

**CITY OF RYE  
1051 BOSTON POST ROAD  
RYE, NY 10580  
AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
Wednesday, November 20, 2024  
6:30 p.m.**

*Please note: The Council will convene at 5:00 p.m. and it is expected they will adjourn into Executive Session at 5:01 p.m. to discuss the Rye vs. Port Chester Article 78, United Hospital Amended Site Plan Application and County of Westchester vs. City of Rye (Playland).*

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the Regular Meeting of the City Council held November 6, 2024.
4. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
5. Report of the City Manager.
6. Resolution to waive parking restrictions and parking fees in all downtown parking lots and Purchase Street from December 19 – December 26 for Hanukkah, Christmas, and Kwanzaa for 2024.
7. Consideration of the proposed revisions of the Rules and Regulations of the City of Rye Police Department.
  - Policy 702 – Vehicle Maintenance
  - Policy 703 – Vehicle Use
  - Policy 704 – Cash Handling, Security and Fiscal Management
8. Consideration of the proposed revisions of the Rules and Regulations of the City of Rye Fire Department.
  - Policy 408 – Hazardous Materials Disclosures
  - Policy 501 – Latex Sensitivity
  - Policy 702 – Use of Department-Owned and Personal Property
  - Policy 801 – New York State and National Fire Incident Reporting Systems
  - Policy 914 – Fire Station Safety

- Policy 915 – Ground Ladder Testing
- Policy 1000 – Recruitment and Selection

9. Presentation by Susan Favate from BFJ Planning regarding a comprehensive planning process for the City.
10. Consideration of a resolution declaring the City Council’s Intent to be Lead Agency under SEQRA and referral to the Rye City Planning Commission for advisory wetland permit review in connection with the Blind Brook Riparian Restoration Project at Rye Nature Center.
11. 2025 proposed budget discussion.
12. Discussion of possible expanded use of videoconferencing of Rye Public Bodies subject to the Open Meetings Law.
13. Resolution authorizing the City of Rye to enter into a cooperative purchasing agreement.
14. Rye Town Park Commission 2023 financial contribution.
15. Resolution in support of continued and increased State aid for local governments.
16. Resolution to participate in the 2024 Tree City program.
17. Old Business/New Business.
18. Adjournment

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The next regular meeting of the City Council will be held on Wednesday, December 4, 2024, at 6:30 p.m.

\*\* City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at [www.ryeny.gov](http://www.ryeny.gov) under “RyeTV Live”.

***UNAPPROVED MINUTES*** of the Regular Meeting of  
the City Council of the City of Rye held in the Square  
House and City Hall on November 6, 2024, at 5:45 P.M.

PRESENT:

KEITH CUNNINGHAM  
SARA GODDARD  
BILL HENDERSON  
JAMIE JENSEN  
JOSH NATHAN  
JULIE SOUZA  
Councilmembers

ABSENT:

JOSH COHN, Mayor

ALSO ATTENDING:

GREG USRY, CITY MANAGER  
KRISTEN WILSON, CORPORATION COUNSEL  
JOE FAZZINO, DEPUTY COMPTROLLER

The Council convened a public meeting at the Square House at 5:45 pm.

1. [Pledge of Allegiance.](#)
2. [Roll Call.](#)

Deputy Mayor, Julie Souza, read remarks prepared by Mayor Cohn where he recognized those who have helped the City both past and present. Councilperson Souza recognized the City staff attending the meeting who help the City run on a daily basis and asked all those present who had served in a volunteer or elected capacity in the past to introduce themselves. Sheri Jordan, Director of Rye Historical Society, welcomed everyone to the Square House. She mentioned the strong history of Rye and the importance of the Square House, which was once a tavern in the Revolutionary War, and eventually became City Hall.

Once all who wanted to comment concluded, the group adjourned the meeting to City Hall at 6:15 P.M.

The Council reconvened in City Hall at 6:27 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

3. [Draft unapproved minutes of the Regular Meeting of the City Council held October 23, 2024.](#)

On motion by Councilperson Henderson, seconded by Councilperson Jensen, and unanimously carried, it was

**RESOLVED** to approve the drafted minutes of the Regular Meeting of the City Council held October 23, 2024.

4. New Item: [Resolution authorizing the allocation of an amount not to exceed \\$25,000 from the Contingency fund for outside counsel to review/revise the City sign law.](#)

On motion by Councilperson Souza, seconded by Councilperson Nathan, it was

**RESOLVED** to appropriate an amount not to exceed \$25,000 from Contingency in order to retain outside counsel to review the City sign law.

Adopted by the following vote:

**ROLL CALL**

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan, Souza  
NAYS: None  
ABSENT: Mayor Cohn

5. [Report of the City Manager.](#)

City Manager, Greg Usry, updated the City Council on various items.

6. [Rye Town Park letter of support.](#)

On motion by Councilperson Souza, seconded by Councilperson Goddard, and unanimously carried, it was

**RESOLVED** to authorize Mayor Cohn to sign a letter of support for Rye Town Park's Stormwater Improvement Project.

7. [Presentation of the FY 2025 budget by the City Manager and City Comptroller.](#)

City Manager, Greg Usry, submitted the 2025 budget for review and gave a summary overview while City Comptroller, Joe Fazzino gave a presentation regarding the same.

8. [Set a public hearing on the FY 2025 budget for December 4, 2024.](#)

On motion by Councilperson Henderson, seconded by Councilperson Jensen, and unanimously carried, it was

**RESOLVED** to set a public hearing on the FY 2025 budget for December 4, 2024.

9. [Set a public hearing for December 18, 2024, to adopt a Local Law to override the State tax levy limitation, if necessary.](#)

**UNAPPROVED MINUTES** – Regular Meeting - City Council  
November 6, 2024

On motion by Councilperson Henderson, seconded by Councilperson Jensen, and unanimously carried, it was

**RESOLVED** to set a public hearing to adopt a Local Law to override the State tax levy limitation for December 18, 2024.

10. [Old Business/New Business.](#)

11. [Adjournment](#)

On motion of Councilperson Henderson, seconded by Councilperson Jensen, and with the Council in favor, the meeting was adjourned at 7:29 P.M.

Respectfully submitted,

Noga Ruttenberg  
City Clerk



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution to waive parking restrictions and parking fees in all downtown parking lots and Purchase Street from December 19 – December 26 for Hanukkah, Christmas, and Kwanzaa for 2024.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the City Council adopt the following resolution:

WHEREAS, the City Council seeks to support the Central Business District local businesses during the 2024 Holiday Season, and;

WHEREAS, the City Council encourages residents to shop and dine downtown during the holiday season as buying locally helps all of us while strengthening our local economy;

NOW THEREFORE BE IT RESOLVED, the City Council will provide free metered parking for the period December 19 – December 26, at the City's expense.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** In December of 2017, the City Council began waiving parking fees for approximately one week leading up to Christmas in an effort to support the Central Business District. The Council hopes to encourage residents to shop and dine downtown during the holiday season since buying locally helps the community and strengthens our local economy. For 2024, the Council resolution reflects waiving fees for the shopping period which includes Hanukkah, Christmas and Kwanzaa. Based upon prior years' revenues the City projects these suspensions will cost \$18,000-23,000.



# CITY COUNCIL AGENDA

DEPT.: Police Department

CONTACT: Mike Kopy, Commissioner of Public Safety

**AGENDA ITEM:** Consideration of the proposed revisions to the Rules and Regulations of the City of Rye Police Department.

- Policy 702 – Vehicle Maintenance
- Policy 703 – Vehicle Use
- Policy 704 – Cash Handling, Security and Fiscal Management

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** Consideration of the listed policies.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The proposed policies have been reviewed by the Commissioner and the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

See the attached memo and policies.

Michael Kopy  
Public Safety Commissioner  
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<http://www.ryeny.gov>

## **CITY OF RYE Public Safety**

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**To:** Greg Usry, City Manager  
**From:** Michael Kopy, Public Safety Commissioner  
**Date:** 11/20/2024  
**Re:** Police Department – Lexipol Policy

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Reference the captioned subject, the attached policy changes are forwarded for review. As you know, the city contracted with Lexipol prior to my arrival to develop policies for the police department based on nationwide standards and best practices, while also incorporating state and federal laws. I have reviewed the policies submitted by Lexipol with a committee at the police department (including the PBA) and made the appropriate changes where necessary.

I believe that the adoption of these policies are in the best interest of public safety in the City of Rye and I recommend that they be forwarded to the City Council for action. Below is a brief overview of the changes from both the current City Police Department policy, as well as what was submitted by Lexipol, for each section.

I will be available to answer questions when these are reviewed.

### **Policy 702 – Vehicle Maintenance**

This purpose of this policy is to ensure that department vehicles are appropriately maintained.

### **Policy 703 – Vehicle Use**

The purpose of this policy is to establish a system of accountability to ensure department vehicle are use appropriately. This policy provides guideline for on and off duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Rye to provide assigned take-home vehicles.



## **Policy 704 – Cash Handling, Security and Fiscal Management**

This policy provides guidelines for the overall fiscal management of the Department and to ensure department members handle cash appropriately in performance of their duties. This policy does not address cash-handling issues specific to the Detective Division and Informants policies.

# Vehicle Maintenance

## 702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

## 702.2 POLICY

The Rye Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

## 702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

## 702.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service with authorization of a supervisor. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

Documents describing the correction of the safety issue shall be promptly filed with the vehicle history.

### 702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable. If a vehicle is assigned to EVOC or something similar it will be scheduled for service prior to returning to routine use.

### 702.4.2 REMOVAL OF WEAPONS

All firearms, weapons, control devices, and other items deemed necessary by the Tour Supervisor shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

## 702.5 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles.

### 702.5.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- 20 emergency road flares
- 1 roll crime scene barricade tape
- 1 first-aid kit bag

## Vehicle Maintenance

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- 1 AED
- 1 blanket
- 1 fire extinguisher
- 1 hazardous materials emergency response handbook
- 1 seatbelt cutter
- 1 active shooter response kit
- Rope

### 702.5.2 UNMARKED VEHICLES

Members driving unmarked department vehicles shall ensure that the following equipment, at a minimum, is in the vehicle:

- 20 emergency road flares
- 1 roll crime scene barricade tape
- 1 first-aid kit bag (optional)

### 702.6 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, patrol vehicles shall be fueled prior to the end of every shift when used.

### 702.7 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

Patrol officers shall obtain clearance from the desk officer before going to the car wash. Only one patrol vehicle should be at the car wash at a time unless otherwise approved by a supervisor.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

Absent emergency conditions, the Tour Supervisor every Sunday "A" Tour will ensure that each post car is brought to the car wash. Additionally, officers are encouraged to wash their patrol vehicle at least once per work week.

### 702.8 SNOW / ICE

All front line vehicles must be made readily available for use at any given time. The Tour Supervisor will ensure that at least the Supervisor vehicle and all front line post vehicles remain clear of snow and ice. Additionally, absent emergency conditions, the Tour Supervisor will ensure that all department vehicles are cleared of snow and ice at the end of any weather event.

## Vehicle Use

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Rye to provide assigned take-home vehicles.

### 703.2 POLICY

The Rye Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations. Vehicles assigned to general patrol duties should be equipped with emergency lighting and be conspicuously marked with the department name.

### 703.3 USE OF VEHICLES

#### 703.3.1 SHIFT ASSIGNED VEHICLES

The Tour Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

#### 703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Tour Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This notification does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

#### 703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

## *Vehicle Use*

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When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

### 703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

### 703.3.5 MDC

Members assigned to vehicles equipped with a Mobile Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the the Desk. Use of the MDC is governed by the Mobile Data Computer Use Policy.

### 703.3.6 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

### 703.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized by a supervisor or designee.

### 703.3.8 ALCOHOL / CONTROLLED SUBSTANCES

Members who have consumed alcohol are prohibited from operating any department vehicle. Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated. Members using prescribed controlled substances will not operate department vehicles when that substances may cause an impairment which can impact their ability to operate a motor vehicle.

### 703.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without permission from their Division Commander.

## Vehicle Use

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### 703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Commissioner of Public Safety. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

#### 703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Commissioner of Public Safety or the authorized designee.

#### 703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Rye City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) The vehicle will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### 703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Commissioner of Public Safety or a Division Commander gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
  - 1. In circumstances when a member has been placed on call by the Commissioner of Public Safety or Division Commanders and there is a high probability that the member will be called back to duty.

# Rye Police Department

## Rye Police Department Policy Manual

### Vehicle Use

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2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or travelling to or from a work-related activity or function.
  3. When the member has received permission from the Commissioner of Public Safety or Division Commanders.
  4. When the vehicle is being used by the Commissioner of Public Safety, Division Commanders or members who are in on-call administrative positions.
  5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
  2. All weapons shall be secured while the vehicle is unattended.
  3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Commissioner of Public Safety or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department, when a member will be away (e.g., on vacation) for periods exceeding one week.
1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
  2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

#### 703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Rye Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions, Law Enforcement Authority for Police Officers and Law Enforcement Authority for Peace Officers policies).

## *Vehicle Use*

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Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

### **703.4.5 MAINTENANCE**

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) The Sergeant assigned to vehicles will ensure that monthly inspections are conducted and documented. Electronic software should be utilized to accomplish this task.

### **703.5 SPECIAL PURPOSE VEHICLES**

The Patrol Division Commander or the authorized designee shall ensure that procedures are established governing the use of all special purpose vehicles.

The procedures document should minimally include, for each vehicle:

- A statement of the objectives of the vehicle's operation or usage
- Who may authorize use
- Operation instructions
- Conditions for use
- Limitations on use
- Operator qualification and training
- A list of authorized operators
- Who is responsible for the condition and maintenance
- An inventory of equipment required
- Operational readiness inspection intervals



# Rye Police Department

## Rye Police Department Policy Manual

### *Vehicle Use*

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#### **703.6 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accidents Policy).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered and documented in memorandum format, which shall be forwarded to the Tour Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

Unless directed by the Commissioner of Public Safety or their designee to do otherwise, accidents must be investigated by a higher rank than the involved member.

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# Cash Handling, Security and Fiscal Management

## 704.1 PURPOSE AND SCOPE

This policy provides guidelines for the overall fiscal management of the Department and to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Detective Division and Informants policies.

## 704.2 POLICY

It is the policy of the Rye Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

The City of Rye Police Department does not accept cash bail.

## 704.3 FISCAL MANAGEMENT

### 704.3.1 COMMISSIONER OF PUBLIC SAFETY RESPONSIBILITIES

The Commissioner of Public Safety is responsible for directing the position or person responsible for managing fiscal issues for the agency, hereafter referred to as the fiscal manager, including managing the department budget; overseeing revenues, disbursements and balances of accounts; and conducting and/or directing regular and unscheduled audits.

### 704.3.2 FISCAL MANAGEMENT SYSTEM

The department's fiscal management system tracks all budget lines for all accounts and finances of the agency, including confidential funds. The fiscal manager will ensure that the following reports are prepared on a quarterly basis in order to provide the Commissioner of Public Safety with the fiscal status of the agency at any time:

- (a) Initial appropriations for accounts and programs
- (b) Balances at the beginning of each period
- (c) Expenditures and encumbrances during the period
- (d) Unencumbered balances

## 704.4 PETTY CASH FUNDS

The Commissioner of Public Safety shall designate a person as the fund manager responsible for maintaining and managing petty cash funds.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

## *Cash Handling, Security and Fiscal Management*

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### **704.5 PETTY CASH TRANSACTIONS**

The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an in depth supplemental report outlining why there was no documentation. Funds will only be dispersed at the discretion of a Lieutenant or above, if there are exigent circumstances a Sergeant may approve fund dispersal. The petty cash fund should always be between \$500 and \$1000. The fund manager will ensure that if the funds drop below \$500 a request will be placed to return to \$1000.

### **704.6 ROUTINE CASH HANDLING**

Members who handle cash as part of their regular duties (e.g., property and evidence custodians, the Detective Division supervisor, those who accept payment for department services) will discharge those duties in accordance with the procedures established for those tasks (see the Detective Division and Informants policies).

### **704.7 PETTY CASH AUDITS**

Each member overseeing a petty cash fund shall perform an audit annually in March to be signed off on by City Hall staff. This audit requires that the fund manager and at least one command staff member, selected by the Commissioner of Public Safety or the fiscal manager, review the transaction ledger and verify the accuracy of the accounting. The member overseeing the petty cash fund and the participating member shall sign or otherwise validate the ledger, attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the fiscal manager and the Commissioner of Public Safety.

Transference of fund management to another member shall require completion of a separate petty cash audit and involve a command staff member.

### **704.8 INVENTORY CONTROL OF PROPERTY, EQUIPMENT AND OTHER ASSETS**

Members overseeing a fiscal responsibility for the acquisition, management or distribution of any capital or major items of equipment; the issue of any equipment and supplies; or the assignment of control numbers and proper markings are responsible for compliance with inventory control procedures. Such members are also responsible for ensuring:

- (a) Required inventory verification in compliance with a process authorized by the fiscal manager.
- (b) Appropriate documentation in compliance with a process authorized by the fiscal manager and inclusion in inventory of items purchased or obtained for use by the Department.
- (c) Appropriate documentation and deletion from inventory of items properly authorized for disposal by the fiscal manager or the Commissioner of Public Safety.

# Rye Police Department

Rye Police Department Policy Manual

## *Cash Handling, Security and Fiscal Management*

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- (d) Reporting and disposition of damaged, excess and surplus property in compliance with a process authorized by the fiscal manager.
- (e) Maintenance of complete records for all department property, equipment and other assets.

### **704.9 PURCHASING**

All purchasing of department supplies and equipment will be in compliance with the City purchasing manual and in compliance with a process authorized by the fiscal manager.

Small-item or emergency purchases or rental of equipment during periods when normal purchasing procedures cannot be followed will be in compliance with a process authorized by the fiscal manager.

