

IN C I D E N T	1. Agency WESTCHESTER COUNTY PD		2. Division/Precinct New York State INCIDENT REPORT		3. ORI NY05900		4. <input type="checkbox"/> Orig <input type="checkbox"/> Supp		5. Case No. WC-01376-07		6. Incident No. WC-033864-07																			
	7. Report Day Wed		8. Date Jun 6 2007		9. R 15:15		Occurred On/From: Wed Jun 6 2007 09:00		10. Day Wed		11. Date Jun 6 2007		12. Occurred On/From:		13. Day		14. Date		15. Time											
	16. Incident Type ENVIRONMENTAL SECURITY				17. Business Name				18. Weapon(s)				A.																	
	19. Incident Address(Street No.,Street Name,Bldg. No.,Apt. No.) 10 HEN ISLAND								20. City,State,Zip(<input type="checkbox"/> C <input type="checkbox"/> T <input type="checkbox"/> V) RYE								21. Location Code B.													
A S P E C I O N A N T S D	22. OFF. NO.		LAW		SECTION		SUB		CL		CAT		DEG		ATT		NAME OF OFFENSE				CTS		23. No. of Victims C.							
	1																						24. No. of Suspects D.							
	2																													
I C T I M A	25. Person Type:CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim																		26. Victim also complainant <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		E.									
	TYPE/NO		NAME(LAST, FIRST, MIDDLE, TITLE)								Date of Birth				STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP								Telephone No.				F.			
	OT		SMITH, MATT												145 HUGUENOT ST NEW ROCHELLE, NY								BUS <input type="checkbox"/> RES. <input type="checkbox"/>				G.			
	OT		TAMBURRO, VINNEY												1051 BOSTON POST ROAD/BUILDING CITY OF RYE,								BUS () RES. <input type="checkbox"/>				H.			
S U S P E C T I V A D D R E S S E D	CO		TARTAGLIONE, RAYMOND								06/27/1954				101 WESTMORELAND AV WHITE PLAINS, NY 10606								BUS () RES. <input type="checkbox"/>				I.			
																							BUS RES. <input type="checkbox"/>							
P R O P E R T Y I C L E	27. Date of Birth / /		28. Age		29. Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> U		30. Race <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other <input type="checkbox"/> Indian <input type="checkbox"/> Asian <input type="checkbox"/> Unk.		31. Ethnic <input type="checkbox"/> Hispanic <input type="checkbox"/> Unk. <input type="checkbox"/> Non-Hispanic		32. Handicap <input type="checkbox"/> Yes <input type="checkbox"/> No		33. Residence Status <input type="checkbox"/> Resident <input type="checkbox"/> Tourist <input type="checkbox"/> Commuter <input type="checkbox"/> Military		34. Temp. Res.-Foreign Nat. <input type="checkbox"/> Student <input type="checkbox"/> Other <input type="checkbox"/> Homeless <input type="checkbox"/> Unk/Not Indicated		J.													
	34. Victim DID receive information on Victim's Rights and Services pursuant to New York State Law <input type="checkbox"/> Yes <input type="checkbox"/> No																K.													
	35. Type/No		36. Name(Last,First,Middle)								37. Alias/Nickname/Maiden Name(Last,First,Middle)								38. Apparent Condition <input type="checkbox"/> Impaired Drugs <input type="checkbox"/> Mental Dis <input type="checkbox"/> Unk. <input type="checkbox"/> Impaired Alco <input type="checkbox"/> Inj/III <input type="checkbox"/> App Norm.				L.							
	39. Address(Street No.,Street Name,Bldg.,No., City.,State,Zip)										40. Phone Res: Bus: M.				41. Social Security No.				N.											
P R O P E R T Y I C L E	42. Date of Birth / /		43. Age		44. Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> U		45. Race <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other <input type="checkbox"/> Indian <input type="checkbox"/> Asian <input type="checkbox"/> Unk.		46. Ethnic <input type="checkbox"/> Hispanic <input type="checkbox"/> Unk. <input type="checkbox"/> Non-Hispanic		47. Skin <input type="checkbox"/> Light <input type="checkbox"/> Dark <input type="checkbox"/> Unk. <input type="checkbox"/> Medium <input type="checkbox"/> Other		48. Occupation																	
	49. Height		50. Weight		51. Hair		52. Eyes		53. Glasses <input type="checkbox"/> Yes <input type="checkbox"/> Contacts <input type="checkbox"/> No		54. Build <input type="checkbox"/> Small <input type="checkbox"/> Medium <input type="checkbox"/> Large		55. Employer/School		56. Address															
	57. Scars/Marks/Tattoos(Describe)										58. Misc.																			
N A R R A T I V E	59. Victim or <input type="checkbox"/> Suspect No.		Property Status		Property Type		Quantity/ Measure		Make or Drug Type		Model		Serial No.		Description		Value		1											
																			2											
																			3											
																			4											
A D M I N I S T R A T I V E	V 60. Vehicle Status		61. License Plate No		Full <input type="checkbox"/> Partial <input type="checkbox"/>		62. State		63. Exp. Yr.		64. Plate Type		65. Value						5											
	66. Veh. Yr.		67. Make		68. Model		69. Style		70. VIN.										6											
	71. Color(s)		72. Towed By: To:						73. Vehicle Notes										7											
	74. On June 6, 2007, at about 0930 hrs., ESU received a complaint from Ray Tartaglione of Rye New York, reporting health law violations on Hen Island in the town of Rye. Request ESU to look into alleged violations.																		8											
A D M I N I S T R A T I V E	Dir. Ronald A. Gatto																		9											
	Director of Environmental Security Unit																		10											
	Westchester County Police Department																		11											
	*****																		12											
A D M I N I S T R A T I V E	On June 6, 2007, at about 0930 hrs., I Dir. Ronald A. Gatto, Director of Environmental Security Unit for the Westchester County Police Department																		13											
																			0											
A D M I N I S T R A T I V E	75. Inquiries(Check all that apply). <input type="checkbox"/> DMV. <input type="checkbox"/> Want/Warrant. <input type="checkbox"/> Scooplaw <input type="checkbox"/> Crim. History <input type="checkbox"/> Stolen Property <input type="checkbox"/> Other				76. NYSIN Message No.				77. Complainant Signature RAYMOND TARTAGLIONE				78. Reporting Officer Signature(Include Rank)				79. ID No C0053 PO CONNOLLY				80. Supervisor's Signature(Include Rank) Dir. Ronald A. Gatto				81. ID No				B use cover sheet	
	82. Status <input type="checkbox"/> Vict. Refused to Coop. <input checked="" type="checkbox"/> CBI <input type="checkbox"/> Juv. - No Custody				<input checked="" type="checkbox"/> Closed(if Closed, check box below). <input type="checkbox"/> Unfounded <input type="checkbox"/> Pros. Declined <input type="checkbox"/> Warrant Advised <input type="checkbox"/> Offender Dead. <input type="checkbox"/> Extrad. Declin <input type="checkbox"/> Unknown				83. Status Date Jun 24 2008				84. Notified/TOT HEALTH DEPT								85. 1 Page of. 5 Pages									

