

**Village of Walden  
Board of Trustees Special Meeting  
January 22, 2018**

Mayor Rumbold called the special meeting of the Village of Walden Board of Trustees to order at 11am.

On roll call the following were:

Present:	Mayor	Sue Rumbold
	Trustees	Brenda Adams
		Faith Moore
		John Ramos
		Lynn E. Thompson

Absent:	Deputy Mayor	Sean T. Hoffman
	Trustees	Brian B. Sebring

Also Present:	John Revella, Village Manager
	Tara Bliss, Village Clerk

**NYS Department of Health**

Susan Slade, Director, NYS Bureau of Child Health, thanked the Board for their time and explained they were here to fulfill the requirements of the public health law with those communities seeking to discontinue water fluoridation. We are here to learn more about preliminary decision to discontinue and really to share information we have with you. It is our mission to protect the citizens of NYS, to improve their health, and promote their health. When we speak of water fluoridation as an activity we are really thinking about all those 3 verbs: protection, safety, and improving the health of New Yorkers. Several of us here are with the Division of Family Health and we are very concerned about protecting the health of children. Oral health is very important. We know that almost half of NYS children have tooth decay by the time they reach the 3<sup>rd</sup> grade and we know that community water fluoridation is a safe and effective way to reduce that. We also know that childhood caries is the number one prime condition in children and we are very concerned about preventing caries in children. It is a high priority for our department and water fluoridation is recommended by the US Preventative Task Force which is an expert panel by the federal agency of health care and research. As a public health intervention they have recommended community water fluoridation as a strategy.

Megan Mutolo Esq., Senior Attorney, Division of Legal Affairs with NYS Department of Health, explained the requirements of Public Health Law 1100 specifically Subdivision #3 which is the controlling law that deals with community water fluoridation. That law requires additional steps taken by communities prior to discontinuing water fluoridation. Under 3A it requires that they issue a public notice of preliminary determination to discontinue water fluoridation and it is required for it to go out for public comment. The notice must include the justification for the purpose of the discontinuance, alternatives to fluoride that are available, and a summary of consultations with NYS Department of Health and a summary of any other consultations with any other health professionals. Such notice can be put in

the paper but is not required. Alternatives to fluoridation may include formal alternatives provided by at the expense of the municipality or other options provided to the public. Additional public comments received in response to the public notice must be addressed. How you plan to look at it is having it be 2 steps with 3A being the first step of the public notice given at least 90 days prior to the discontinuance of water fluoridation and then there is 3B which is more or less the plan that includes what was required in A notice, justification, summary of consultations, date of discontinuance, and other alternatives available.

Mayor Rumbold replied that we have that all together.

Dr. Dionne Richardson, Dental Director, Division of Family Health with the NYS Department of Health, explained that they are here to express their concern with the Village's decision to stop water fluoridation. Our records show that the Village of Walden has had community water fluoridation in place for approximately 60 years and they wanted to commend the Village on that decision. Since 1945 NYS has been doing successful community water fluoridation and NYS has benefited greatly from that. Dental decay in NYS has been significantly reduced in communities with fluoridated water. Initial studies conducted between 1945 and 1955 showed that children had 58% less tooth decay than those that don't fluoridate. That study as you may know was done in Newburgh. More recent national evidence also shows the same benefits which are elevated by 25%. It is because of this evidence of the decline of tooth decay and tooth loss in both adults and children community water fluoridation is considered by the CDC (Center for Disease Control) as one of the greatest public health innovations of the 20<sup>th</sup> century. Expert panels consisting of scientists from the US and other countries have all shared their expertise and research and have not found convincing scientific evidence linking water fluoridation to adverse health effects. In addition, the EPA (Environmental Protection Agency) in February 2017 responded to a petition received in February 2016 requesting the agency prohibit the purposeful use of the addition of fluoride additive to the US water supply. International Academy of Oral Medicine and Toxicology (IAOMT) also signed the petition but the EPA denied that petition as it had not set forth a scientifically defensible bases to conclude that any person has suffered neurotoxic harm as a result of exposure of fluoride through the purposeful addition of fluoride chemicals to drinking water or otherwise from fluoride exposure in the US. In NYS the addition of fluoride is carefully monitored by the Department of Health who work with County and local experts in water quality to ensure fluoride is safely added to the water. In addition to that, training and testing is supported and implemented by the Department of Health to ensure that water operators are trained to safely add fluoride to the water. She wanted to share that the Village of Walden has been recognized for efficiently adding fluoride to the water. The DOH has received a quality report from the CDC which acknowledges your efforts to consistently provide fluoride in the water based on the standards recommended by NYS. This award has been issued acknowledging that both Walden's treatment facilities earned this award for the 2016 award year. To qualify for this award the water system must have monthly reports on file for all year, sufficient sampling for all 12 months, and maintain optimal fluoride concentration of 75% for all 12 months and the Village of Walden has met those criteria. Congratulations for being a great example of how to provide fluoride additive in the water. Hoping to send that award to the Village and you should receive it soon in the mail. As a clinician for 24 years in practice she can attest to the effectiveness of water fluoridation in NY and other states. She has seen it in of adults and children who suffer greatly due to dental pain from unwanted caries as well as observed the differences in the population in