All purchases for the City made by an employee will require submission of a receipt and appropriate documentation necessary for reimbursement and will be in compliance with a process authorized by the fiscal manager.

### **704.10 PROPERTY DISPOSAL**

The fiscal manager is responsible for prompt deposit of revenue from:

- (a) Property sold under court order with the clerk of the court issuing the order.
- (b) The sale of bicycles or other items of lost or found, or unclaimed non-evidentiary items into the appropriate funds.



# CITY COUNCIL AGENDA

DEPT.: Fire Department

CONTACT: Mike Kopy, Commissioner of Public Safety

**AGENDA ITEM:** Consideration of the proposed revisions to the Rules and Regulations of the City of Rye Fire Department.

- Policy 408 – Hazardous Materials Disclosures
- Policy 501 – Latex Sensitivity
- Policy 702 – Use of Department-Owned and Personal Property
- Policy 801 – New York State and National Fire Incident Reporting Systems
- Policy 914 – Fire Station Safety
- Policy 915 – Ground Ladder Testing
- Policy 1000 – Recruitment and Selection

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** Consideration of the listed policies

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The proposed policies have been reviewed by the Commissioner and the Rye Professional Firefighters Local 2029.

See the attached memo and new policies.

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Public Safety Commissioner  
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## **CITY OF RYE Public Safety**

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**To:** Greg Usry, City Manager  
**From:** Michael Kopy, Public Safety Commissioner  
**Date:** 11/12/2024  
**Re:** Fire Department – Lexipol Policy

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Reference the captioned subject, the attached policies are being forwarded for review. The city contracted with Lexipol prior to my arrival to develop and establish policies for the fire department based on nationwide standards and best practices, while also incorporating state and federal laws. I have reviewed the policies submitted by Lexipol with a committee at the police department (including the Professional Firefighters Local 2029) and made the appropriate changes where necessary.

I believe that the adoption of the policies below is in the best interest of public safety in the City of Rye and I recommend that it be forwarded to the City Council for action. Below is a brief overview of the policies that were submitted by Lexipol.

I will be available to answer questions when these are reviewed.

### **Policy 408 – Hazardous Materials Disclosures**

The purpose of this policy is to establish the requirements for the receipt of dangerous or hazardous material submittals in compliance with local, state and federal requirements and for the inspection of the facilities that handle hazardous materials.

### **Policy 501 – Latex Sensitivity**

The purpose of this policy is to establish procedure to ensure that all department members are aware of the potential for severe allergic reactions caused by contact with products containing latex and how to mitigate patient exposure.

## **Policy 702 – Use of Department-Owned and Personal Property**

The purpose of this policy is to provide guidelines for the care and maintenance of department property entrusted to department members and the return of department property upon separation from employment or affiliation with the Department. This policy also provides guidelines for members to claim damage to or loss of personal property used in an occupational capacity.

## **Policy 801 – New York State and National Fire Incident Reporting Systems**

The Federal Fire Prevention and Control Act of 1974 authorizes the National Fire Data Center in the U.S. Fire Administration (USFA) to gather and analyze information on the magnitude of the nation's fire problem, as well as its detailed characteristics and trends.

## **Policy 914 – Fire Station Safety**

The purpose of this policy is to establish safety procedures for the Rye Fire Department members to follow, with the intent of reducing or eliminating workplace injuries or illnesses to both members and the public.

## **Policy 915 – Ground Ladder Testing**

The purpose of this policy is to ensure that ground ladders are periodically inspected and tested for compliance with the standards set forth by the National Fire Protection Association (NFPA). This is a safety measure designed to reduce or eliminate the risk of injury to department members when using ground ladders.

## **Policy 1000 – Recruitment and Selection**

The purpose of this policy is to establish the recruiting, selection, training and retention processes utilized by the Rye Fire Department. The policy supplements any rules that govern employment practices for the Rye Fire Department.

## Hazardous Materials Disclosures

### 408.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the requirements for the receipt of dangerous or hazardous material submittals in compliance with local, state and federal requirements and for the inspection of the facilities that handle hazardous materials (42 USC § 11022; General Municipal Law § 209-u).

### 408.2 POLICY

The Rye Fire Department will work in coordination with the Local Emergency Planning Committee (LEPC) and the New York State Disaster Preparedness Commission (DPC) serving in the role as the State Emergency Response Commission (SERC) regarding the receipt of dangerous or hazardous material submittals and necessary inspections (9 NYCRR § 4.95).

### 408.3 SUBMITTALS

Facilities treating, storing or disposing of dangerous or extremely hazardous substances in quantities regulated by state or federal law are required to submit notification forms and annual reports to the LEPC, the DPC and the Rye Fire Department as specified by state or federal law (42 USC § 11022; General Municipal Law § 209-u).

Facilities required to prepare or have available a Safety Data Sheet (SDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 (29 USC § 651 et seq.) and regulations promulgated under that Act are also required to submit an SDS and hazardous chemical inventory forms (42 USC § 11021; 42 USC § 11022).

### 408.4 INSPECTIONS

The Department should conduct field inspections of facilities that are subject to the requirements of this policy at least once every three years. Any deficiencies noted during field inspections should be documented and the facility advised to make the necessary corrections. Any deficiencies noted should be reported to the LEPC and the DPC.

Where appropriate, the Department will enforce any applicable laws and suggest preventive measures designed to minimize the risk of the release of hazardous material into the workplace or environment.

### 408.5 PUBLIC RECORDS

Generally, submissions received by the Department are considered public records. Some information is subject to trade secret protection pursuant to state or federal law (40 CFR 350.5).

Requests to inspect submissions shall be processed in accordance with the Release of Records Policy.



# Latex Sensitivity

## 501.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to ensure that all department members are aware of the potential for severe allergic reactions caused by contact with products containing latex and how to mitigate patient exposure.

### 501.1.1 DEFINITIONS

Definitions related to this policy include:

**Latex sensitivity** - Allergic reactions after exposure to products containing latex/natural rubber (e.g., balloons, rubber gloves, other consumable medical products or medical devices).

## 501.2 POLICY

It is the policy of the Rye Fire Department that members shall take precautions to minimize latex exposure any time members are advised that a patient is known to have a latex sensitivity. When the use of a latex product is unavoidable, reasonable precautions shall be taken to prevent a latex sensitivity reaction in a patient.

## 501.3 PROCEDURE

If treating members are aware that a patient has a history of latex sensitivity, efforts to minimize exposure should be initiated. If a patient begins exhibiting signs of latex sensitivity or anaphylaxis, members should immediately initiate medical treatment and make reasonable efforts to minimize additional exposure to latex products.

If time permits before loading the patient into the ambulance, the interior surfaces should be wiped down with a wet towel to reduce the presence of powder that contains latex proteins. All members wearing latex gloves should cover them with a pair of non-latex gloves. Latex gloves should not be removed as this can put dust or powder in the ambient environment for up to five hours. Members should provide a barrier between equipment and the patient by covering all latex-containing medical devices with stockinet or plastic wrap.

All nonessential equipment should be stored in closed compartments. Care should be taken to remove or replace latex-containing caps from medication vials and to keep intravenous (IV) ports covered to prevent injections. Latex dressings and IV tourniquets should not be used.

Treating members should notify the designated hospital receiving center that a latex-sensitive patient is en route to the facility, and should document the patient's sensitivity and patient management (e.g., Nitrile gloves, plastic wrap on blood pressure cuff) on the Pre-Hospital Care Report as appropriate. This information should also be communicated to the hospital staff immediately upon arrival.

Field units should strive to carry the following latex-free equipment:

- Nitrile exam gloves

# Rye Fire Department

## Policy Manual

### *Latex Sensitivity*

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- Airway equipment (e.g., bag valve masks, oxygen masks, nasal cannulas, oral airways, suction catheters)
- Plastic or soft cloth tape
- Stockinet or plastic wrap to use as a barrier on medical equipment (e.g., blood pressure cuff, splints, stethoscopes)

Care should be taken to avoid storing uncovered latex gloves with other medical and/or airway equipment.

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# Use of Department-Owned and Personal Property

## 702.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the care and maintenance of department property entrusted to department members and the return of department property upon separation from employment or affiliation with the Department. This policy also provides guidelines for members to claim damage to or loss of personal property used in an occupational capacity.

## 702.2 POLICY

It is the policy of the Rye Fire Department to issue equipment to members for the purpose of performing their assigned duties. Members shall be responsible for the safekeeping, serviceable condition, proper care, use and request for replacement of all department property issued or entrusted to their care. A member's intentional or negligent abuse or misuse of department property may lead to discipline, including, but not limited to, the cost of repair or replacement of the property, and up to and including termination.

## 702.3 PROCEDURE

The following procedures shall be in effect regarding department property issued to members:

- (a) Members shall promptly report via the chain of command any loss, damage or unserviceable condition of department-issued property or equipment assigned for member use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practicable and a supervisor notified so that the item may be replaced.
- (c) No member should attempt to repair damaged or unserviceable department property without supervisory approval.
- (d) Use of department property should be limited to official purposes in the capacity for which it was designed. Except when otherwise directed and/or required by circumstances, department property shall only be used by the member to whom it was assigned.
- (e) Department property shall be declared surplus and auctioned or disposed of in the appropriate manner. Property should not be discarded, sold, traded, donated, destroyed or otherwise disposed of without approval from the Public Safety Commissioner.
- (f) No member shall purchase Department auctioned or any other property, without prior approval from City ethics committee or corporation counsel.

# Rye Fire Department

## Policy Manual

### *Use of Department-Owned and Personal Property*

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#### 702.3.1 SURRENDERING DEPARTMENT PROPERTY UPON SEPARATION

Members who separate from the Department shall return all department property, regardless of its condition. The following guidelines should apply:

- (a) All department property, including keys, identification cards, electronic devices and system access cards, shall be returned to the Department no later than the member's last official day working or as directed by the Career Captain or the authorized designee.
- (b) Badge surrender shall be consistent with the Badges Policy.
- (c) A member who fails to return all department property in his/her possession, may be required to reimburse the Department for the value of the property or may be subject to legal action brought by the Department.
- (d) No less than 15 days prior to last working day, the member must complete inventory and accountability sheet with the Career Lieutenant.

#### 702.4 FILING CLAIMS FOR PERSONAL PROPERTY

Members shall not use their personal property during their work day. However, personal property that is lost or damaged during the proper performance of a member's job duties may be replaced or the cost reimbursed by the City or Department when such loss or damage is not the result of intentional or negligent abuse or misuse by the member.

Any claim for the replacement or cost reimbursement for damage to or loss of a member's personal property must be submitted on the proper claim form to the member's immediate supervisor.

The supervisor is responsible for reviewing the claim to assess whether the lost or damaged property was reasonably required for the proper performance of the member's job duties. The supervisor will make a determination as to whether reasonable care was taken to prevent loss or damage and whether proper procedures were followed just prior to the occurrence of the loss or damage. A supervisor may direct a member to submit additional details in a separate written report, if needed.

If approved, the supervisor will forward the claim and related reports to the XXXX, who will determine the appropriate reimbursement value of the property and will forward the claim for payment to the proper entity.

#### 702.4.1 EXCLUDED PERSONAL PROPERTY ITEMS

Members are discouraged from wearing expensive jewelry or watches or bringing personal property items to the workplace that may be damaged, lost or stolen. Personal property that is not eligible for replacement or reimbursement includes:

- (a) Any personal property that is lost or damaged directly or indirectly due to negligence of the member.
- (b) Personal computers, communication devices, cell phones, MP3 players, GPS devices or any other electronic devices that the member voluntarily brings to the workplace and that are not required by the Department for the performance of the member's duties.

# Rye Fire Department

## Policy Manual

### *Use of Department-Owned and Personal Property*

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- (c) Any personal property used in place of department-issued property, unless required by the Department.
- (d) Any jewelry, with the exception of watches, which should not exceed a \$100 reimbursement.

#### 702.4.2 PERSONAL VEHICLES

The Department will not provide vehicle insurance coverage for members who use their personal vehicles for department business. All members must rely on their personal vehicle insurance carrier for replacement or cost reimbursement of damage to or loss of a personal vehicle.

#### 702.4.3 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Members intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any member who damages or causes to be damaged any real or personal property of another while performing any department function, regardless of jurisdiction, shall report it as provided below:

- (a) A verbal report should be made to the member's immediate supervisor as soon as practicable.
- (b) A written report should be submitted before the member goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

#### 702.4.4 DAMAGE BY PERSON OF ANOTHER AGENCY

If members of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the member present or the member responsible for the property to make a verbal report to his/her immediate supervisor as soon as practicable. The member shall submit a written report before going off-duty or as otherwise directed by the supervisor.

All reports should be completed immediately after the incident or as soon as practicable if extenuating circumstances delay the member's ability to complete the report.

All reports, including the supervisor's written report, shall promptly be forwarded to the Public Safety Commissioner.

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# New York State and National Fire Incident Reporting Systems

## 801.1 PURPOSE AND SCOPE

The Federal Fire Prevention and Control Act of 1974 authorizes the National Fire Data Center in the U.S. Fire Administration (USFA) to gather and analyze information on the magnitude of the nation's fire problem, as well as its detailed characteristics and trends. To do so, the National Fire Data Center has established the National Fire Incident Reporting System (NFIRS).

New York State has established the New York State Fire Incident Reporting System to receive fire and emergency incident reports through the New York State Office of Fire Prevention and Control (OFPC) (Executive Law § 156).

The Rye Fire Department Career Captain shall determine or cause to be determined the cause of each fire or explosion, and file with OFPC a report containing such information and any additional information required by such office (General Municipal Law § 204-d).

The purpose of this policy is to provide guidance regarding incident reporting to ensure department response information is properly reported to OFPC and NFIRS.

## 801.2 POLICY

The Rye Fire Department is committed to improving fire reporting and analysis capability both locally and at the state and national levels. Therefore, it is the policy of the Rye Fire Department to participate in NFIRS by submitting reports to OFPC.

## 801.3 RESPONSIBILITIES

The Career Captain shall designate an NFIRS/OFPC coordinator, who shall develop and maintain familiarity with NFIRS and OFPC resources and reporting requirements, ensure department information is compliant with the NFIRS and OFPC reporting format and that the information is forwarded to OFPC in a timely manner.

The USFA has developed a standard NFIRS package that includes incident and casualty forms, a coding structure for data processing, manuals, computer software and procedures, documentation and a National Fire Academy training course for utilizing the system.

OFPC has established three reporting methodologies for submitting reports, including the OFPC's own on-line system, use of NFIRS-compliant vendor software or paper forms that are available from the OFPC.

## Fire Station Safety

### 914.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safety procedures for the Rye Fire Department members to follow, with the intent of reducing or eliminating workplace injuries or illnesses to both members and the public.

This policy does not repeat procedures already covered in the Communicable Diseases Policy that relate to fire station safety.

### 914.2 POLICY

It is the policy of the Rye Fire Department that all members should be involved in daily activities that are designed to provide a safe and healthy workplace and reduce or eliminate injuries or illnesses, both in the field and in the fire station. This policy addresses safety activities in the fire station. All members are expected to follow the procedures outlined in the policy for the safety of themselves, other members, and any visitors to the fire station. Safety practices specific to incident type or task are addressed in other policies.

### 914.3 PROCEDURE

For the safety of all occupants, the on-duty supervisor is responsible for ensuring the following procedures are applied to activities conducted during their shift, to include but not limited to:

- (a) Personal protective equipment (PPE)
  1. Use adequate eye and face protection when there is a risk of eye injuries such as punctures, abrasions, contusions, or burns as a result of contact with flying particles, hazardous substances, or projections. This includes but is not limited to working with grinders, drills, saws, welding equipment, mowers, and edgers, and while working under vehicles.
  2. Use hand protection when the work involves exposure to materials that are likely to cause cuts, burns, or exposure to chemicals (e.g., working with trimmers, pruners, or other tools).
  3. Wear hearing protection in compliance with the Hearing Conservation and Noise Control Training Policy.
- (b) Housekeeping and personal hygiene
  1. Maintain all rooms, kitchens, offices, hallways, stairways, storage rooms, and apparatus rooms in a clean, orderly, and sanitary condition.
  2. Clean and repair the source of water leaks quickly to avoid mold growth.
  3. Smoking is prohibited in the building or within 20 feet of an entrance, exit, or operable window, as provided in the Smoking and Tobacco Use Policy (Public Health Law § 1399-o).

# Rye Fire Department

## Policy Manual

### Fire Station Safety

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4. Avoid using compressed air to blow dirt, chips, or dust from clothing while it is being worn.
  5. Maintain cooking appliances and eating utensils in good working order.
  6. Clean kitchen hoods and vents at least monthly. Ensure the hood light is installed and functioning.
  7. Provide and clearly label first-aid supplies.
  8. Post signs in all restrooms reminding employees/visitors to wash their hands.
- (c) Cooking
1. Use caution while cutting food with a kitchen knife. Be sure the item is secure on a flat surface before attempting to cut it.
  2. Use potholders to avoid burns when removing hot items from the oven and/or stovetop.
  3. Do not let pot handles extend over the counter.
- (d) Safe lifting
1. Store heavy or awkward objects at approximately waist level to prevent unnecessary lifting.
  2. Use team lifting for heavy or awkward objects that need to be lifted above waist level. Do not attempt to lift or carry more than you can easily handle. Injuries frequently occur from lifting items such as out-of-county bags, drug boxes, and map boxes.
  3. Practice safe-lifting techniques: Use the legs to lift; keep the back straight and do not twist while lifting; keep the body as close as possible to the object being lifted.
- (e) Walking surfaces and exits
1. Ensure all primary exit routes are obvious, marked with an "Exit" sign, and free of obstructions.
  2. Remove any objects that block hallways and/or passageways.
  3. Clean up or repair potential slip or trip hazards immediately on apparatus bay floors, kitchen floors, bathroom floors, hallways, and outdoor walkways.
  4. Ensure stairways are in good condition with standard railings provided for every flight having four or more risers.
  5. Ensure handrails are of sufficient strength and proper design for all stairways and floor openings.
  6. Ensure all areas of the building are adequately illuminated.
  7. Ensure beds are located to cause minimum interference during dressing.
- (f) Apparatus floor
1. Mark ladders, pike poles, and other items projecting from the apparatus clearly with brightly colored flags, stripes, or other identification.