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ADDITIONAL NARRATIVE

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received a complaint from Ray Tartaglione residing in white Plains. He reports; he owns a small house located on Hen-Island in the City of Rye. This house is located out on an island. There is approximately (32) small homes located on said island complainant alleges some of the summer homes have illegal septic and other illegal health violations.

ESU will conduct an investigation and consult with the County Health Department on health codes concerning water & septic systems.

Case open, pending further investigations.

Dir. Ronald A. Gatto
Director of Environmental Security Unit
Westchester County Police Department

7/10/07

On July 10, 2007, This Director contacted the Westchester County Health Department Frank Guito to set up an inspection date concerning the Hen Island complaint. This Director requested the Health Department to assist in the initial inspection as the complainant alleges there are health code violations.

This Director set up a date on July 17, 2007, at 1000 hrs., at the City of Rye Marina, to meet and coordinate a boat ride to the Island for an initial inspection.

This Director also invited the City of Rye Building Inspector Vinney Tamburro @ 914-967-7372 - cell 914-760-1568, and the Marine Unit from the Rye City Police Department, P.O. Gary Olivier, and Sgt. Scott Graig.

The Rye Police Department Marine Unit will be taking all involved out to the Island in their Police boat as they are aware of the rocky terrain in that area of the sound / bay.

This Director has discussed the received complaint with County Health Insp. Matt Smith, the City of Rye Building Department Vinney Tamburro, and the City of Rye Marine Unit Officers, P.O. Olivier, and Sgt. Graig. ESU Officers Connolly and ES Carroll were briefed as well.

Case remains open, pending Inspection at the Island.

Director Ronald A. Gatto
Environmental Security Unit
Westchester County Police Department

7/17/07

On July 17, 2007, at about 1000 hrs., this Director, P.O. Connolly, and ES Carroll arrived at the City of Rye Marina and met with, Westchester County Health Insp. Matt Smith, City of Rye Building Insp. Vinney Tamburro, City of Rye Police Marine Unit, Sgt. Graig, P.O. Olivier, and the Complainant Ray Tartaglione.

This Director and the other said Officials boated over to the Island in City

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of Rye Police Boat / Marine Unit, (Olivier & Graig).

This Director and all above mentioned arrived at Hen Island and docked on the North Shore. The Island was at mean tide= not high not low but at a middle height. The Island is divided into three sections, the North Section, the South Section and the middle Section. The North section has (15) homes; the South Section has (14) homes and the middle section has (4) homes.

The Island at Mean tide is about (25) acres, with some wooded areas, grass areas, and a beach front. There is no fresh potable drinking water, there is no electrical service, other then battery and solar systems. There are no approved and legal septic systems and or sewer lines.