fluoridated communities versus non fluoridated communities. Basically she has seen more dental decay in communities that are not fluoridating. Finally, she wanted to state that access to dental care is a challenge throughout the country and NY is included in that. There is some concern about the lack of dental access, lack of insurance, shortages of dentists to practice in the community, and even a bigger challenge with individuals who are suffering with chronic diseases and conditions, physical disabilities, or other complications such as aging. For all of these reasons, NYS Department of Health supports community water fluoridation as a practical and safe public health intervention that is evidence based to prevent tooth decay.

Susan stated that they received the letter from the Village regarding your decision to discontinue fluoridation and would like to hear more from you about your decision and reasons why.

Mayor Rumbold asked what questions there were or what isn't clear in the letter we provided.

Susan replied that they wanted to know more about as a Village how would you promote and provide public health benefit for your community if you don't have water fluoridation. We are trying to have more of a back and forth conversation about your decision.

Manager Revella replied that our attorney did not recommend that we did that.

Mayor Rumbold explained that we are required to entertain you so you could give us your opinions on our resolution. That's what we are here to do, not to debate the issue but to satisfy the requirement. She thinks our resolution speaks for itself. The body contains our reasoning for the decision that the Board made. So if you wanted to continue with your panel we are here to listen.

Susan thanked the Board for their time. They are not trying to debate the issue. They do appreciate the opportunity to share why we feel it is an important public health activity.

Dr. Richardson added that there was a list of health professionals that you consulted with in the resolution but there was no summary of said consultation which was one of the deficiencies. Perhaps you could expand upon that for us.

Manager Revella asked if she felt the resolution was deficient.

Dr. Richardson replied that in that instance, yes.

Manager Revella stated that he will note that and discuss it with the Village Attorney.

William Gilday, Operations Section Chief, Bureau of Water Supply Protection of the NYS Department of Health, explained that when a change is made to either begin a new process or additive to drinking water or to modify or stop an additive there is a process that needs to be followed per state sanitary code. There needs to be approval from the authority in this case the Department of Health for Orange County and plans and specs that need to follow the 10 state standards for water works. At the commencement of any change there is a process for that. He appreciated that Lanc and Tully did a nice summary of what would be done and looked out for when the cessation at the treatment facilities. One thing that would be helpful is if that discussion included something about water quality and any other potential interactions of other treatment additives such as chlorination for

example. Would there be any impacts to the disinfection process, would there be any change in pH, and what might need to be looked at, and would there be any controls in terms of monitoring and also in terms of corrosion control in the Village distribution system if there is an additive. He is not sure if there is an additive if there is pH adjustments used, different communities do different things to control lead and copper in the distribution system. If they were to add that it would be helpful to see potential interactions or water quality impacts at the two plants. We will work with Keith and his colleagues at the County level in terms of what else needs to be looked at or testing and monitoring that might need to be done.