# Rye Fire Department

## Policy Manual

### Fire Station Safety

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2. Exercise caution and use handrails when exiting apparatus.
  3. Maintain apparatus doors in a safe, operable condition.
  4. Maintain adequate clearance for vehicles under apparatus doors.
- (g) Equipment, machinery, and tools
1. Observe safety precautions when operating all equipment, machinery, and tools.
  2. Avoid using defective equipment, such as ladders with broken rungs or power equipment without proper safety protection. Repair or replace defective equipment before use.
  3. Mount all equipment and machinery securely to the surface on which it sits.
  4. Ensure grinders and grinding wheels are adequately guarded. Guarding must include work rests, tool rests, eye shields, and spindle/nut/flange coverage.
  5. Work rests and tool rests on grinders shall be within 1/8 inch and 1/4 inch respectively to the grinding wheel.
  6. Ensure all power tools are adequately grounded.
  7. Store maintenance hand tools safely when not being used. They shall be maintained and periodically inspected to ensure they are in a safe and operable condition.
  8. Portable ladders shall be adequate for their purpose, in good condition, and have secure footing.
  9. Fixed ladders shall be equipped with side rails, cages, or special climbing devices.
- (h) Electrical wiring, fixtures, and controls (Fire Code § 605)
1. Maintain 36 inches of clear access around all electrical control panels.
  2. Label electrical switches and circuit breakers with their purpose.
  3. Ensure all electrical outlets have cover plates that are secured to the wall outlets.
  4. Ensure all extension cords are properly grounded and approved.
  5. Avoid using flexible cords and cables as a substitute for fixed wiring.
  6. Avoid hanging electrical cords on pipes and nail hooks.
  7. Check all electrical cords for fraying or exposed plug wiring.
  8. Ensure all electrical tools do not have damaged power cords or plugs, worn switches, defective ground circuits, or other faults that could render them unsafe for use.
- (i) Fire extinguishers and fire prevention
1. Ensure fire extinguishers are of the proper type for the expected hazards.
  2. Maintain portable fire extinguishers in a fully operable condition.

# Rye Fire Department

## Policy Manual

### Fire Station Safety

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3. Ensure fire extinguishers have a durable tag securely attached to show the maintenance or recharge date.
  4. Test the fire alarm system at least annually.
  5. Ensure a qualified person services the sprinkler system at least annually.
  6. Check smoke detectors periodically to ensure they are working properly.
  7. Maintain at least 18 inches of clearance below all sprinkler heads.
- (j) Hazardous materials and exposure prevention (29 CFR 1910.1200; 12 NYCRR § 800.3)
1. Label all hazardous materials containers with the name of the hazardous material, applicable hazard warning, and the name and address of the manufacturer, importer, or responsible party.
  2. Evaluate compatibility of hazardous materials before they are stored. Incompatible hazardous materials shall be separated by distance, partitions, dikes, berms, or secondary containment.
  3. Store hazardous materials separately from food, food preparation, and eating areas.
  4. Store ignitable liquids in an approved, vented flammable and combustible liquids storage cabinet (Fire Code § 3404.3).
  5. Use safety containers with self-closing lids for the storage of flammable liquids and soiled oily rags.
  6. Store cylinders of compressed gas in an upright position, away from combustible materials.
  7. Avoid wearing or storing turnout gear in the living quarters or buildings.
  8. Clean living quarters thoroughly on a regular basis, including vacuuming or frequently washing blankets, drapes, and upholstered furniture.
  9. Wash clothing regularly, taking care not to spread contamination by taking clothing home.
  10. Use vehicle exhaust collection systems effectively by following all guidelines and manufacturer's recommendations.
  11. Perform regular vehicle inspection and maintenance to minimize diesel particulate and gas emissions.
- (k) Communicable diseases - If a member has been exposed to a hazardous material or a communicable disease, follow the reporting procedure in the Communicable Diseases Policy.
- (l) On-duty physical fitness activities - For safety guidelines during physical fitness, see the Physical Fitness and the Wellness Program policies.
- (m) Visitor safety - For visitor safety guidelines, see the Community Fire Station Visitation Program Policy.

## Ground Ladder Testing

### 915.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that ground ladders are periodically inspected and tested for compliance with the standards set forth by the National Fire Protection Association (NFPA). This is a safety measure designed to reduce or eliminate the risk of injury to department members when using ground ladders.

### 915.2 POLICY

It is the policy of the Rye Fire Department to perform testing, inspection and certification of all ground ladders for the safety of department members and to comply with applicable standards.

### 915.3 INSPECTION AND TESTING

All department-owned ground ladders should be tested and certified annually. The actual testing interval may exceed 12 months if that time is reasonably needed for scheduling and completion of the testing process.

Ground ladders shall also be tested after repair and before being placed back in service. Ladders will be tested in accordance with applicable NFPA standards. Load testing minimums will vary based on ladder construction and type.

All ground ladders shall be inspected thoroughly after each use. Any defect noted in the inspection shall be repaired and the ground ladder tested prior to being returned to service.

Ground ladder testing and certification should be performed by a trained, qualified department member or a qualified vendor.

### 915.4 RECORDS

The Career Lieutenant responsible for health and safety or any other person designated by the Career Captain, shall be responsible for maintaining comprehensive records of all ladder testing and certification for the service life of each ladder.

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## Recruitment and Selection

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the recruiting, selection, training and retention processes utilized by the Rye Fire Department. This policy supplements any rules that govern employment practices for the Rye Fire Department.

### 1000.2 POLICY

In accordance with applicable federal, state, and local law, the Rye Fire Department provides equal opportunities for applicants and department members regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, member, or group of members unless otherwise required by law.

### 1000.3 RECRUITMENT

The Public Safety Commissioner shall work with Human Resources and City Hall on all recruitment efforts. They will direct the Career Captain or designee to ensure a proper strategy for recruitment is developed and followed.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Member referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

### 1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- Driving record

## *Recruitment and Selection*

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- Reference checks
- Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (documentation may be requested upon hire)
- Information obtained from public internet sites
- Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- Local, state, and federal criminal history record checks
- Polygraph or voice stress analyzer examination (when legally permissible)
- Medical and psychological examination (may only be given after a conditional offer of employment)
- Review board or selection committee assessment

### 1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference credits as required (Civil Service Law § 85).

## **1000.5 BACKGROUND INVESTIGATION**

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Rye Fire Department.

### 1000.5.1 NOTICES

The Public Safety Commissioner shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the New York Fair Credit Reporting Act (15 USC § 1681d; General Business Law § 380-c).

### 1000.5.2 STATE NOTICES

Applicants shall be provided notice that the application process includes a criminal history records check (Civil Service Law § 50).

### 1000.5.3 CRIMINAL BACKGROUND INFORMATION

Criminal background information, whether directly from the New York State Division of Criminal Justice Services (DCJS) or provided by a third party, may have restrictions on the access, use, security and release of the information. The Career Captain Bureau shall establish procedures to ensure compliance with any applicable requirements and security limitations.

### 1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

## *Recruitment and Selection*

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### 1000.5.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

### 1000.5.6 SEX OFFENDER REGISTRY SEARCH

The Career Captain Bureau shall ensure that candidates are notified that as part of the application process a candidate's personal information will be checked against the state's sex offender registry, as applicable (Executive Law § 837-o; Executive Law § 837-s).

## **1000.6 EMPLOYMENT STANDARDS**

All candidates shall meet the minimum standards required by federal, state, and local law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner (see the Position Descriptions Policy). Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

Selection standards for promotional opportunities are detailed in the Promotions and Transfers Policy.

### 1000.6.1 STANDARDS FOR FIREFIGHTERS

Candidates shall meet the minimum standards established by New York law, including those provided in Civil Service Law § 58-a.

## **1000.7 TRAINING**

All entry-level firefighter candidates should complete training in a fire basic training program established or approved by the New York State Office of Fire Prevention and Control (OFPC) and be awarded a certificate of satisfactory completion pursuant to the requirements of the state fire administrator, as applicable (Civil Service Law § 58-a; General Municipal Law § 209-w; 19 NYCRR § 426.6). As well as other required training assigned by the Public Safety Commissioner or designee.



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Presentation by Susan Favate from BFJ Planning regarding a comprehensive planning process for the City.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:**

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

The City Council requested that a representative from BFJ Planning make a presentation to the City Council regarding a comprehensive planning process for the City. Ms. Favate was the principal-in-charge at BFJ Planning as part of the City's last comprehensive planning effort in 2017.



# CITY COUNCIL AGENDA

DEPT.: City Planner

CONTACT: Christian K. Miller, City Planner

**AGENDA ITEM:** Consideration of a resolution declaring the City Council's Intent to be Lead Agency under SEQRA and referral to the Rye City Planning Commission for advisory wetland permit review in connection with the Blind Brook Riparian Restoration Project at Rye Nature Center.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** Review the attached project documents and consider adoption of the attached resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

## **BACKGROUND:**

In December 2022 the Rye City Council adopted a resolution accepting a \$284,000 grant from the Long Island Sound Futures Fund for the design of the Blind Brook Riparian Buffer Restoration at Rye Nature Center. The Nature Center engaged consulting engineers Barton and Loguidice to complete the design and secure state and local permits required for the project. The primary goals of the project are to enhance vegetation biodiversity, stabilize streambanks to reduce erosion, improve wetland habitats, and serve as a model for successful intervention and restoration efforts throughout the Blind Brook Watershed and other urban watersheds. The project scope includes streambank stabilization, wetland creation and enhancement, and riparian restoration activities. Attached hereto are the project plans and environmental assessment form (EAF). The attached resolution declares the City Council's intent to be Lead Agency for the required environmental review (i.e. State Environmental Quality Review Act or SEQRA) and to review the project to the City Planning Commission for its advisory wetland review.





# CITY OF RYE

## **RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO BE LEAD AGENCY UNDER SEQRA AND REFERRAL OF THE RYE NATURE CENTER BLIND BROOK RIPARIAN RESTORATION PROJECT TO THE RYE CITY PLANNING COMMISSION FOR ADVISORY WETLAND PERMIT REVIEW**

WHEREAS, the Friends of Rye Nature Center have proposed a Blind Book Riparian Restoration Project on property owned by the City of Rye; and

WHEREAS, the primary goals of this project are to enhance vegetation biodiversity, stabilize streambanks to reduce erosion, improve wetland habitats, and serve as a model for successful intervention and restoration efforts throughout the Blind Brook Watershed and other urban watersheds; and

WHEREAS, the project scope includes streambank stabilization, wetland creation and enhancement, and riparian restoration activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Rye City Council, declares its intent to be Lead Agency with respect to the State Environmental Quality Review (SEQR) of this Project; and

BE IT FURTHER RESOLVED, that the Rye City Council hereby refers the Project to the Rye City Planning Commission for advisory wetland permit review as required by Chapter 195 of the Rye City Code.

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC (Permit), SHPO (project review), NYSDOS(Consistency Review)	
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 Spoils will include wetland soils that are infested with various invasive plant species, all spoils containing invasive species will be disposed of in a landfill. Any stream bed material will be reused. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

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f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

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g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.  
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_  
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_



m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
Ambient noise levels would likely be exceeded during construction. Construction activities would be completed during daytime, weekday work hours (generally 7AM-5PM).

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

---

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database      Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database      Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

---

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

<p>v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul> <p>_____</p> <p>_____</p>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
<p>b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%</p>	
<p>c. Predominant soil type(s) present on project site: _____ %</p> <p>_____ %</p> <p>_____ %</p>	
d. What is the average depth to the water table on the project site? Average: _____ feet	
<p>e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site</p> <p style="padding-left: 100px;"><input type="checkbox"/> Moderately Well Drained: _____ % of site</p> <p style="padding-left: 100px;"><input type="checkbox"/> Poorly Drained _____ % of site</p>	
<p>f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site</p> <p style="padding-left: 100px;"><input type="checkbox"/> 10-15%: _____ % of site</p> <p style="padding-left: 100px;"><input type="checkbox"/> 15% or greater: _____ % of site</p>	
<p>g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe: _____</p> <p>_____</p>	
<p>h. Surface water features.</p> <p><i>i.</i> Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p><i>ii.</i> Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes to either <i>i</i> or <i>ii</i>, continue. If No, skip to E.2.i.</p> <p><i>iii.</i> Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p><i>iv.</i> For each identified regulated wetland and waterbody on the project site, provide the following information:</p> <ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
<p>v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, name of impaired water body/bodies and basis for listing as impaired: _____</p> <p>_____</p>	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
<p>l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i.</i> Name of aquifer: _____</p>	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site      <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**


I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

# Legend

 Project Site

 Rye Nature Center Parcel



Sources: ESRI Aerial Basemap (2022)

Path: K:\Project\24-01242603\Project\Figure 2 aerial map.mxd





# RYE NATURE CENTER

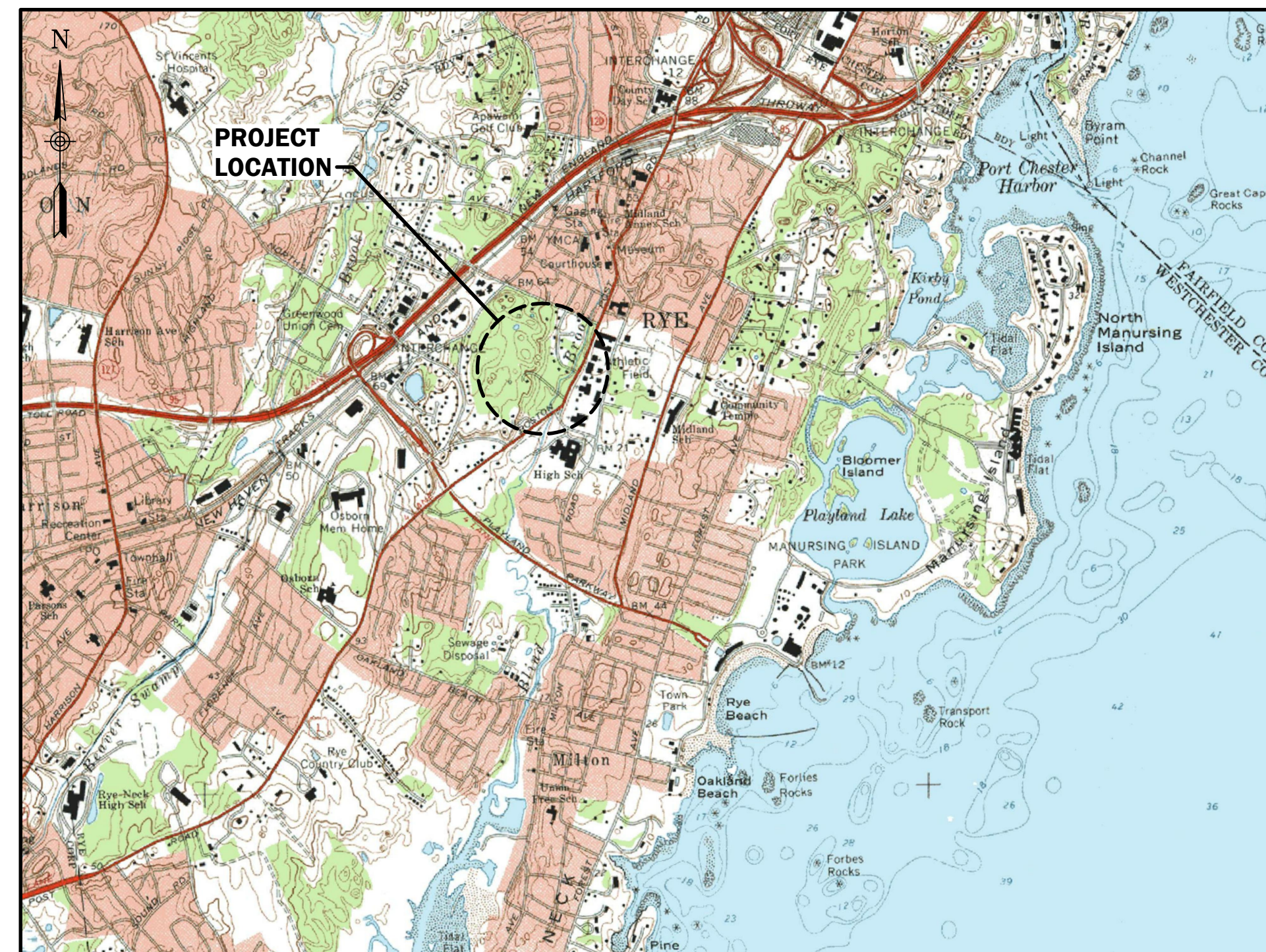
## BLIND BROOK

### RIPARIAN RESTORATION

CITY OF RYE  
WESTCHESTER COUNTY, STATE OF NEW YORK

**Barton & Loguidice**

NYS CERTIFICATE # 0018246, 020588, 019903, 019905, 020336



PROJECT LOCATION MAP

NOT TO SCALE

SEPTEMBER 2024  
60% DESIGN

PREPARED AND APPROVED BY

ENGINEER A. NAME, P.E. DATE SIGNED  
NEW YORK STATE XX/XX/XX  
PROFESSIONAL ENGINEERS LICENSE NO. XXXXXXXX  
EXPIRATION DATE:

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Plotted: Sep 19, 2024 - 1:08PM By: WBG  
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Sheet Number  
**G001**  
Project Number  
2426.003.001



**DRAWING INDEX**

SHEET NO.	SHEET TITLE
G001	COVER SHEET
G002	NOTES AND LEGEND
C100	EXISTING CONDITIONS SITE PLAN (SHEET 1 OF 2)
C101	EXISTING CONDITIONS SITE PLAN (SHEET 2 OF 2)
C200	STREAM RESTORATION PLAN
C201	WETLAND CREATION/ENHANCEMENT PLAN
C202	PLANTING PLAN
C400	STREAM CENTERLINE PROFILES
C401	CROSS SECTIONS (SHEET 1 OF 2)
C402	CROSS SECTIONS (SHEET 2 OF 2)
C501	STREAM RESTORATION DETAILS
C502	PLANTING DETAILS
C700	EROSION AND SEDIMENT CONTROL PLAN
C701	EROSION AND SEDIMENT CONTROL NARRATIVE

**SURVEY NOTES:**

- TOPOGRAPHIC SURVEY COMPLETED ON NOVEMBER 30, 2021 BY EMRICH LAND SURVEYING.
- COORDINATE SYSTEM: NAD83 NEW YORK STATE PLANE, EASTERN ZONE.

