

Andrew J. Spano
County Executive

Department of Health
Joshua Lipsman, M.D., M.P.H.
Commissioner

November 26, 2007

Mr. Ray Tartaglione
101 Westmoreland Avenue
White Plains, NY 10606

Re: Hen Island
Rye, New York

Dear Mr. Tartaglione:

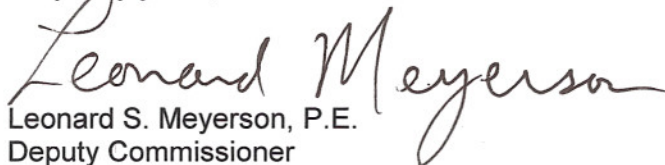
This is in response to your letter dated October 27, 2007 regarding public health issues at the referenced island. On the expressed health concern that West Nile virus may be spread by salt marsh mosquitoes, note that the Health Department bases decisions on West Nile disease control on entomological science, experience and responsible public health policy. The spraying of pesticides may be harmful to human health and the environment and is not considered absent compelling evidence that public health may be endangered and absent alternative means of suppressing the mosquito population. That is not the case on Hen Island.

You have also restated concerns regarding sewage disposal on Hen Island. The Health Department inspected many residences on July 17, 2007, August 7, 2007 and August 27, 2007. There were three Health Department professionals conducting these inspections with combined decades of experience in sanitary engineering and sewage field work. Each of the Health Department inspectors found that there is no evidence of seepage or overflow from the sewage disposal systems examined. Without emerging sewage, there is no violation of the County's Sanitary Code, nor is it our policy to cite systems that pre-date the Sanitary Code unless they are in failure. Regarding your request for dye testing, dye tests are only conducted when there is a reasonable potential of observing emerging sewage. This is not the case on Hen Island. Also note that residents are not required to get approval from the Department when they upgrade their existing system, so even if some residents improved their sewage systems along with their homes, the Department would not require approval.

You have also expressed concern regarding cistern water use. As you know, the Health Department agrees that cistern stored water is not suitable as a potable water source, and on August 31, 2007, an advisory was sent to Kuder Island Colony Inc. the owner of Hen Island, to precautionarily remind residents not to drink cistern water. Note that, the Department does not have the authority to prohibit use of cistern water.

Please be assured that your stated belief that my actions and explanations are being "controlled and dictated by others in the County Administration" is inaccurate. Statements provided in my correspondence are based on my own observations and professional judgment.

Very truly yours,

A handwritten signature in cursive script that reads "Leonard S. Meyerson". The signature is written in dark ink and is positioned above the printed name and title.

Leonard S. Meyerson, P.E.
Deputy Commissioner
Division of Environmental Health

cc: Joshua Lipsman, MD, JD, MPH, Commissioner of Health