Mayor Rumbold stated that we had ceased adding fluoride at one point in 2012 and there weren't any adverse effects of removing it then and we don't anticipate it this time either.

William stated that is a good point and if Lanc and Tully can point that out that would be helpful. It would be good thing to summarize. Keith will connect and discuss on who takes lead on the approval if that is what the Village opts to do.

Dr. Marilyn Kacica, Medical Director, Division of Family Health for NYS Department of Health, asked how you would notify the residents of the discontinuance, individually.

Manager Revella replied that when that comes to pass we will do it in full compliance with the law.

Megan clarified that you would need to go out and include the summarization of today's meeting in said notification. She can speak with the Attorney if he needs to.

Manager Revella replied that your interpretation of the law is not the interpretation of our attorney and he did give him her contact information so he is confident he will reach out to her if needed.

Susan said she had sent email information a large volume of information that summarizes the benefits of water fluoridation and you likely have not had time to read it yet over the weekend. They have it available if you wanted to discuss it further with us at any point and time. How are you responding to comments from the public if you have had any yet regarding the preliminary determination?

Manager Revella replied we have gotten 3 comments and they were exuberant that we were discontinuing it and as any others come in we will respond appropriately. 2 of the 3 were not Village residents but we will respond accordingly.

Susan asked if there were any questions from the Board or anything you would like to hear.

Manager Revella asked why the legislation came to pass.

Megan explained it was done in the 2015-2016 budget year so there was no legislative intent for this.

Manager Revella asked why there is no law for adding fluoride. Is there any plan to enact such legislation?

Susan replied there is none.

William explained that any municipality has to have a resolution if they are going to add fluoride.

Manager Revella commented that the hoops for removal aren't as extensive as it is for those that are adding.

William replied that it may be because there is a process under the sanitary code for technical adding of any water additive processes involving an engineer as such.

Manager Revella commented that it wouldn't be done for removal as well.

William replied that it hadn't been and he thinks that part of the concern was that the number of communities that expressed wanting to discontinue fluoridating were just doing it and they would find out about it afterwards. He thinks it has had people say wait and slow down and take a look at it and the science behind it if it is valid or if it is good and from our stand point it is done safely and there are no adverse impacts.

Dr. Richardson added that it helps practitioners plan for providing other measures as practitioner.

Mayor Rumbold asked if they are the same as are provided currently to communities that do not fluoride. Are those same things done in a fluoridated community or just the ones that are removing it?

Dr. Richardson stated that we know when it is added or removed and we can give guidance and work with them.

Mayor Rumbold said she understood that. She is asking what guidance or regulations does NYS provide to those in non fluoridated communities?

Megan replied there are no regulations for either adding or removing we don't currently have it. We give guidance to practitioners for promotion to community.

Kara Connelly, Associate Director for Oral Health Initiatives, Division of Family Health for NYS Department of Health, commented that children primarily suffer most that don't have preventative services.

Dr. Kacica added that prescribers need to know when they aren't receiving it. It is about education if they aren't receiving fluoride that they need to do the prevention themselves.

Mayor Rumbold clarified that she meant receiving fluoride systematically because we know there are other products that provide that to them so you mean systematically from a government source.

Dr. Kacica replied that they are thinking about it as a pediatrician. Am I in a place that doesn't fluoridate so that they are trying their best to protect their patients?

Trustee Adams commented that there are adverse health effects associated with water fluoridation. You said there is no evidence of it, but did you run any tests to prove that you have no evidence of it to prove that it's not factual. Could the other tests that are saying it is or could be dangerous, did you run tests to verify that those statements and findings are incorrect?

Dr. Richardson replied that is a broad thing to answer. Scientific literature and sound methodology are certain parameters within scientific evidence that have to be found that wherever we look at the studies that provide sound methodologies, statistical analysis, and scientific evidence and some of those studies you are referring to have been reviewed by experts she stated before that have been used to support our stance/statement. The evidence has been unfounded according to research scientists and experts.