SURVEY BENCHMARKS			
ID	NORTHING	EASTING	ELEVATION
134	782464.20	717080.34	18.8565
394	782110.20	716899.49	12.7034
621	781774.35	716700.95	11.2404
1383	781314.10	716362.09	11.1674

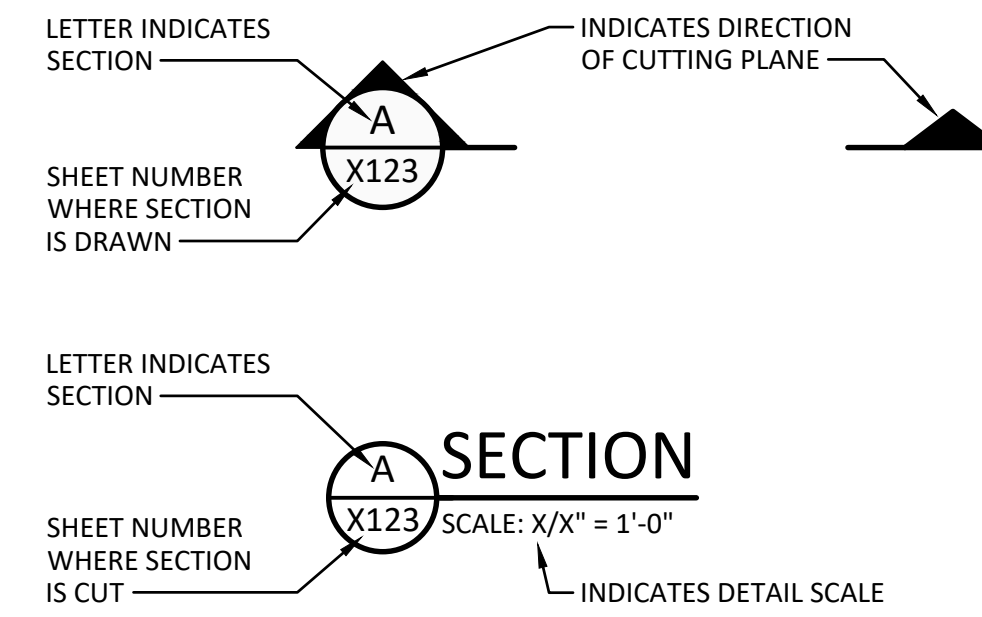
**DISTURBED UPLAND AREAS NOTES:**

- DISTURBED UPLAND AREAS WILL BE SEEDED WITH RIPARIAN BUFFER SEED MIX.
- TREE AND/OR SHRUB PLANTING LOCATIONS WILL BE DISCUSSED WITH FRNC.

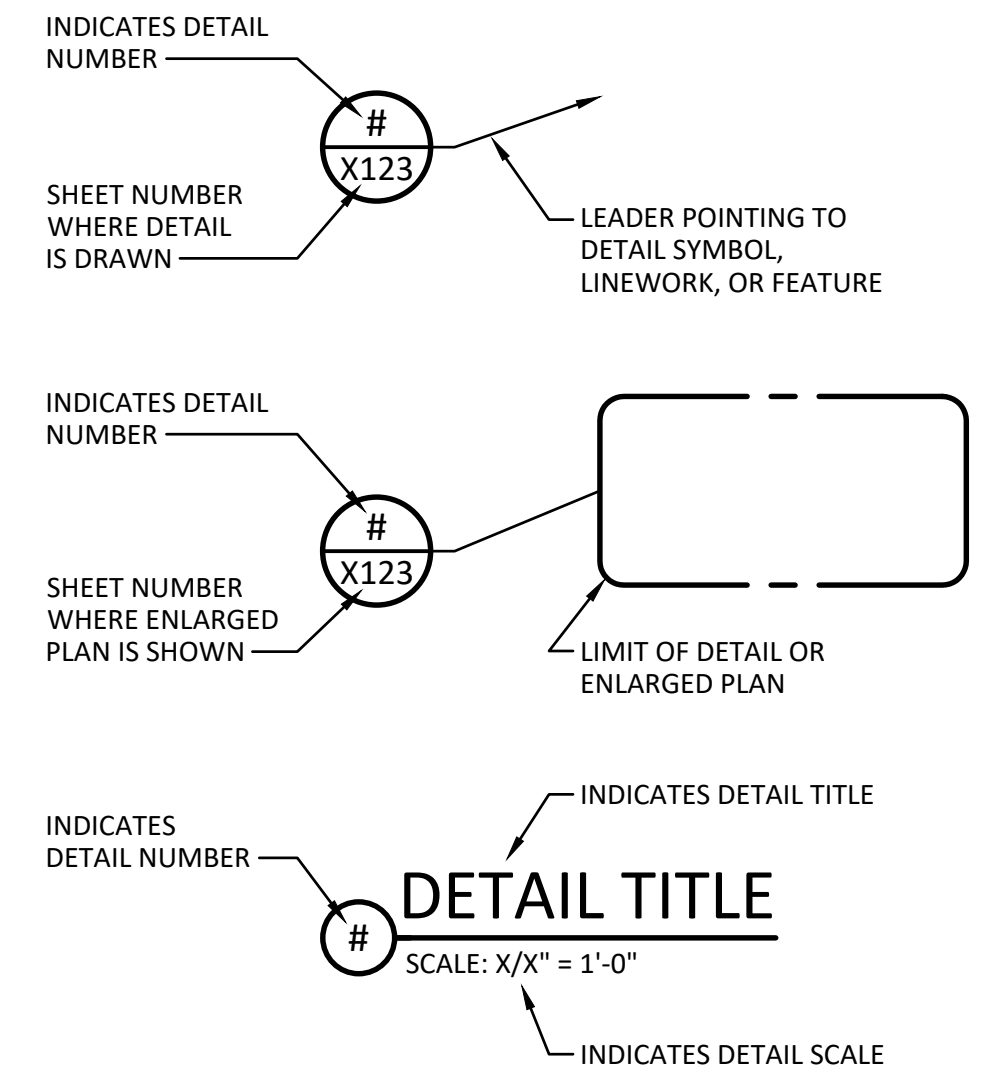
**GENERAL NOTES:**

- CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND CLEARLY MARKING OVERHEAD AND UNDERGROUND UTILITIES AND ASSOCIATED STRUCTURES WITHIN AND AROUND THE WORK AREA. THESE MUST BE CLEARLY MARKED AND AVOIDED DURING CONSTRUCTION.
- PER 000160.18 ALL EXCAVATED, EXCEPT EXCAVATED EXISTING WETLAND TOPSOIL, SHALL BE USED ON-SITE. EXCAVATED WETLAND TOPSOIL MUST BE DISPOSED OFF-SITE.
- ENGINEER MUST BE PRESENT TO APPROVE LAYOUT OF CONSTRUCTION STAKE-OUT LINE.
- PER SPECIFICATION 312320 A DEWATERING PLAN SHALL BE SUBMITTED. THE PLAN MAY INCLUDE PROVISIONS FOR DEWATERING PORTIONS OF THE STREAM, THE ENTIRE STREAM AND REMOVAL OF THE DEWATERING SYSTEM IN ADVANCE OF A RAINFALL EVENT.

**SECTION LEGEND:**



**DETAIL & ENLARGED VIEW LEGEND:**



**LEGEND**

	SURVEY BENCHMARK
	SURVEY BASELINE POINT
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING PAVED ROAD
	EXISTING TRAIL
	EXISTING TREE
	EXISTING TREE TO PROTECT
	EXISTING SANITARY SEWER
	EXISTING SANITARY SEWER MANHOLE
	EXISTING WETLAND LIMITS
	EXISTING EDGE OF WATER AT TIME OF SURVEY
	EXISTING SURFACE WATER RUNOFF DRAINAGE PATHWAY
	PIEZOMETER LOCATION
	500 YR FLOODPLAIN LIMITS
	100 YR FLOODPLAIN LIMITS
	FLOODWAY LIMITS
	EXISTING STREAM CENTERLINE
	EXISTING STREAM THALWEG
	TEMPORARY ACCESS ROAD
	SILT FENCE
	NEW STREAM CENTERLINE
	NEW STREAM THALWEG
	NEW STREAM BANKFULL
	FINAL GRADE MAJOR CONTOUR (5-FOOT)
	FINAL GRADE MINOR CONTOUR (1-FOOT)
	BANK PROTECTION - ROCK
	BANK PROTECTION - TOE WOOD
	EXISTING STREAM AREA TO BE BACKFILLED
	WETLAND EXCAVATION AREA
	CREATED WETLANDS
	STORMWATER ENHANCEMENT AREA

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REVISIONS

NO.	DESCRIPTION

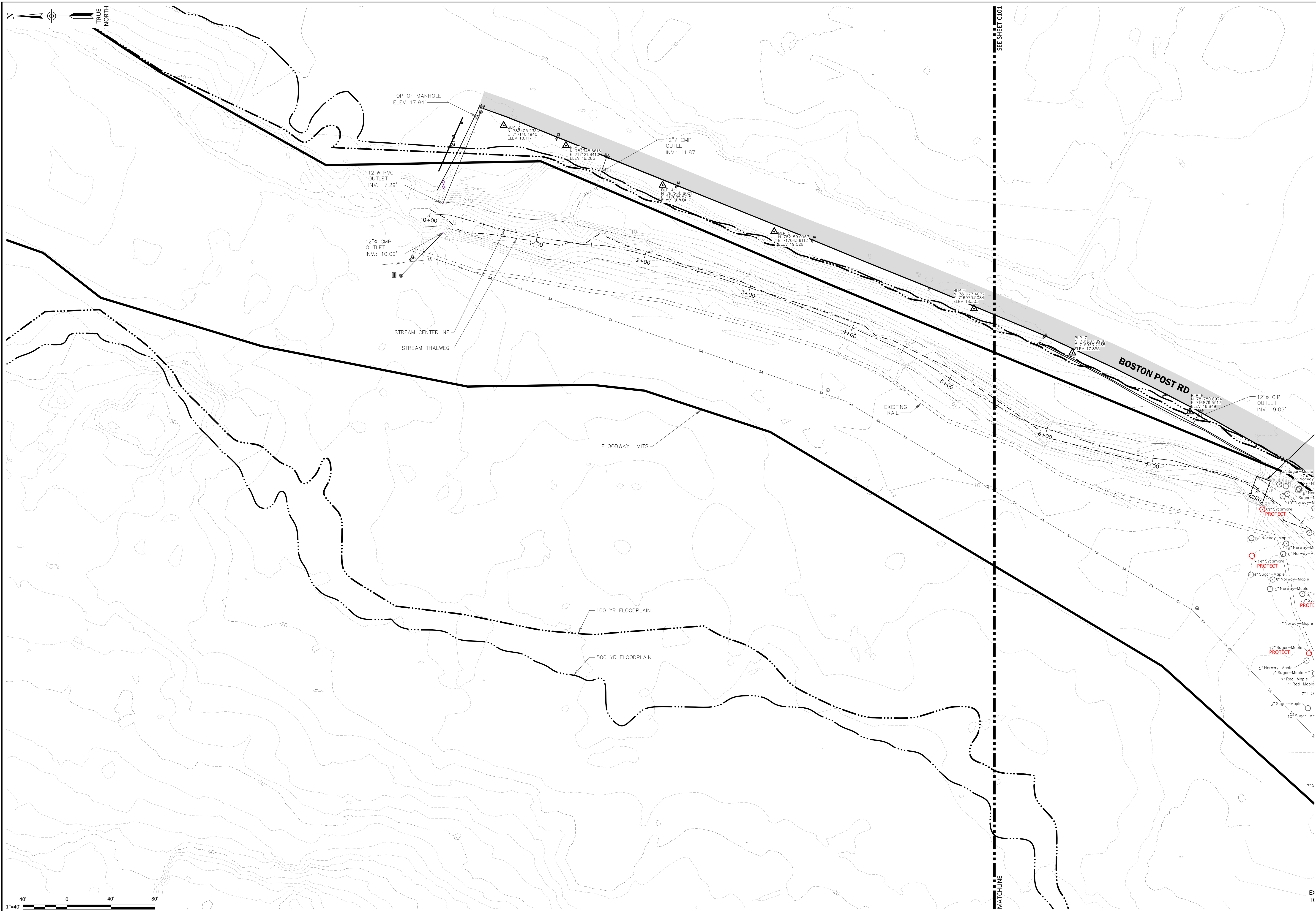
RYE NATURE CENTER  
 BLIND BROOK RIPARIAN RESTORATION  
 NOTES AND LEGEND  
 WESTCHESTER COUNTY, NEW YORK

CITY OF RYE

**Barton & Loguidice**  
 443 Electronics Parkway  
 Liverpool, NY 13088  
 NYS CERTIFICATE #  
 0018246, 020586, 019903,  
 019905, 020336

**REVIEW DRAFT**

NYS EXP.:	Date
	SEPTEMBER 2024
Scale	AS SHOWN
Sheet Number	G002
Project Number	2426.003.001



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REVISIONS	

RYE NATURE CENTER  
 BLIND BROOK RIPARIAN RESTORATION  
**EXISTING CONDITIONS SITE PLAN**  
 (SHEET 1 OF 2)  
 WESTCHESTER COUNTY, NEW YORK  
 CITY OF RYE

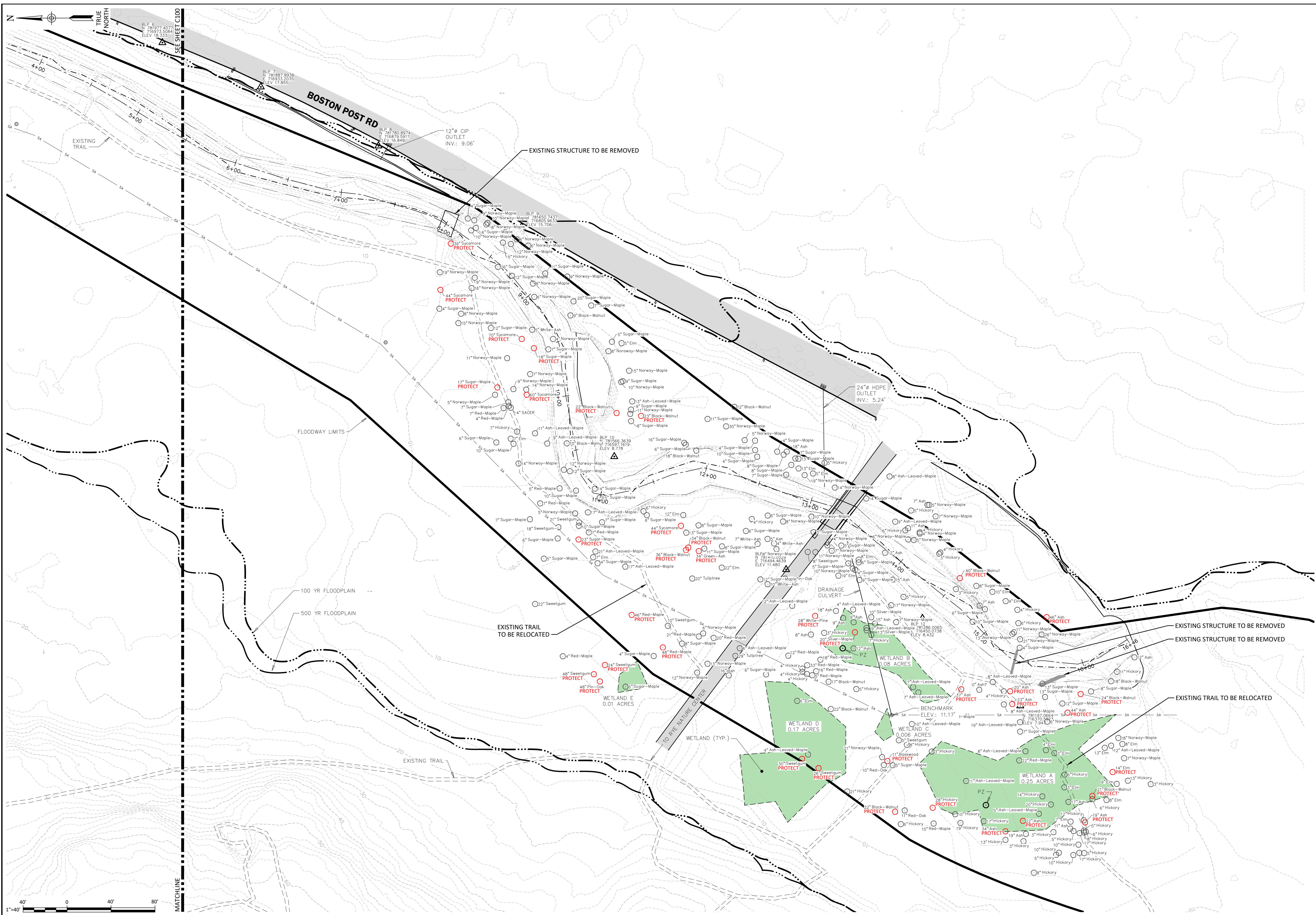
**Barton & Loguidice**  
 443 Electronics Parkway  
 Liverpool, NY 13088  
 NYS CERTIFICATE #  
 0018246, 020366, 019903,  
 019905, 020336

