcome. And, Janet, if you wouldn't mind to just take a minute to tell us who you are, where you're from, what you do. And why would you serve on our Food Policy Council?

**MS. SKLAR:**

Hello. My name is Janet Sklar. I reside in South Setauket Park in Brookhaven.

Until May of 2014 I have been employed by Eastern-Suffolk BOCES as a School Food Service Director, working in several districts throughout the County, most recently 14 years in the Bay Shore School District. I am a Dietician Nutritionist. I'm licensed by the State of New York. I also have a K through 12 New York State teaching license for Health. I was instrumental in farm-to-school activities. I'm a past President of New York School Nutrition Association. So that's those credentials.

Currently, I -- until retiring, I had been the Liaison for New York State Ag & Markets and New York School Nutrition Association for Farm-to-School for Long Island. And through my efforts -- I brought some paperwork with me -- we are currently getting local produce in our schools, very local, from East End farms. It had not been done, and it's very long history. And it took 15 years of my overnight success to get local produce into our schools.

**CHAIRMAN SPENCER:**

Wow. That's a tremendous resume. It sounds like you're definitely qualified. First of all, thank you for being here. Thank you for your willingness to serve Suffolk County and our constituents. We really appreciate that.

I just have a question, because with your background and experience, I would love to hear your perspective. And, you know, I did this mean thing last night as a father. I came in, I demanded all of my children gather around the TV set, and I have a 16, a 14-year-old and a 10-year-old, and made them watch the special on waste in America, and, you know, it's just mind-boggling. And so you being someone that has worked in schools and working with produce -- a big part of our produce is wasted because it's not the size and shape, and it's not pretty, that it fits into the display of the supermarket, where the fruit and vegetables are perfectly good. But if the bananas aren't at the correct angle, or the peaches aren't perfectly round.

Is there potential when we have a crisis in this country where one in six people are hungry, and there's a belief that we won't have enough food to feed our society by 2050. That's -- these are some of the -- and you probably know these better than me. Is there any way we could capture some of that produce that -- you know, could it be great to have those bananas and pears and peaches in our schools just because they're not the prettiest ones?

**MS. SKLAR:**

Well, of course, we realize that locally grown fruits and vegetables, we have a very limited growing season in the Northeast. Actually, Long Island has one of the longest growing seasons. Many people don't realize that, but Suffolk County is the largest producer of produce in the whole State of New York. And a lot of people don't realize that between produce, greenhouse, we produce more than any other County. So there is plenty of food out there. Unfortunately, it's not getting to the schools in a timely manner. It's a very complicated issue, and I really can go on forever about what is available, but, obviously, things like citrus and bananas, of course, are not grown in New York and they never will be. But the local products that are out there -- when we say local, we just don't mean Long Island. We can also call New York, Connecticut, New Jersey, anything that borders on the state is considered local.

Education is the key. If children are not seeing it at home, they're not going to be acquainted with it when they get to school. A child has to be given a -- or not even just children, anyone has -- even adults will have to try something more than five -- anywhere from five to ten times before they will accept it. So that is the goal of the people working in our kitchens, in our schools, our food service professionals and the chefs, to become creative in presentation, and that's really -- and also getting the parents involved, because what we do find is I've had parents call and say, when they were going down the produce aisle, their child had said, "We had this at school today, can we have it again?" And that's how the relationship begins.

**CHAIRMAN SPENCER:**

Well, I would like to work to maybe even establish a policy where we could look at our institutions, our hospitals, our schools, our prisons, where we take this excess produce that is just discarded and allow for a policy, or a pathway to allow that good food not to be wasted.

**MS. SKLAR:**

Well, we do have all sorts of organizations out there that do what we call gleaning.

**CHAIRMAN SPENCER:**

Yes.

**MS. SKLAR:**

You have Long Island Cares, you have Long Island Harvest. There are many, many organizations; in New York City there are several of them also. So it does not have to be lost and it does not have to be wasted.

**CHAIRMAN SPENCER:**

Well, thank you for, you know, your insight. I'm excited that you will be joining our Food Policy Council.

Any questions from any of my colleagues? Anyone? I'll make a motion to approve, second by Legislator Kennedy. All those in favor? Opposed? Abstentions? **(Vote: Approved 6-0-0-0)**

Janet, thank you. You have been approved by this committee. You will go before the full Legislature on Tuesday in Riverhead. You do not have to appear. Okay?

**MR. SKLAR:**

Thank you.

**CHAIRMAN SPENCER:**

Thank you. And we appreciate your time.

***I.R. 1273 - Requesting Legislative approval of a contract with Hudson River Healthcare, Inc. (HRHCare) for the operation of the Brentwood Family Health Center (Sponsor: County Executive).***

**LEG. MARTINEZ:**

Motion to table.

**CHAIRMAN SPENCER:**

There's a motion to table by Legislator Martinez. There's further work that has to be done. And I'll second the motion. All those in favor? Opposed? Abstentions? **(Vote: Tabled 6-0-0-0)**

I have no further business before this committee today. Does anyone have anything that we need to consider? If not, we stand adjourned. Thank you.

***(\*The meeting was adjourned at 3:21 PM\*)***