Manager Revella clarified that you have not done their own tests.

Dr. Kacica replied that NYS has not conducted a systematic study which would be huge.

Mayor Rumbold added that this is all independent data and other people doing research that you are depending on. So the answer is no, you are depending on others for your opinion. She finds that interesting as the FDA does the same thing for drugs that are on the market, they look at testing for drugs on the market and every day there is another side effect that they didn't realize were there.

Dr. Richardson replied that for 70 years this evidence has been apparent. Some of these are overnight sensations. It is not just a few years. She has reviewed several of these articles and the evidence is clear and there really has not been anything soundly scientifically supporting your concern or issues. If there were she would be one of the first to admit it.

Erin Knoerl, Oral Health Unit, Manager, Bureau of Child Health for NYS Department of Health, stated that Health and Human services put together a panel and in 2015 the announced a lower level of fluoride in the water. But before they released that information they did a panel and looked at all the systematic reviews in a number of things such as cancer, neurotoxicity and looked at all the research done on that and took that into account before they decreased the level.

Trustee Thompson asked why they decreased the level.

Erin replied they did that for a number of reasons. In 1961 there was a range of levels based on where you live. In Texas for example it is warmer so more people are outside and they drink more water so that level is 0.7 parts per million. Those that live in colder climates such as Maine or Minnesota where it is recommended 1.2 parts per million they have more colder months with more people working inside and they took that into consideration when changing the level. In the past few years they looked at water consumption, climates, and a number of variables and realized that people are drinking about the same amount of water no matter where they lived. Plus other sources of fluoride have come about such as fluoride in toothpaste that wasn't a factor in the early 60s so they took that into account in terms of total amount of fluoride intake. The total intake amount was all inclusive of those other sources and water consumption. The original recommendation was in the 1960s. Newburgh was the 2<sup>nd</sup> city in the whole US to begin water fluoridation and they ended up at 1 part per million based on the evidence that shows the benefits of 1 part per million in 1961 and they revised it officially in 2015. NYS Department of Health has always done their own independent review and so it was a recommendation but as a department we look at the science and adopted the 0.7 parts per million.

Trustee Moore asked if that was based on the number of cups drank per day.

Mayor Rumbold said that you can't get a number for an individual.

Erin replied that EPA looked at a number of consumption information for say a child vs an adult and did a whole calculation looking at the amount and what needs to be consumed totally in regards of fluoride and they took that into account with water as well. She can pull the article and send it to you.

Trustee Adams wanted to clarify that they have never done a study on any of the other alleged effects negatively for other diseases.

Kara stated that while the NYS Health Department doesn't do that we really look at the credibility of those that do. They are all credible sources versus the anti-fluoride groups who pull studies from other countries that aren't so credible. So it looks scary when it says that all these diseases are caused by fluoride. They use fear versus credible sources.

Mayor Rumbold added there was also a Harvard study done that was credible.

Dr. Richardson said that study came out and after that Harvard refuted the findings.

Mayor Rumbold said she also looked at the EPA scientists studies that worked with it.

Dr. Richardson said that the EPA results of the petition some of the information in those studies you are talking about were refuted. Look at that EPA document it certainly doesn't address and she doesn't know for sure if NYS has done any randomized studies that you were asking about. We rely on the experts that do this based on CDC recommendations and other experts to help us make decisions about fluoridation.

Mayor Rumbold thanked the panel for coming. They have a binder that they are leaving for us and the Clerk will email the information sent on Friday to the Board.

Susan thanked the Board for their time as well.

### **Action Items**

#### **Resolution 29-17-18: Budget Transfer**

Trustee Adams made a motion to adopt Resolution 29-17-18: Budget Transfer. Seconded by Trustee Ramos. All ayes. Motion approved.

#### **Payment of the Audited Bills**

Trustee Moore made a motion to pay the audited bills. Seconded by Trustee Ramos. All ayes. Motion carried.