**REVIEW DRAFT**

NYS EXP.:	Date
	SEPTEMBER 2024
Scale	1" = 40'
Sheet Number	C100
Project Number	2426.003.001

Plotted: Sep 19, 2024 - 1:10PM By: WBG  
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Checked by: WBG Drawn by: ANE/RML In charge of: ANE/RML



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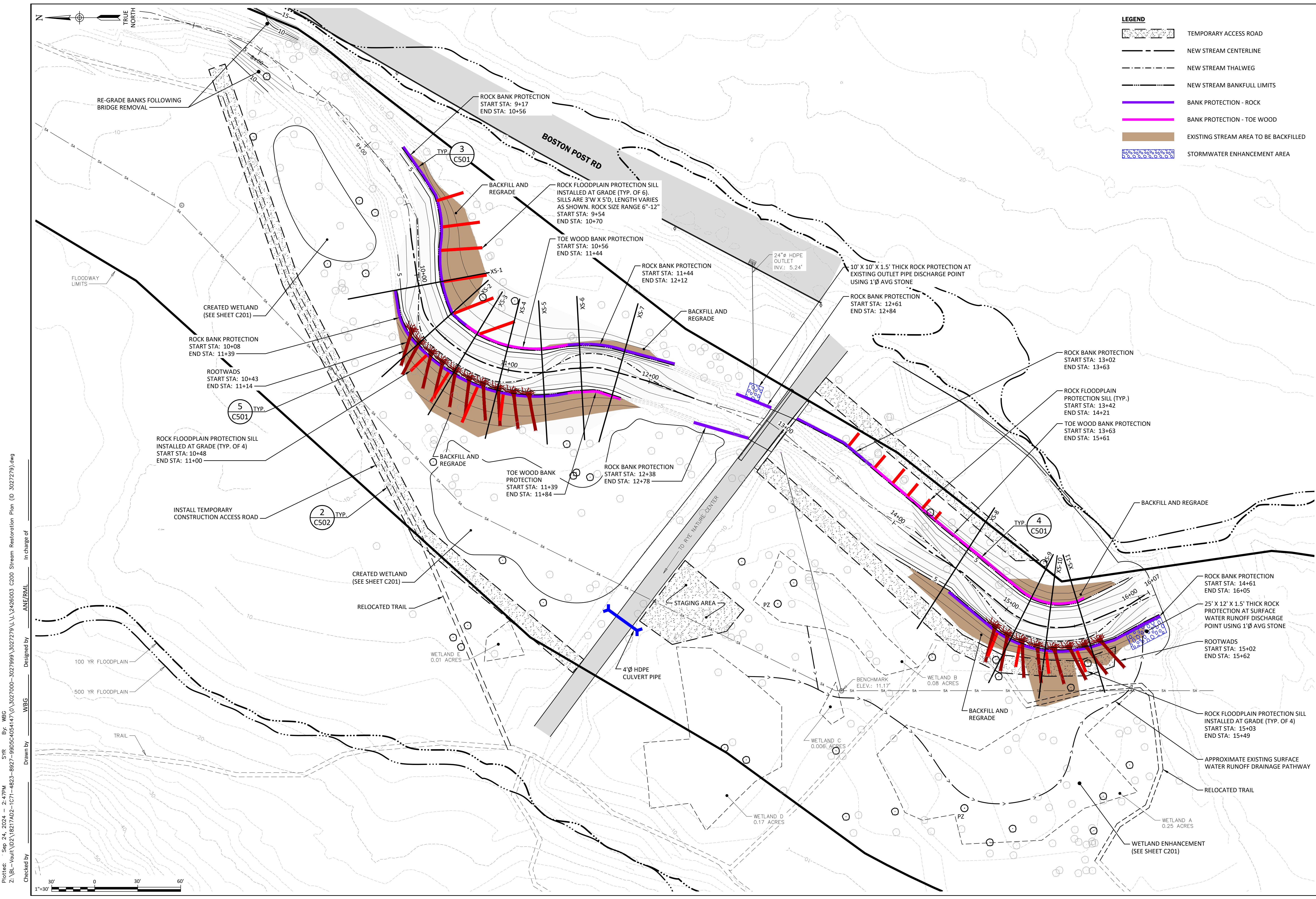
REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
**EXISTING CONDITIONS SITE PLAN**  
(SHEET 2 OF 2)  
WESTCHESTER COUNTY, NEW YORK  
CITY OF RYE

**Barton & Loguidice**  
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Liverpool, NY 13088  
**B&L**  
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**REVIEW DRAFT**

NYS EXP.:	
Date	SEPTEMBER 2024
Scale	1" = 40'
Sheet Number	C101
Project Number	2426.003.001



**LEGEND**

- TEMPORARY ACCESS ROAD
- NEW STREAM CENTERLINE
- NEW STREAM THALWEG
- NEW STREAM BANKFULL LIMITS
- BANK PROTECTION - ROCK
- BANK PROTECTION - TOE WOOD
- EXISTING STREAM AREA TO BE BACKFILLED
- STORMWATER ENHANCEMENT AREA

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REVISIONS	

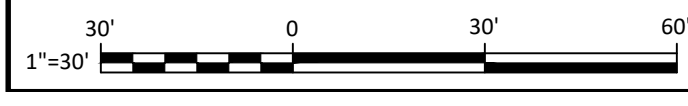
RYE NATURE CENTER  
 BLIND BROOK RIPARIAN RESTORATION  
**STREAM RESTORATION PLAN**  
 WESTCHESTER COUNTY, NEW YORK  
 CITY OF RYE

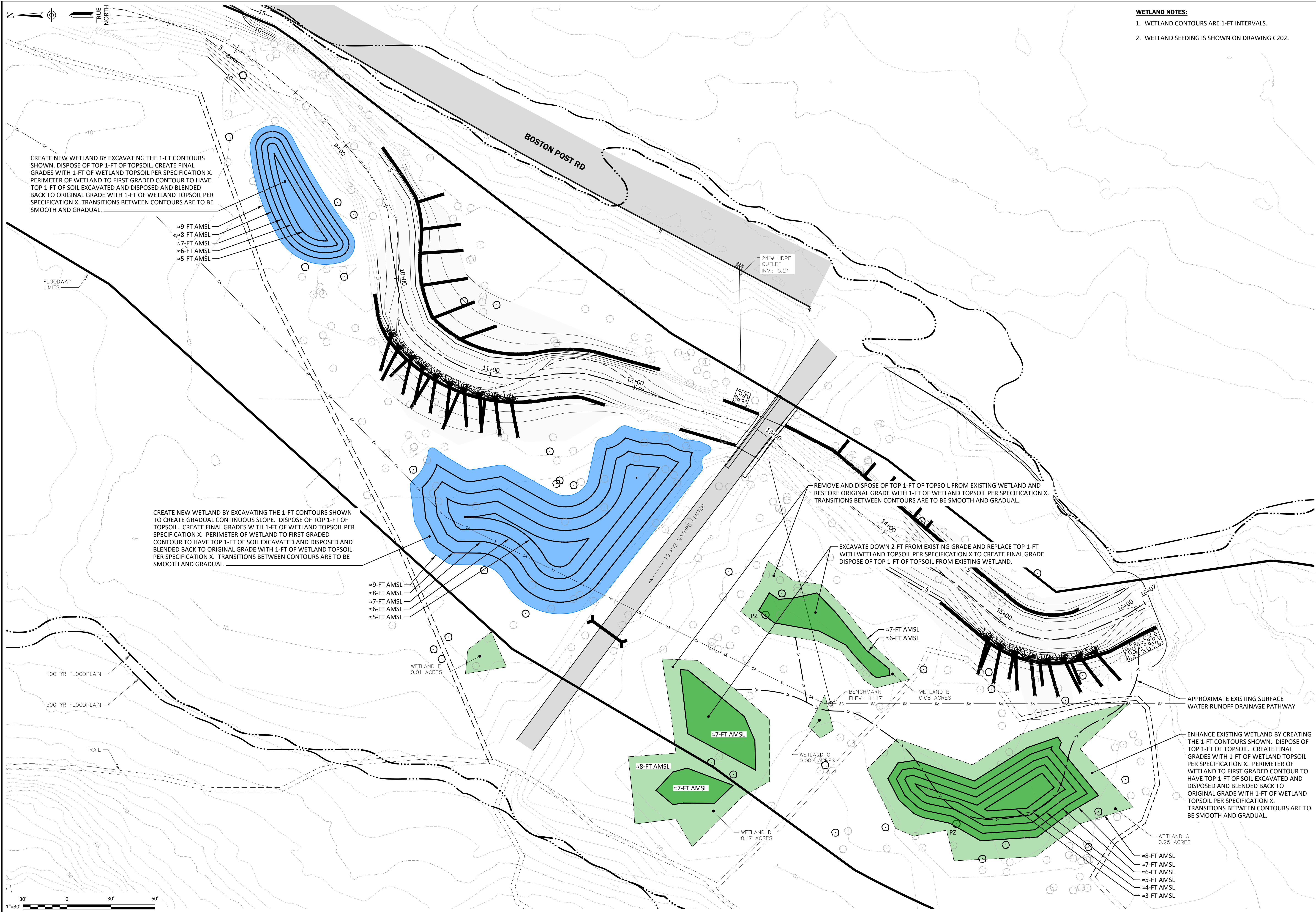
**Barton & Loguidice**  
 443 Electronics Parkway  
 Liverpool, NY 13088  
  
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 0018246, 0202686, 019903,  
 019905, 020336

REVIEW DRAFT

NYS EXP.:	
Date	SEPTEMBER 2024
Scale	1" = 30'
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Project Number	2426.003.001

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 Designed by ANE/RML In charge of  
 Drawn by WBG  
 Checked by





- WETLAND NOTES:**
1. WETLAND CONTOURS ARE 1-FT INTERVALS.
  2. WETLAND SEEDING IS SHOWN ON DRAWING C202.

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REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
**WETLAND CREATION/ENHANCEMENT PLAN**  
CITY OF RYE  
WESTCHESTER COUNTY, NEW YORK

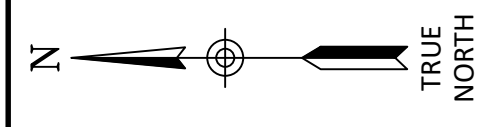
**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NYS CERTIFICATE #  
0018246, 0202686, 019903,  
019905, 020336

**REVIEW DRAFT**

NYS EXP.:  
Date: **SEPTEMBER 2024**  
Scale: **1" = 30'**  
Sheet Number: **C201**  
Project Number: **2426.003.001**

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Checked by: ANE/RML In charge of: WBG  
Designed by: WBG  
Drawn by: WBG





**SEEDING LEGEND**

- WETLAND SEED MIX - OBL  
ERNMX - 734 (0.10 ACRES)
- WETLAND SEED MIX - FACW  
ERNMX - 137 (0.82ACRES)
- RIPARIAN SEED MIX  
ERNMX - 178 (1.53 ACRES)

**TREE/SHRUB PLANTING LEGEND**

- FLOODPLAIN FOREST  
0.88 ACRES
- RIPARIAN FOREST  
0.69 ACRES
- WETLAND  
0.88 ACRES

**NOTE:**  
APPROXIMATELY 975 LF OF RESTORED STREAM BANK TO BE PLANTED WITH 390 LIVE STAKES PER DETAIL 3, SHEET C502.

**SEED MIX TABLES**

MD Coastal Plain Freshwater OBL Mix - ERNMX-734		
Common Name	Botanical Name	Percentage (%)
Redtop Panicgrass, Coastal Plain NC Ecotype	<i>Panicum rigidulum</i>	20.00
Fox Sedge, PA Ecotype	<i>Carex vulpinoidea</i>	19.70
Hop Sedge, PA Ecotype	<i>Carex lupulina</i>	11.00
Blunt Broom Sedge, PA Ecotype	<i>Carex scoparia</i>	11.00
Lurid Sedge, PA Ecotype	<i>Carex lurida</i>	10.00
Virginia Wildrye, Madison-NY Ecotype	<i>Elymus virginicus</i>	10.00
Fringed Sedge, PA Ecotype	<i>Carex crinita</i>	6.70
Soft Rush	<i>Juncus effusus</i>	3.00
Swamp Milkweed, PA Ecotype	<i>Asclepias incarnata</i>	2.00
Tussock Sedge, PA Ecotype	<i>Carex stricta</i>	2.00
Boneset, PA Ecotype	<i>Eupatorium perfoliatum</i>	1.00
Common Sneezeweed, PA Ecotype	<i>Helenium autumnale</i>	1.00
Path Rush, NC Ecotype	<i>Juncus tenuis</i>	1.00
New York Ironweed, PA Ecotype	<i>Vernonia noveboracensis</i>	1.00
Square Stemmed Monkeyflower, PA Ecotype	<i>Mimulus ringens</i>	0.30
Woolgrass, Coastal Plain NC Ecotype	<i>Scirpus cyperinus</i>	0.30

**Application Rate:** Seed at 20 lbs/acre with cover crop

Specialized Wetland Mix for Shaded OBL-FACW Areas - ERNMX-137		
Common Name	Botanical Name	Percentage (%)
Fox Sedge, PA Ecotype	<i>Carex vulpinoidea</i>	24.50
Virginia Wildrye, Madison-NY Ecotype	<i>Elymus virginicus</i>	20.00
Lurid Sedge, PA Ecotype	<i>Carex lurida</i>	17.50
Blunt Broom Sedge, PA Ecotype	<i>Carex scoparia</i>	17.40
Deertongue, Tioga	<i>Panicum clandestinum</i>	10.00
Oxeye Sunflower, PA Ecotype	<i>Heliopsis helianthoides</i>	2.00
Eastern Bur Reed	<i>Sparganium americanum</i>	1.50
Fringed Sedge, PA Ecotype	<i>Carex crinita</i>	1.30
Awl Sedge, PA Ecotype	<i>Carex stipitata</i>	1.00
Soft Rush	<i>Juncus effusus</i>	1.00
Path Rush, PA Ecotype	<i>Juncus tenuis</i>	1.00
Wrinkleleaf Goldenrod, PA Ecotype	<i>Solidago rugosa</i>	0.70
Fowl Mannagrass, PA Ecotype	<i>Glyceria striata</i>	0.50
Woolgrass, PA Ecotype	<i>Scirpus cyperinus</i>	0.50
White Vervain, PA Ecotype	<i>Verbena urticifolia</i>	0.50
American Water Horehound, PA Ecotype	<i>Lycopus americanus</i>	0.30
Green Bulrush, PA Ecotype	<i>Scirpus atrovirens</i>	0.30

**Application Rate:** Seed at 20 lbs/acre with cover crop

Riparian Buffer Mix - ERNMX-178		
Common Name	Botanical Name	Percentage (%)
Virginia Wildrye	<i>Elymus virginicus</i>	20.00
Deertongue, Tioga	<i>Panicum clandestinum</i>	18.00
Big Bluestem, 'Southlow'-MI Ecotype	<i>Andropogon gerardii</i>	17.90
Indiangrass, NY4 Ecotype	<i>Sorghastrum nutans</i>	17.90
Switchgrass, 'Shelter'	<i>Panicum virgatum</i>	9.00
Blue Vervain, PA Ecotype	<i>Verbena hastata</i>	3.50
Blackeyed Susan	<i>Rudbeckia hirta</i>	3.00
Swamp Milkweed, PA Ecotype	<i>Asclepias incarnata</i>	2.40
Heath Aster, PA Ecotype	<i>Aster pilosus</i>	2.00
Oxeye Sunflower, PA Ecotype	<i>Heliopsis helianthoides</i>	2.00
Golden Alexanders, PA Ecotype	<i>Zizia aurea</i>	1.50
Boneset, PA Ecotype	<i>Eupatorium perfoliatum</i>	0.80
Wrinkleleaf Goldenrod, PA Ecotype	<i>Solidago rugosa</i>	0.80
Wild Bergamot, Fort Indiantown Gap-PA Ecotype	<i>Monarda fistulosa</i>	0.50
Lance Leaved Aster	<i>Aster lanceolatus</i>	0.40
Joe Pye Weed, PA Ecotype	<i>Eupatorium fistulosum</i>	0.30

