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July 10, 2011

Mr. Benjamin Minard, Jr., President  
Board of Directors  
Kuder Island Colony, Inc.  
P.O. Box 766  
Rye, New York 10580

Re: Meeting and vote of July 12, 2011

Dear Mr. Minard, Members of the Board of Directors and Stockholders,

It is our understanding that the Board will present the following issues for vote by the Shareholders at a meeting on July 12, 2011: Whether Hen Island residents should (1) be required replace their current sewage disposal systems with composting toilets in the cottages and (2) cover water tanks used to store water for domestic use in the cottages.

These are both very important issues and we would like to present some information for consideration before the vote and suggest that the vote be postponed until the Board, the Stockholders and the City of Rye have had the opportunity to perform studies that consider all of the options to effectively address the health and safety issues that affect not only Hen Island, Green Haven and Milton Point but also the entire Sound Shore Community.

In speaking to other Hen Island residents I have been told that the Board of Directors is advising homeowners that if they do not approve the installations of composting toilets that the County Health Department is going to close Hen Island down. In those conversations they were also told that to install composting toilets would only require a plumbing permit and that installation of porta-potties where the holding tanks could be transported and emptied at the Rye Marina would be sufficient to by-pass current health department regulations. Any of those statements could not be further from the truth. Those statements are being spread

in effort to coerce stockholders into installing composting toilets rather than permanently fixing the problems that plague Hen Island the correct way. If the aforementioned statements were true, I would encourage stockholders to request proof of these statements in writing before taking a position on these very important issues.

Recently I have spoken to William Mooney who is the person overseeing the Hen Island issues for the Westchester County Executive's office. I can assure you that the County administration is only interested in solving the problems that plague the Island community and in no way is it looking to close Hen Island.

Mr. Mooney has specifically told me that "the County is deferring enforcement to the City of Rye due to the recent Supreme Court ruling by Judge Barbara Zambelli". In that decision the Judge instructed Rye, that the city does have the authority and discretion to enforce the health Codes on Hen Island and in Rye. Mr. Mooney also informed me that the County cannot and will not force Rye's hand in the issuance of violations for it illegal systems that are presently in use. We are sending a copy of this e-mail to Mr. Mooney, New York State Health Commissioner, Nirav R. Shah, M.D., M.P.H., Westchester County Health Commissioner, Cheryl Archibald, M.D., the Rye City Council and Mayor Doug French, among others.

With reference to the installation of chemical, incinerating or composting toilets, it should be noted that they are not a remedy to the current sewage pollution problem on Hen Island and in actuality they may cause more of an environmental and health problem than the present systems.

Although there are many different types of chemical, incinerating and composting toilets, the process work factors are similar and none of the systems treat gray water in any way. Therefore, if Hen Island is allowed to install composting systems, according to State codes, homeowners will have to use their present illegal systems for the handling of liquid effluents or install new systems for the treatment of gray water. Gray water, such as dishwashing residuals along with bathing and showering residuals, all produce microorganisms, pathogens and non-degradable chemicals. Gray water usage is estimated to account for up to 40 gallons per day per person.

The recently improperly permitted and installed composting systems on the south and middle sections of the Island can evidence this. At the time of construction of the south end cottage, in addition to installing an incinerating toilet without Health Department approval, the owner illegally installed a new sewage disposal system to handle his gray water effluents. Similarly, the middle island cottage owner still uses his preexisting system that continues to pollute the waters of the Long Island

Sound due to its placement in a water table of less than two feet.

Most notable is that all composting toilets require some type of electricity consistently for both heat elements and air flow fans used for evaporation. Many homes on Hen Island have no electricity and those that do, have solar electrical systems with limited capacity and they cannot leave solar systems on when they are not in residence.

Other potential problems include health threats personally as well as to the local community from lack of use, bad carbon/nitrogen mixes, too much moisture, refusal of users to follow instruction and personal contact contamination when the user is emptying the unit if the composting process has not been complete. It is also cautioned that when emptying a composting unit the handler should wear protective gloves and a mask. The biggest problem is the potential for composting toilets to become a habitat for vectors. These can be any critter that can carry a pathogen to a more common human living environment. These vectors include mosquitoes, flies, mice, and rats, etc.

If it has been determined that if there is major problem with the compost batch in a home, the owner will have to use a process called a "MAJOR PROBLEM DEFAULT SEQUENCE" which includes transferring the compost batch to 55 gallon sealed drums and storing them for one year in the sun to meet minimum public health risks.

There is an unwritten mandate within regulatory agencies that the general population cannot be left to deal with their own excrements. These issues of sewage treatment and potable water are very delicate and in-depth issues that should be handled by professionals that have undertaken studies, visited the site, explored alternatives and come to conclusions based on scientific research and experience. A portion of the current New York State codes is copied below for reference.