Inspection showed the following;

This Director and the other said Officials decided to inspect the North area at this inspection and start from House #1 and finish at House #15. Inspection showed most homes had some sort of septic system that was not an approved system and most likely installed by the home owner. As a factual example, House #1 had a cement block above ground tank with a lid and a hose running to it. This was a home made septic system which was not an approved system according to the Health Department and City of Rye Building Department. House #3 had a rock pile sess pool type of septic system, as this is not an approved system. House #2 had an open water tank which was apparently used for bathing and flushing the toilet.

Further inspection showed mostly all the houses had water tanks, some were wood, some were plastic, some were open and some were sealed. It is believed there is no filtering process that this water goes through before it is used. The water is collected from the gutter system when it rains and is piped directly into said drums, containers, etc. Then used when the house is occupied. At the time of our inspection it is clear this system does not meet the water quality standards for potable and safe drinking water.

Further Investigation shows;

The South side of the island and the middle section mimics the North side we inspected. They also have the same type of water system and unapproved septic systems.

We also noticed this area appeared to have a mosquito infestation. This Director and other Officials were severely bitten. The area showed no signs of any kind of mosquito control program.

Continued Investigation:

The investigation / inspection clearly showed make shift septic systems on many of the homes throughout the island. These systems were not approved by County Health or the City of Rye Building Department. Some of the septic systems were at ground level or above with no fields or proper tanks. There were some septic pipes that entered the ground and discharged to an unknown area of the island.

The water systems used for bathing and washing was rain water that was collected from the roof top through gutters during rain storms and flowed through gutter leader pipes into either wood or plastic drums for storage. According to official water test results i received from the complainant

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from Yorktown Medical Lab Environmental Services, there report clearly indicates that the samples taken from several of the homes at Hen Island was not of a satisfactory sanitary quality according to the EPA drinking water standards. (Reports in case file) This water should not be used for consumption or bathing.

Investigation shows there was no permission in writing that we could find by the County Health Department, State Health Department, or City of Rye Officials that approved these make shift septic systems for the homes located on Hen Island.

This case remains open, pending further investigation.

Director Ronald A. Gatto
Environmental Security Unit
Westchester County Police Department

On July 24, 2007, at about 1000 hrs. a meeting was held at County Police HQ to discuss the investigative / inspection findings conducted at He-Island. Attending the meeting was this Director, P.O. Connolly, ES Carroll, Marian Pompa from DEF, Matt Smith from WCHD, Len Myerson from WCHD, Vinney Tamburro from the City of Rye.

We discussed the findings and possible violations under Health Dept. codes and NYS ECL laws. It was decided some further investigation is needed before taking what ever action maybe appropriate.

It was determined at said meeting, that the make shift septic systems that were looked at were not approved septic by any agency in Westchester County. There are no file permits or plans.

On August 6, 2007, this Director received two letters from the complainant Ray Tartaglione, one dated April 3, 2007, written by Ray Tartaglione to the Hen-Island Board President, and One dated May 24, 2007, written by Hen-Island president to Ray Tartaglione. The letter by the President of Hen-Island assoc. was in response to many questions asked by Tartaglione.

The May 24, 2007, letter, states in the second paragraph " it is the belief of the board that we are in compliance with all applicable codes".

This investigation indicates at this time, there is no approvals on file with any authorizing agencies in Westchester that has approved in writing said septic systems on Hen-Island. Further, there is no approvals for repairs as well.

Case remains open, pending further investigation.

Dir. Ronald A. Gatto
Director of Environmental Security Unit
Westchester County Police Department

November 20, 2007

On November 20, 2007, this Director had a conversation with complainant concerning any additional information that would be pertinent to the case. No further information was received at this time. According to the complainant

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there has been know work done or up grades to the existing septic systems on the Island.

The Westchester County Health Department will be determining the final outcome on the complainants concerns of the existing septic systems and potable water storage / usage.

ESU will re-evalute this case and turn it over to the Westchester County Health Department for their final disposition. This investigation by ESU does not over-ride any decisions and/ or recommendations that are submitted by the Health Department concerning this complaint.

6/24/2008-After reviewing case this date, ESU has determined that the final disposition will be determined by the health department. No further investigation by the ESU. Case Closed.

Director Ronald A. Gatto
Director of Environmental Security Unit
Westchester County Police department

Gatto, Ronald

From: Gatto, Ronald
Sent: Thursday, July 19, 2007 12:56 PM
To: Guido, Frank; Smith, Matt; 'vtamburro@ryeny.gov'; Connolly, John; Carroll, Allen
Cc: Belfiore, Thomas; Lauro, Thomas; Meyerson, Leonard
Subject: Meeting on Hen-Island Investigation / Inspection
Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

To all above:

I have tentatively set up a date and time on July 24, 2007, at 10:00am, at Westchester County Police HQ to discuss our findings and the next course of action. As an FYI; I was recently advised by the Riverkeeper that they were notified as well concerning the Environmental issues on Hen Island.

Please let me know if this date and time is ok?

I will also invite the City of Rye Marine Unit Officers that assisted us the day of the Investigation, as it is their Patrol area.

Respectfully,
Ron

Director Ronald A. Gatto D/S
Environmental Security Unit
Westchester County Police (DPS)
(Ph#914-864-7601 / Ph#914-864-7606)