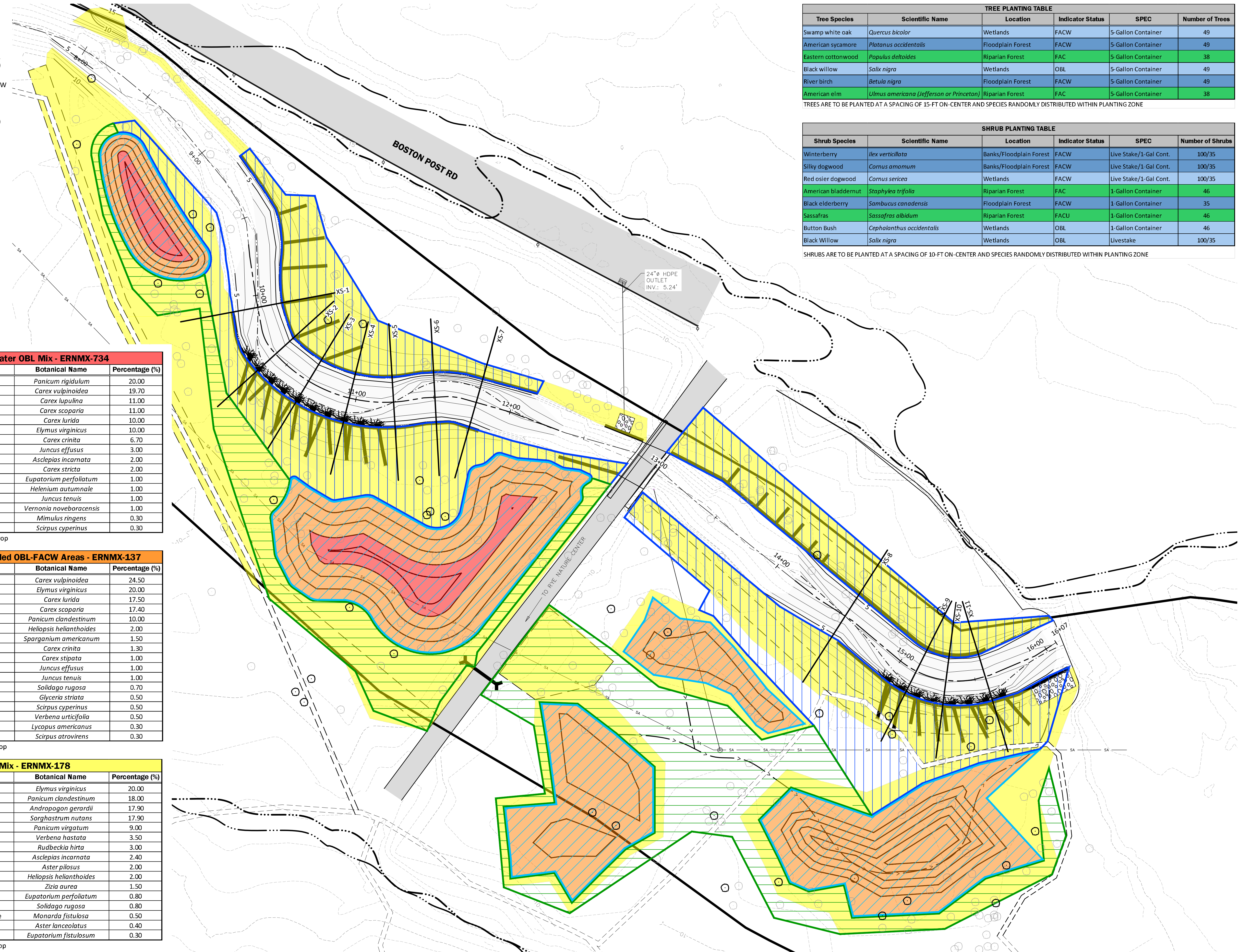
**Application Rate:** Seed at 20 lbs/acre with cover crop

TREE PLANTING TABLE					
Tree Species	Scientific Name	Location	Indicator Status	SPEC	Number of Trees
Swamp white oak	<i>Quercus bicolor</i>	Wetlands	FACW	5-Gallon Container	49
American sycamore	<i>Platanus occidentalis</i>	Floodplain Forest	FACW	5-Gallon Container	49
Eastern cottonwood	<i>Populus deltoides</i>	Riparian Forest	FAC	5-Gallon Container	38
Black willow	<i>Salix nigra</i>	Wetlands	OBL	5-Gallon Container	49
River birch	<i>Betula nigra</i>	Floodplain Forest	FACW	5-Gallon Container	49
American elm	<i>Ulmus americana (Jefferson or Princeton)</i>	Riparian Forest	FAC	5-Gallon Container	38

TREES ARE TO BE PLANTED AT A SPACING OF 15-FT ON-CENTER AND SPECIES RANDOMLY DISTRIBUTED WITHIN PLANTING ZONE

SHRUB PLANTING TABLE					
Shrub Species	Scientific Name	Location	Indicator Status	SPEC	Number of Shrubs
Winterberry	<i>Ilex verticillata</i>	Banks/Floodplain Forest	FACW	Live Stake/1-Gal Cont.	100/35
Silky dogwood	<i>Cornus amomum</i>	Banks/Floodplain Forest	FACW	Live Stake/1-Gal Cont.	100/35
Red osier dogwood	<i>Cornus sericea</i>	Wetlands	FACW	Live Stake/1-Gal Cont.	100/35
American bladdernut	<i>Staphylea trifolia</i>	Riparian Forest	FAC	1-Gallon Container	46
Black elderberry	<i>Sambucus canadensis</i>	Floodplain Forest	FACW	1-Gallon Container	35
Sassafras	<i>Sassafras albidum</i>	Riparian Forest	FACU	1-Gallon Container	46
Button Bush	<i>Cephalanthus occidentalis</i>	Wetlands	OBL	1-Gallon Container	46
Black Willow	<i>Salix nigra</i>	Wetlands	OBL	Livestake	100/35

SHRUBS ARE TO BE PLANTED AT A SPACING OF 10-FT ON-CENTER AND SPECIES RANDOMLY DISTRIBUTED WITHIN PLANTING ZONE



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REVISIONS	

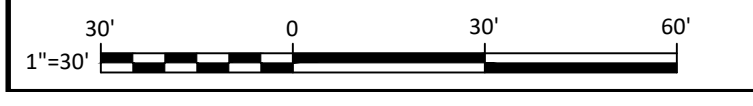
RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
**PLANTING PLAN**  
WESTCHESTER COUNTY, NEW YORK  
CITY OF RYE

**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NY STATE LICENSE # 0018246, 0202686, 019903, 019905, 020336

**REVIEW DRAFT**

NYS EXP.:	
Date	SEPTEMBER 2024
Scale	1" = 30'
Sheet Number	C202
Project Number	2426.003.001

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 In charge of ANE/RML  
 Designed by WBG  
 Drawn by  
 Checked by



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REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
**STREAM CENTERLINE PROFILE**  
WESTCHESTER COUNTY, NEW YORK  
CITY OF RYE

**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NYS CERTIFICATE #  
0018246, 020386, 019903,  
019905, 020336

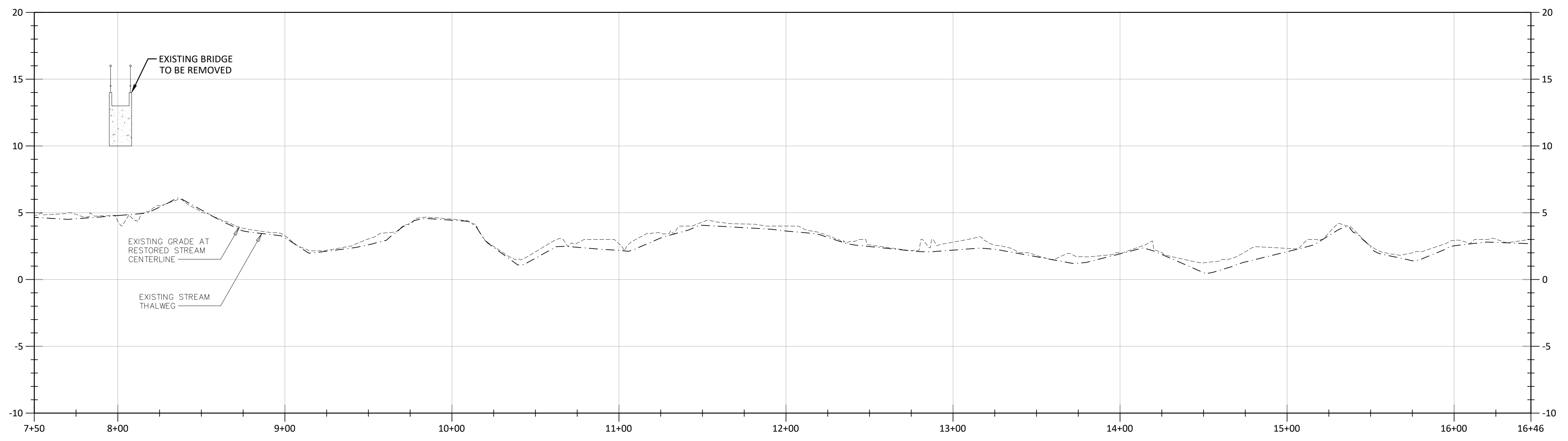


**REVIEW  
DRAFT**

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Project Number	2426.003.001

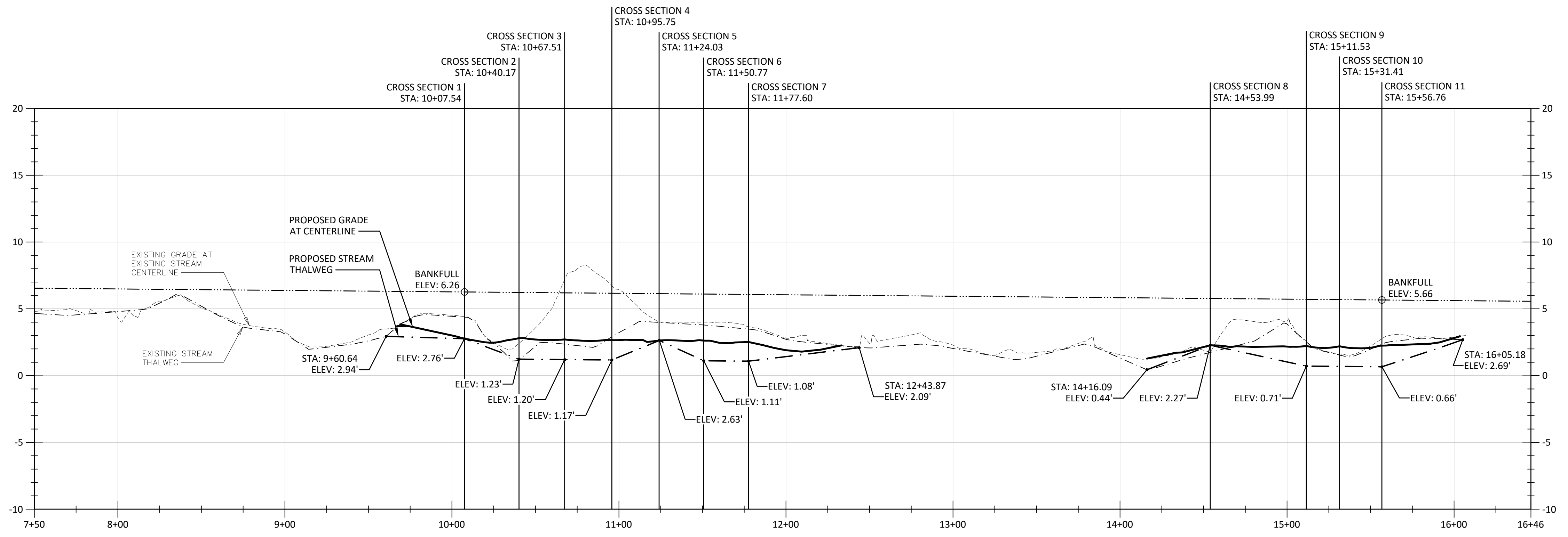
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	EXISTING GRADE
	EXISTING STREAM THALWEG
	FINAL GRADE
	NEW STREAM THALWEG
	BANKFULL



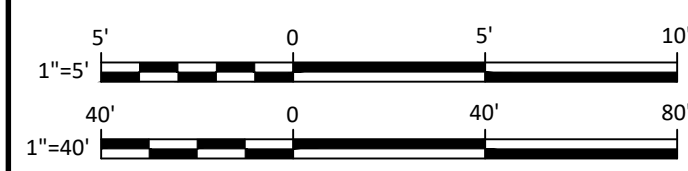
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HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 5'



**RESTORED STREAM CENTERLINE PROFILE: STA. 9+00 - 16+07**

HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 5'



Plotted: Sep 19, 2024 - 1:11PM  
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 Drawn by: WBG  
 Designed by: ANE/RML  
 In charge of:

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145 § 7209 SPECIAL PROVISIONS, FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER ANY ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING PROFESSIONAL SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

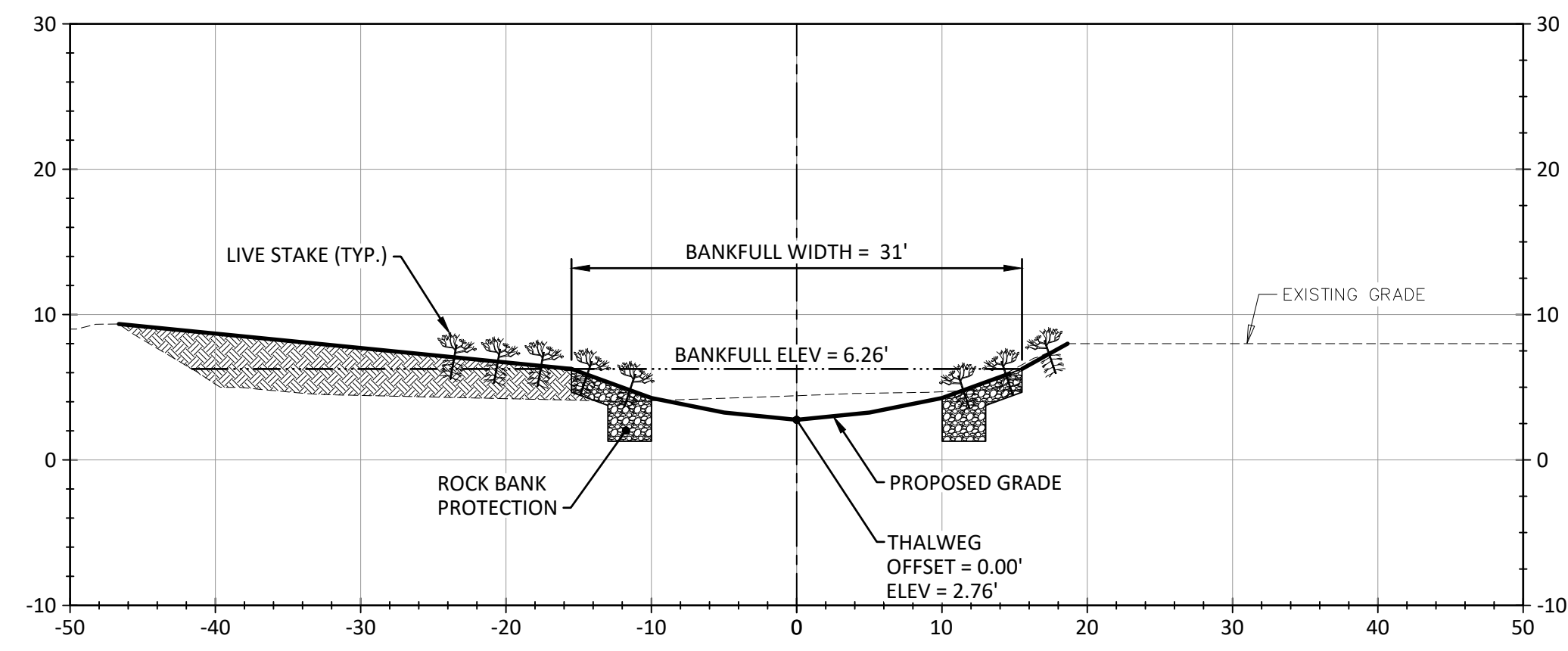
REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
CROSS SECTIONS  
(SHEET 1 OF 2)  
WESTCHESTER COUNTY, NEW YORK  
CITY OF RYE

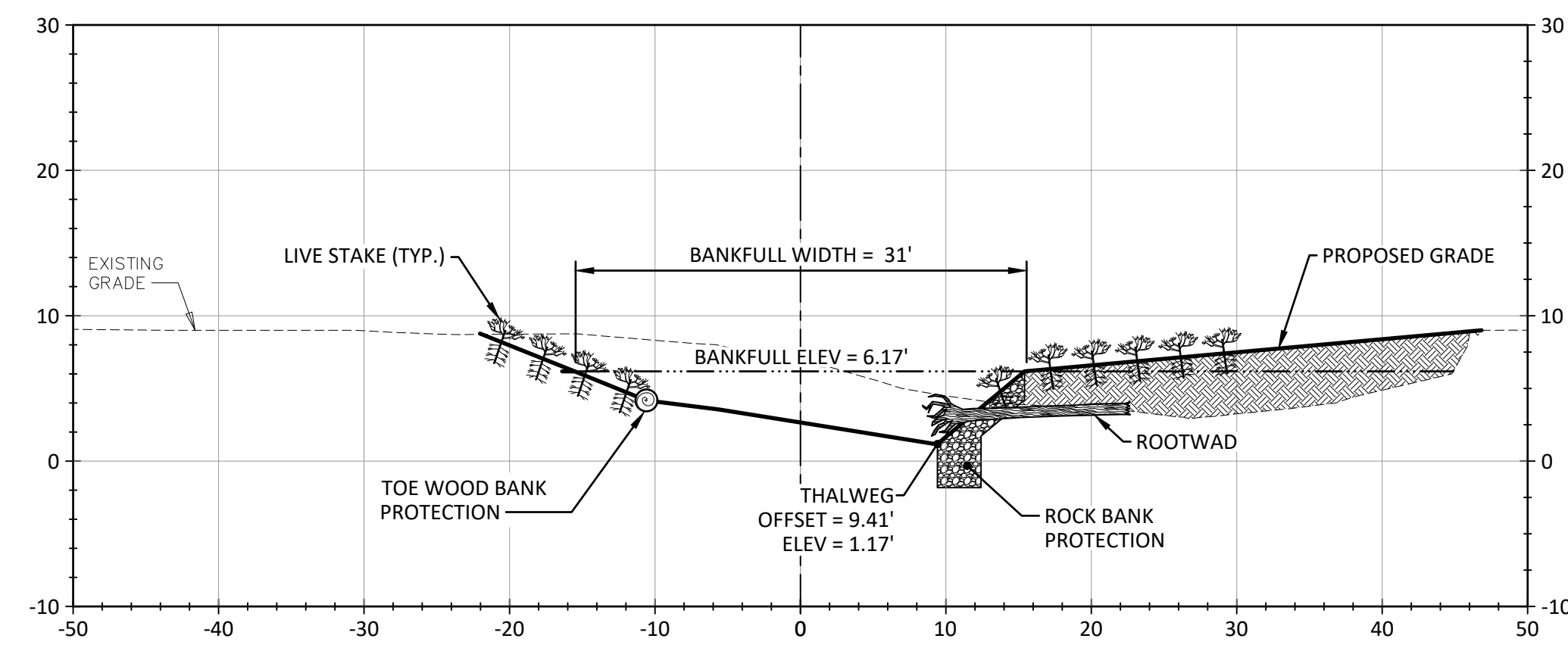
**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NYS CERTIFICATE #  
0018246, 020388, 019903,  
019905, 020336