**New York State Septic System Design Regulations 75-A.10 states:**

"b. Non-waterborne Systems

1. General – In certain areas of the State where running water is not available or is too scarce to economically support flush toilets, or where there is a need or desire to conserve water, the installation of non-water-borne sewage systems may be considered however, the treatment of wastewater from sinks, showers, or other facilities must be provided when non-flush toilets are installed.

2. Chemical and Recirculating Toilets

- i. Chemical toilets provide a toilet seat located directly above a vault containing chemicals to disinfect and remove odors from the wastewater. Recirculating toilets use chemicals as the toilet flush fluid. The wastes are separated from the fluid, wastes discharged to an internal holding tank and the fluid reused.
- ii. The liquids used in these types of toilets do not completely disinfect the wastes, therefore waste products from these units shall not be discharged to surface waters or to the ground surface.
- iii. The reduced volume wastewater from recirculating toilets may be discharged to a larger holding tank but not to a subsurface absorption system."

Rather than requiring homeowners to install systems that do not remediate the current sewage issues, the Board along with the City of Rye should be encouraging and recommending the undertaking of studies on how we can address all four issues (sewage, potable water, mosquitoes, and lack of regular maintenance) currently risking the health and safety of the community.

We believe that due to a personal relationship between Rye's Mayor Doug French and his neighbor on Meadow Place, (who is also a Hen Island resident) that the City of Rye is encouraging and attempting to change the codes and zoning to allow composting systems on Hen Island. Mayor French is trying to fast track this issue due to current and past pressure as a result of his failure to enforce sewage, potable water, maintenance and the worst mosquito infestation in a residential community in Westchester County. Additionally Mayor French is attempting to legalize the installation of sewage systems for an entire community without first complying with the necessary statutory requirements including draft or environmental impact statements, engineering reports or studies of any kind. He has public stated that "composting system are an easy fix to the problem on Hen Island". Unfortunately he has failed to state all of the short comings of composting systems and that composting systems are alternative systems that are used in remote residential locations where sewer access is not available.

The Board of Directors along with Mayor French would not like the public to know that an easement is in place on Hen Island. We presently have incorporated in our deed a utility easement that can be exercised by the Hen Island community that would allow sewage and potable water to be handled according to regulations. Although ultimately the Mayor "MAY" be successful in creating code and zoning changes before his term is complete he will most likely spark multiple law suits that will affect the Hen Island community, cause taxpayers to waste more money and ultimately cause Hen Island to rectify the problems the right way after he is no

longer in office. This could happen after residents have spent thousands of dollars to install composting systems in vain.

With regards to the covering of water tanks that store water for domestic use on the Island, this inappropriate fix is also being suggested to calm complaints from Rye residents particularly concerned about the many mosquito breeding sites allowed to continue on Hen Island. These mosquito breeding sites are as a result of stored stagnant water in tanks, (approximately 1000 gallons per household X 33 homes) filling in the buffer zone with debris (which creates rain water ponds) and a general lack of maintenance on the Island.

The first requirement of any effective mosquito control program is to remove any standing water. The Board of Director's recommendation to cover the water is not and will not be effective as the water that has been stored in horse troughs for years has been covered in the past to stop leaves and other debris from clogging the home water systems. These covers cannot stop the mosquito breeding as the inlet openings have to be open to receive incoming water. Even in situations in the mid west where animal troughs are necessary to accommodate drinking water for animals, the remedy to eliminate mosquito breeding from these troughs is to allow continual water flow which will break the life cycle of the larva. Continual water flow on Hen Island is not possible as there is no running water on the Island.

Additionally the covering of water collected from rooftops (infected with bird feces) and pumped in homes for domestic use, does not address the absence of potable water in cottages on Hen Island. Residents will still be required to wash dishes, cooking utensils and shower in bird feces infected water collected from rooftops.

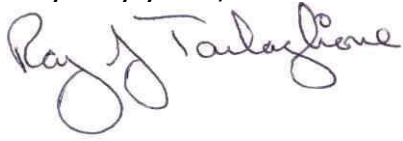
The Hen Island attorney, Rye's Mayor Doug French and the Board of Directors have no experience in this field and should not determine our future and the future health concerns of our neighbors.

It has been rumored that this is a fight within a community between neighbors on Hen Island. In looking at the small picture this may be true but in the larger frame of things, it should be noted that these issues affect everyone not only in Green Haven, Milton Point and Rye but also every community that uses the Long Island Sound.

The future health and safety of not only our community but also the neighboring Milton Harbor, Green haven, Milton Point and Rye will be affected by these inappropriate decisions if they are allowed to happen. If Mayor French and the Board of Directors for Hen Island were truly concerned with the health and safety of residents, they would both suggest and mandate appropriate studies along with

the proper remedies and stop this charade of "we are fixing the problem."

Very truly yours,

A handwritten signature in cursive script that reads "Ray J. Tartaglione". The signature is written in black ink and is positioned below the typed name.

Raymond J. Tartaglione