**REVIEW DRAFT**

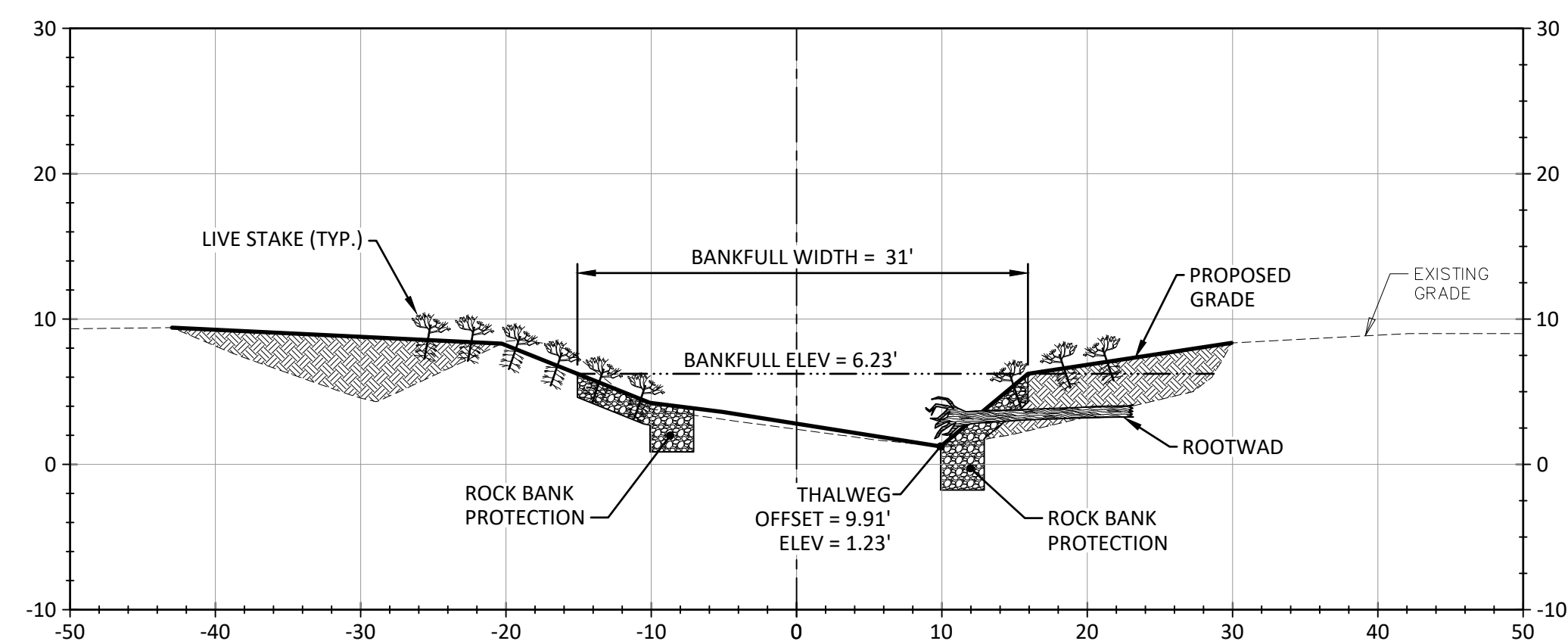
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Project Number  
2426.003.001



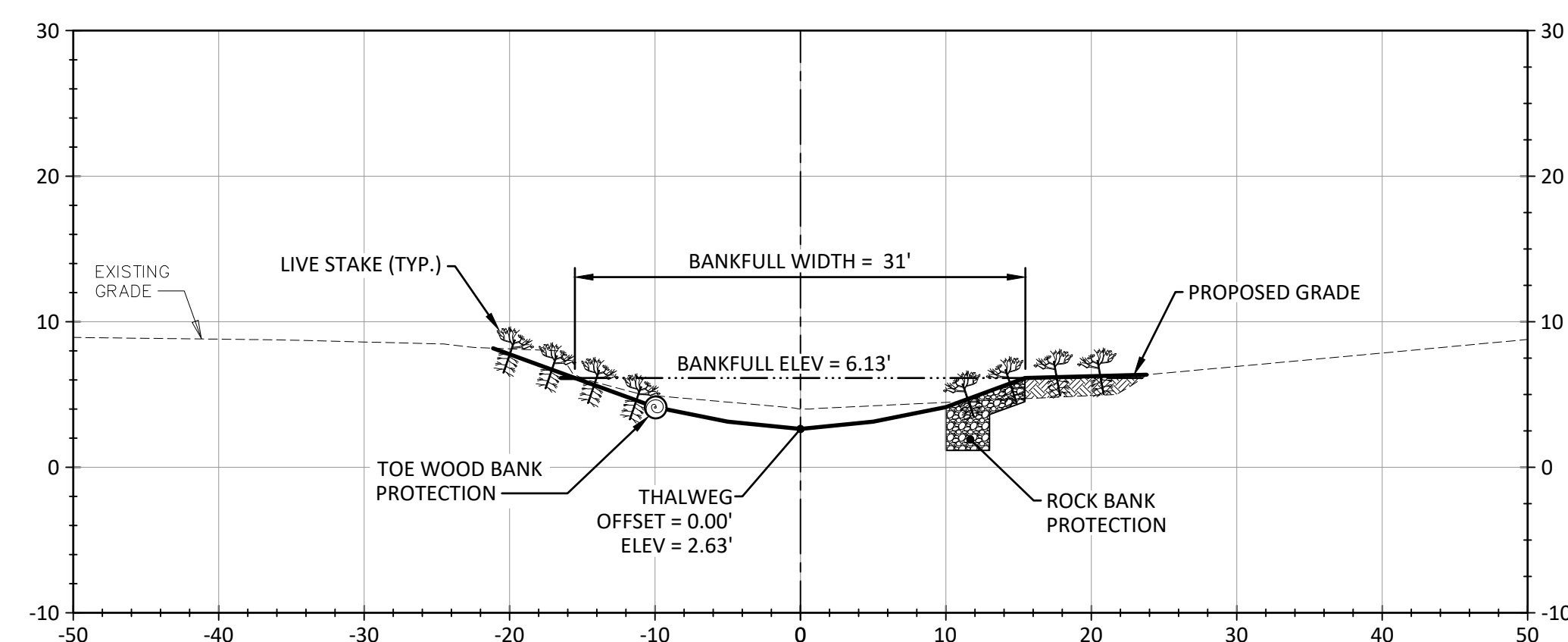
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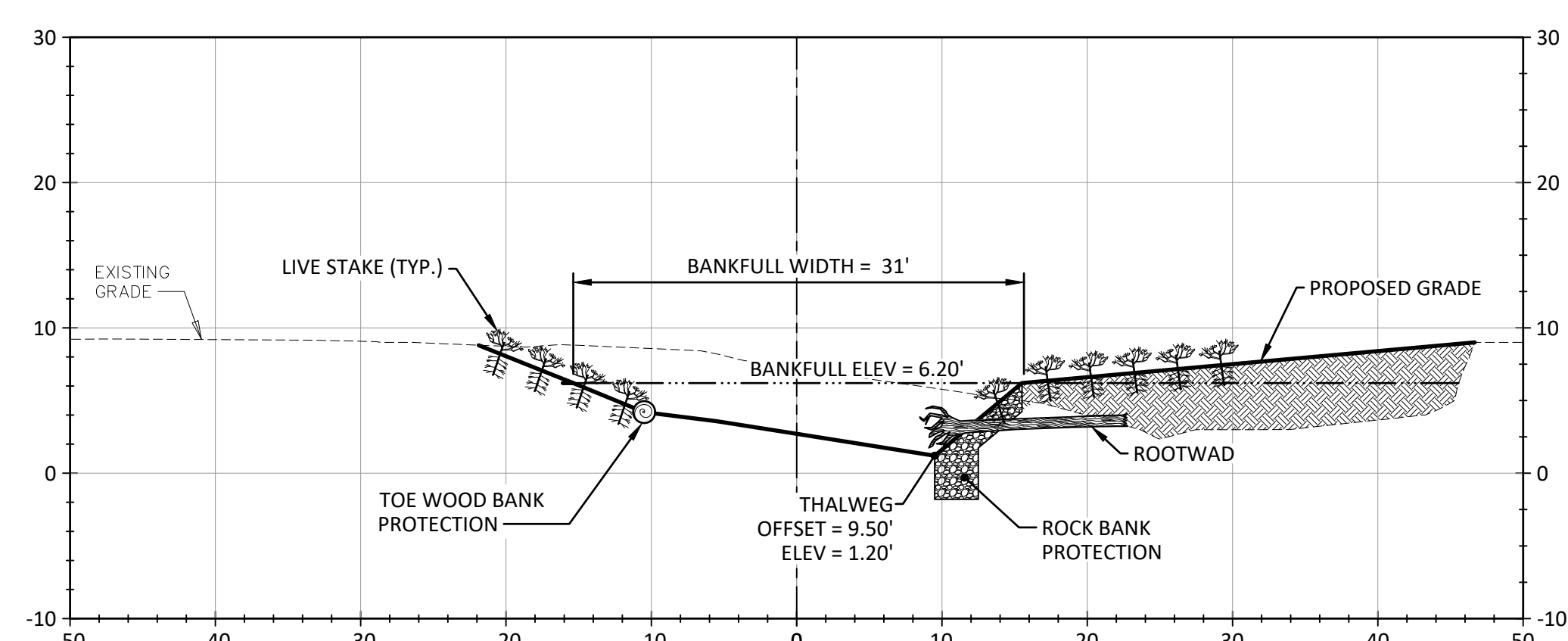
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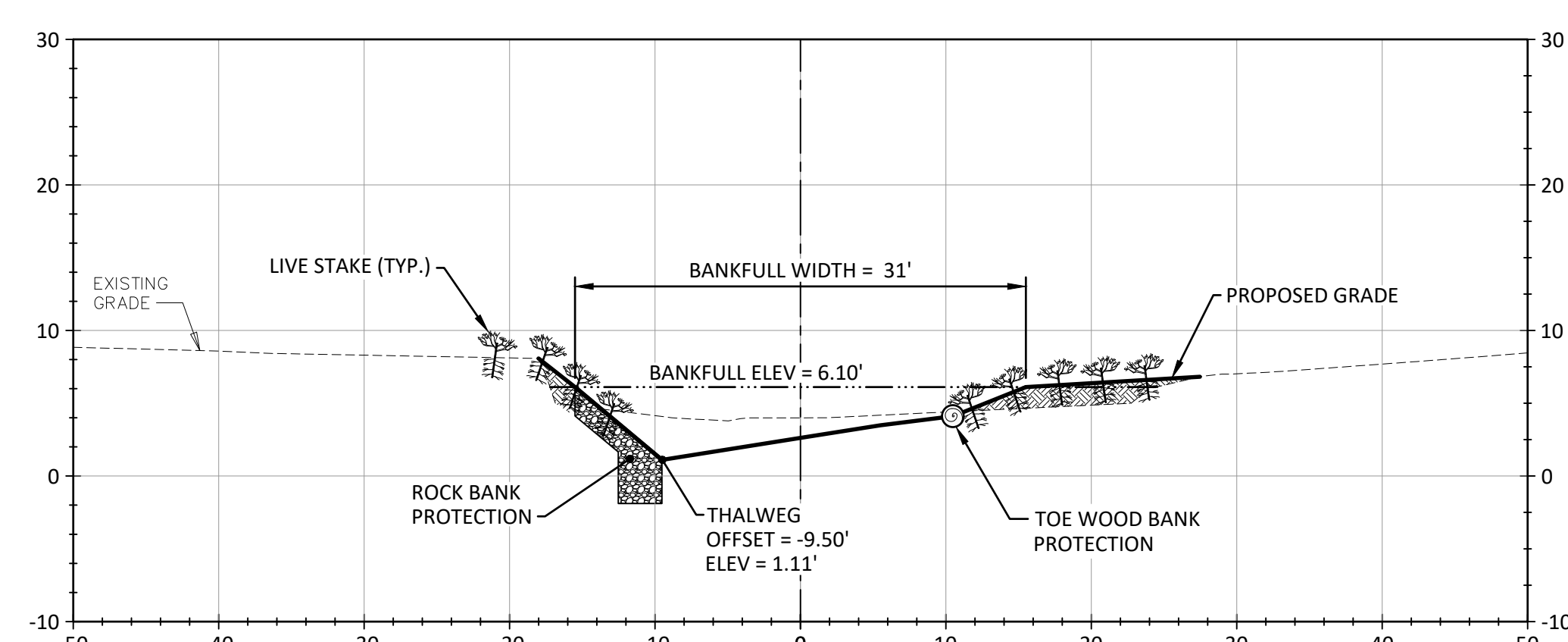
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SCALE: 1" = 10'



**CROSS SECTION 5 (STA: 11+24.20)**  
SCALE: 1" = 10'



**CROSS SECTION 3 (STA: 10+67.51)**  
SCALE: 1" = 10'



**CROSS SECTION 6 (STA: 11+50.77)**  
SCALE: 1" = 10'



Plotted: Sep 19, 2024 - 1:11PM  
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Checked by: WBG  
Designed by: ANE/RML  
In charge of: ANE/RML



IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145 § 7209 SPECIAL PROVISIONS, FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING PROFESSIONAL SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION

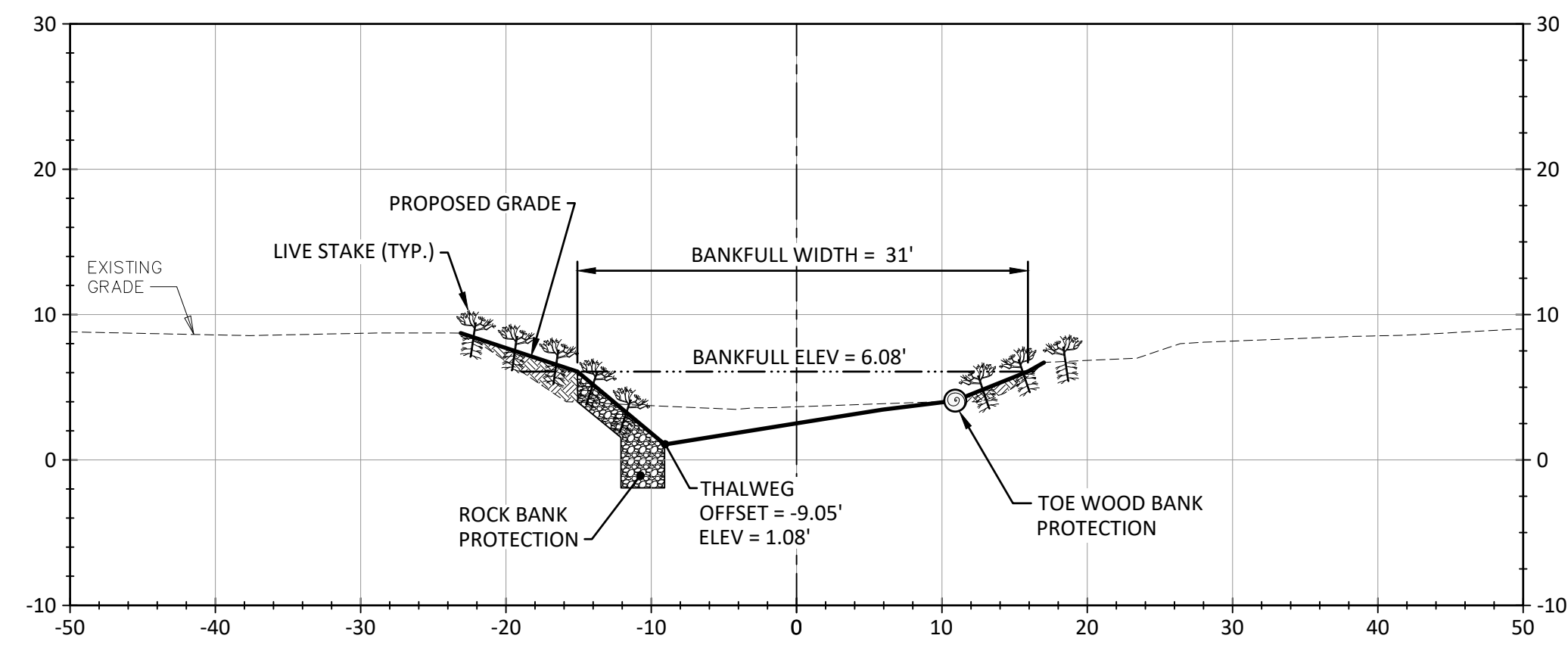
**CROSS SECTIONS  
(SHEET 2 OF 2)**

CITY OF RYE  
WESTCHESTER COUNTY, NEW YORK

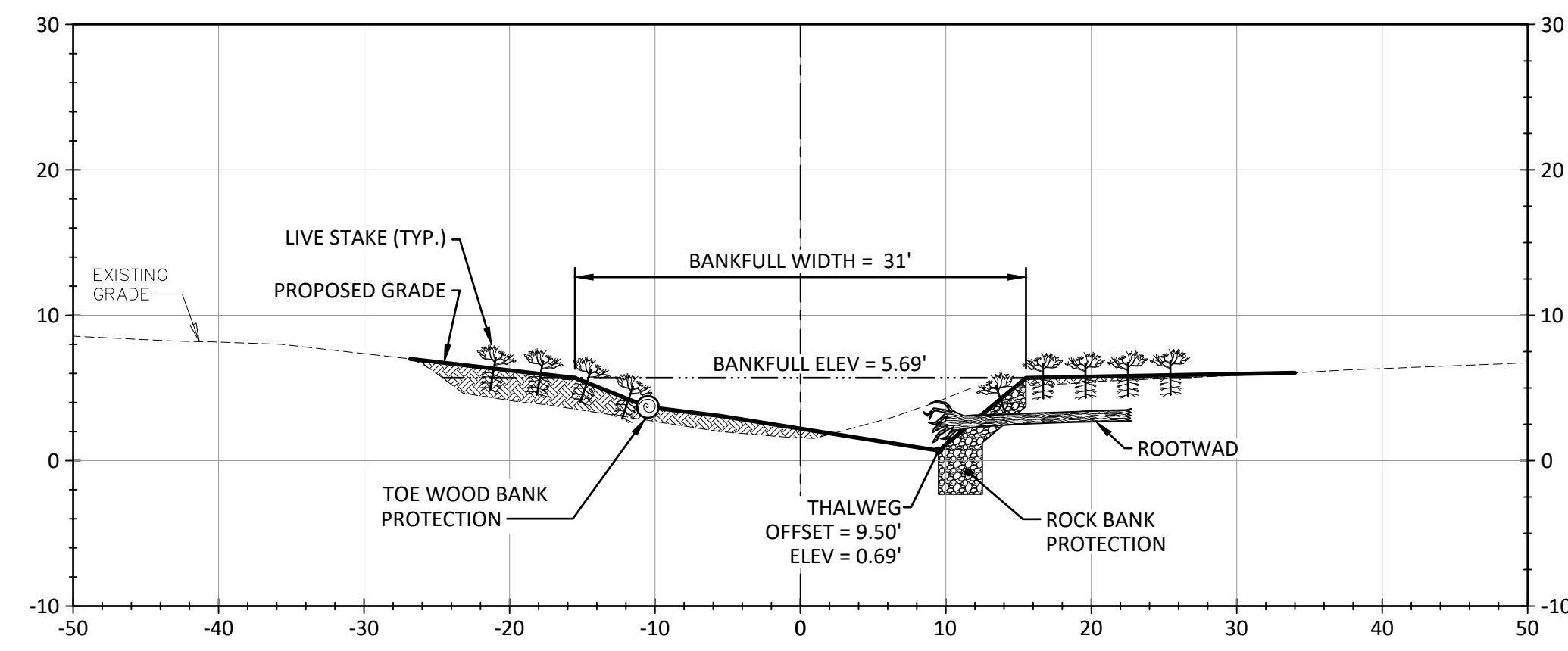
**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NYS CERTIFICATE #  
0018246, 020386, 019903,  
019905, 020336

**REVIEW  
DRAFT**

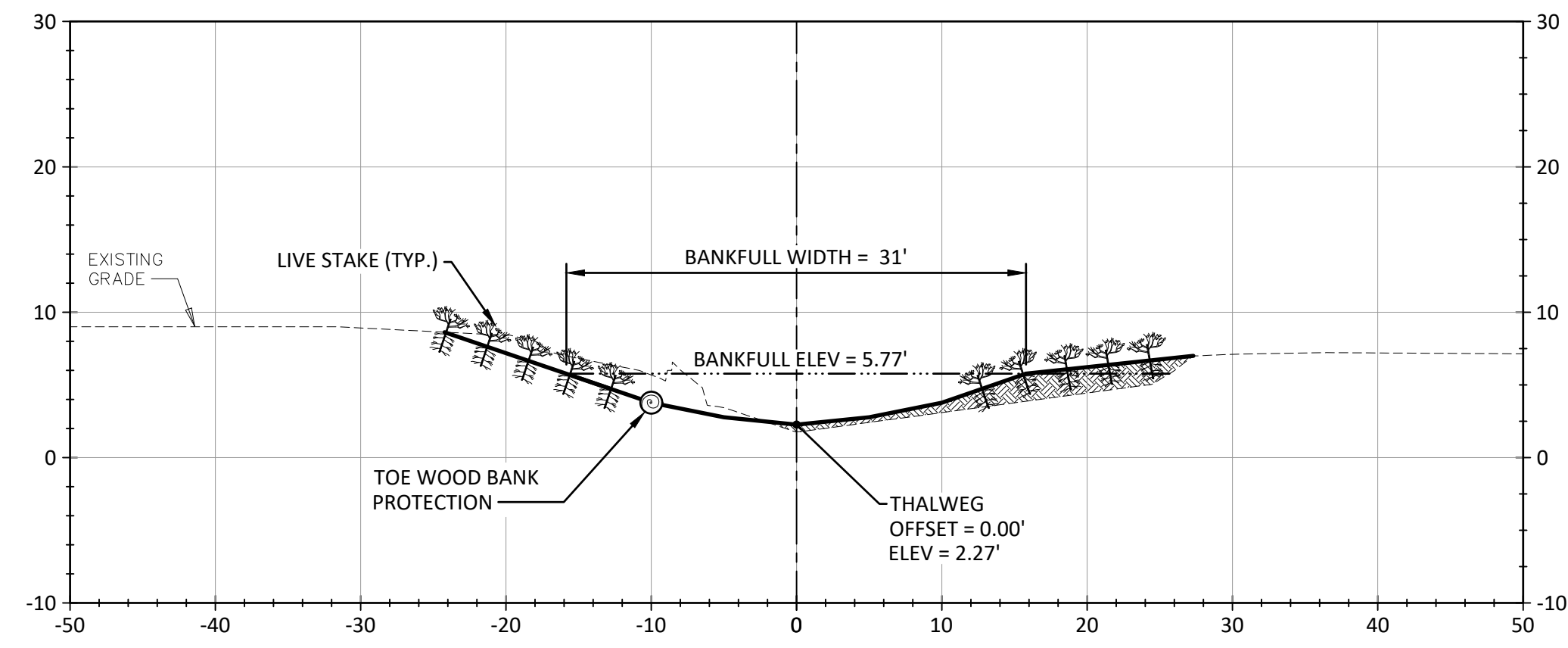
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Date	SEPTEMBER 2024
Scale	AS SHOWN
Sheet Number	C402
Project Number	2426.003.001



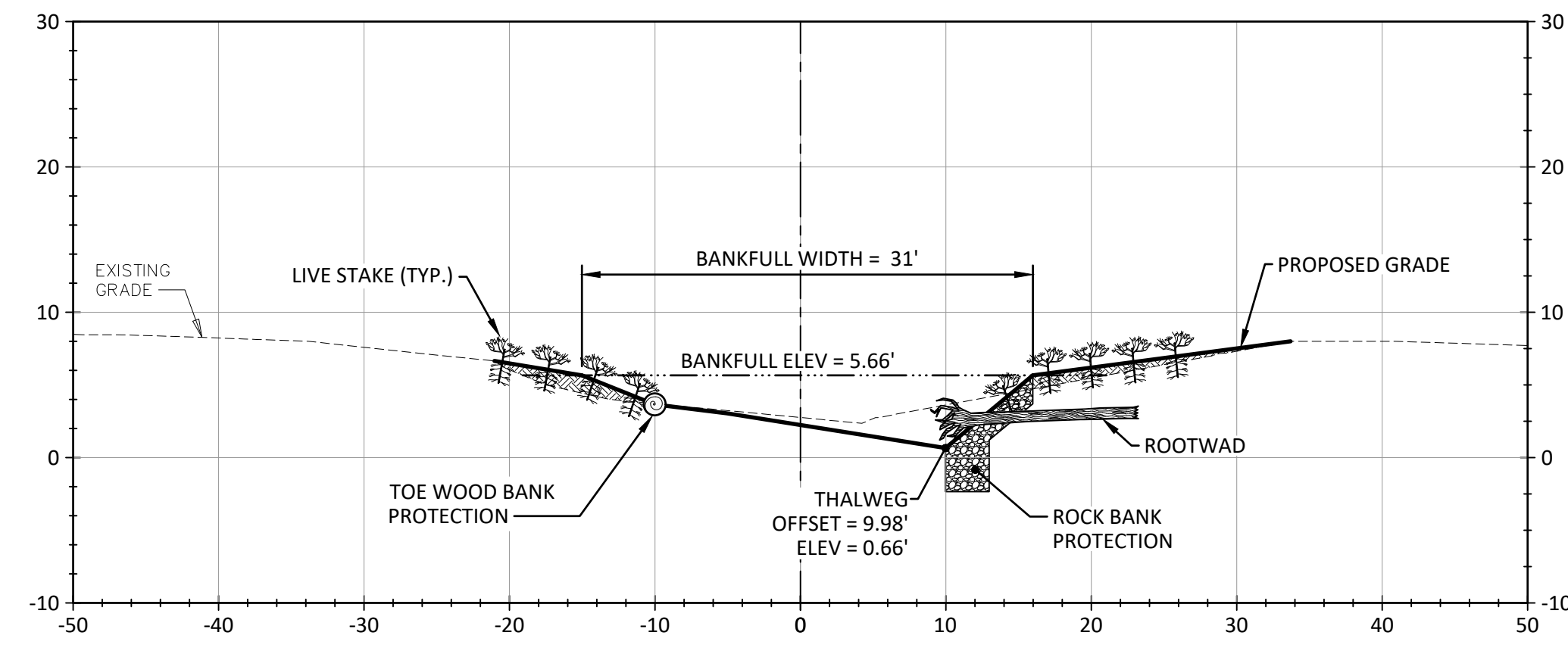
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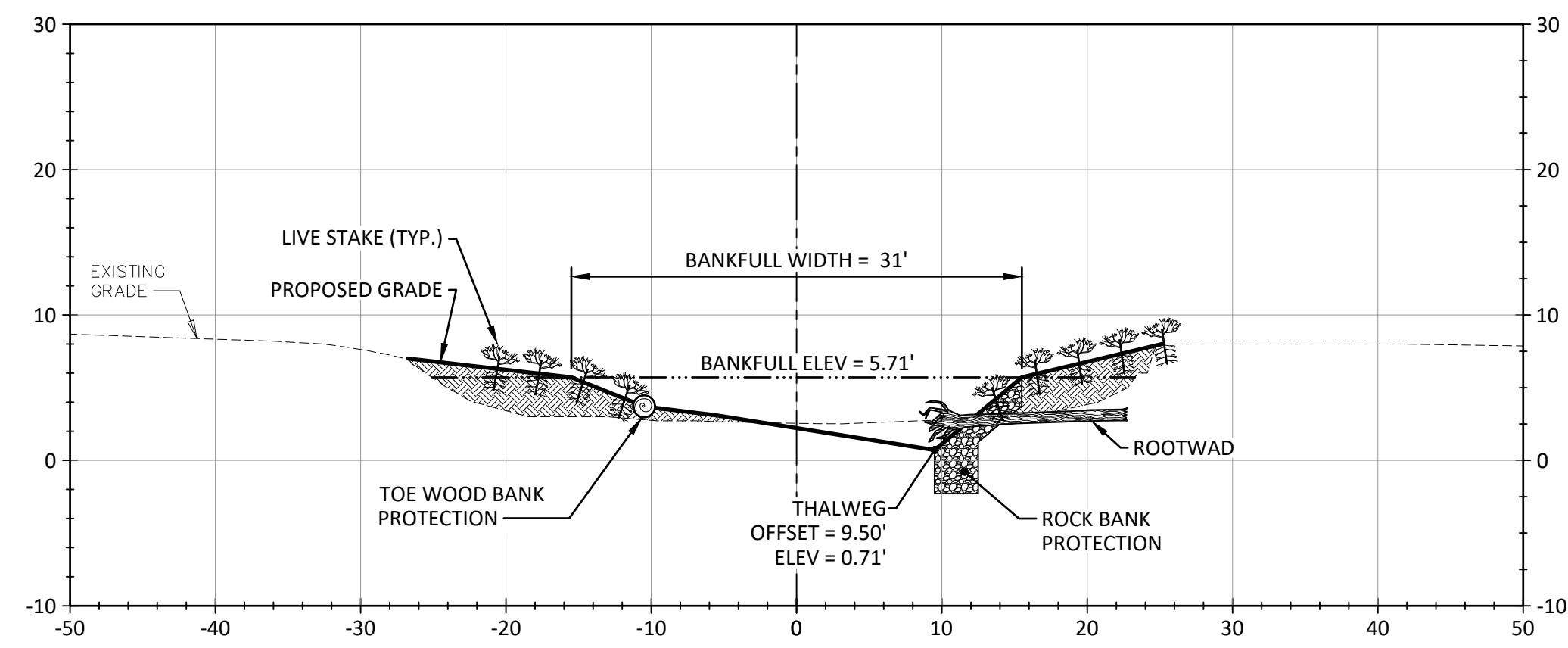
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SCALE: 1" = 10'



**CROSS SECTION 8 (STA: 14+53.99)**  
SCALE: 1" = 10'



**CROSS SECTION 11 (STA: 15+56.76)**  
SCALE: 1" = 10'



**CROSS SECTION 9 (STA: 15+11.53)**  
SCALE: 1" = 10'



Plotted: Sep 19, 2024 - 1:11PM SYR By: WBG  
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 Checked by: WBG Drawn by: ANE/RML In charge of: ANE/RML  
 Designed by: WBG



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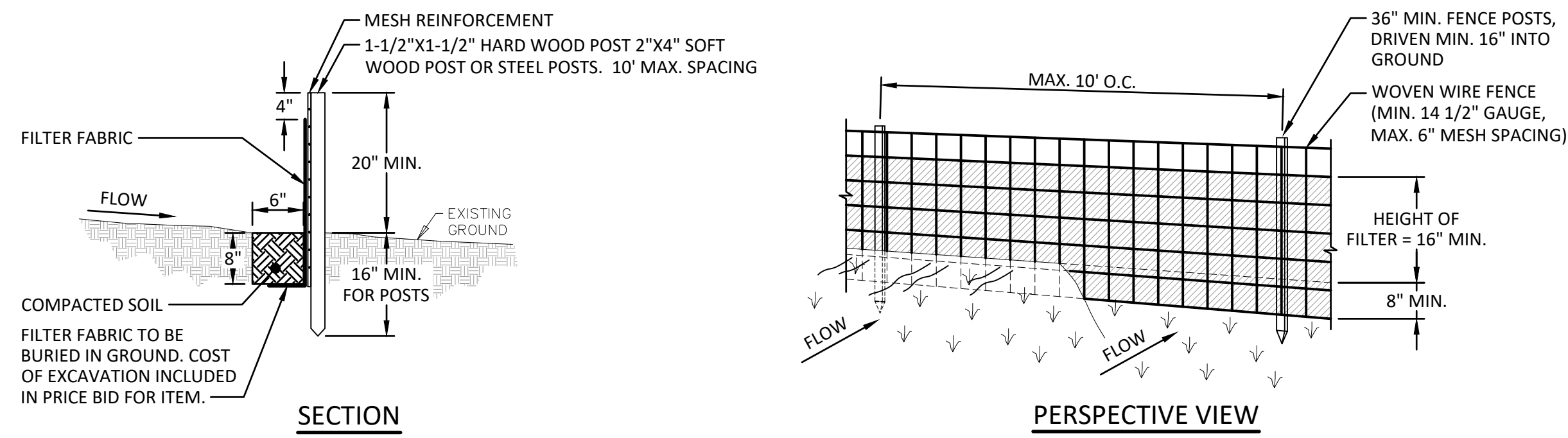
REVISIONS	

RYE NATURE CENTER  
 BLIND BROOK RIPARIAN RESTORATION  
 WESTCHESTER COUNTY, NEW YORK  
 CITY OF RYE

**Barton & Loguidice**  
 443 Electronics Parkway  
 Liverpool, NY 13088  
 NYS CERTIFICATE #  
 0018246, 020368, 019903,  
 019905, 020336

REVIEW  
 DRAFT

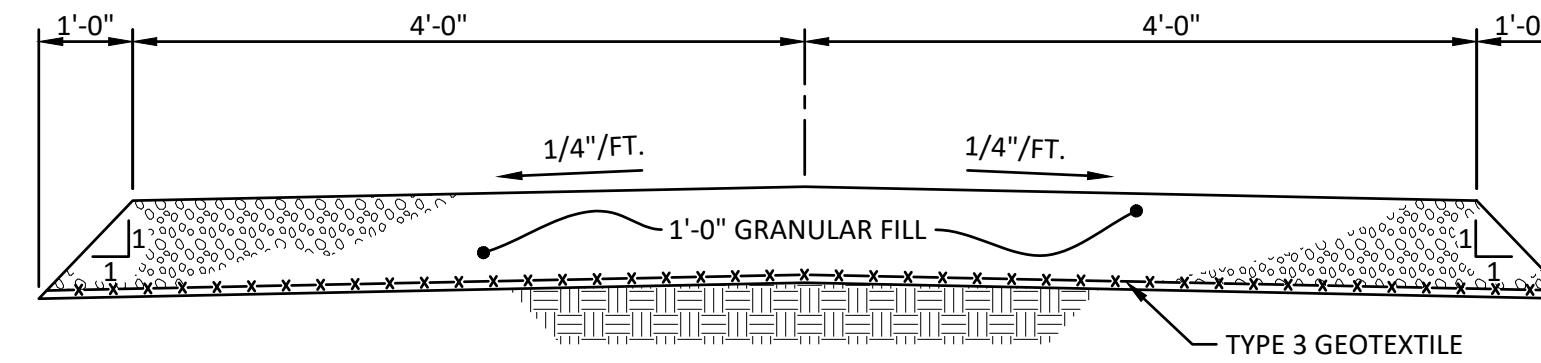
NYS EXP.:  
 Date: SEPTEMBER 2024  
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 Sheet Number: C502  
 Project Number: 2426.003.001



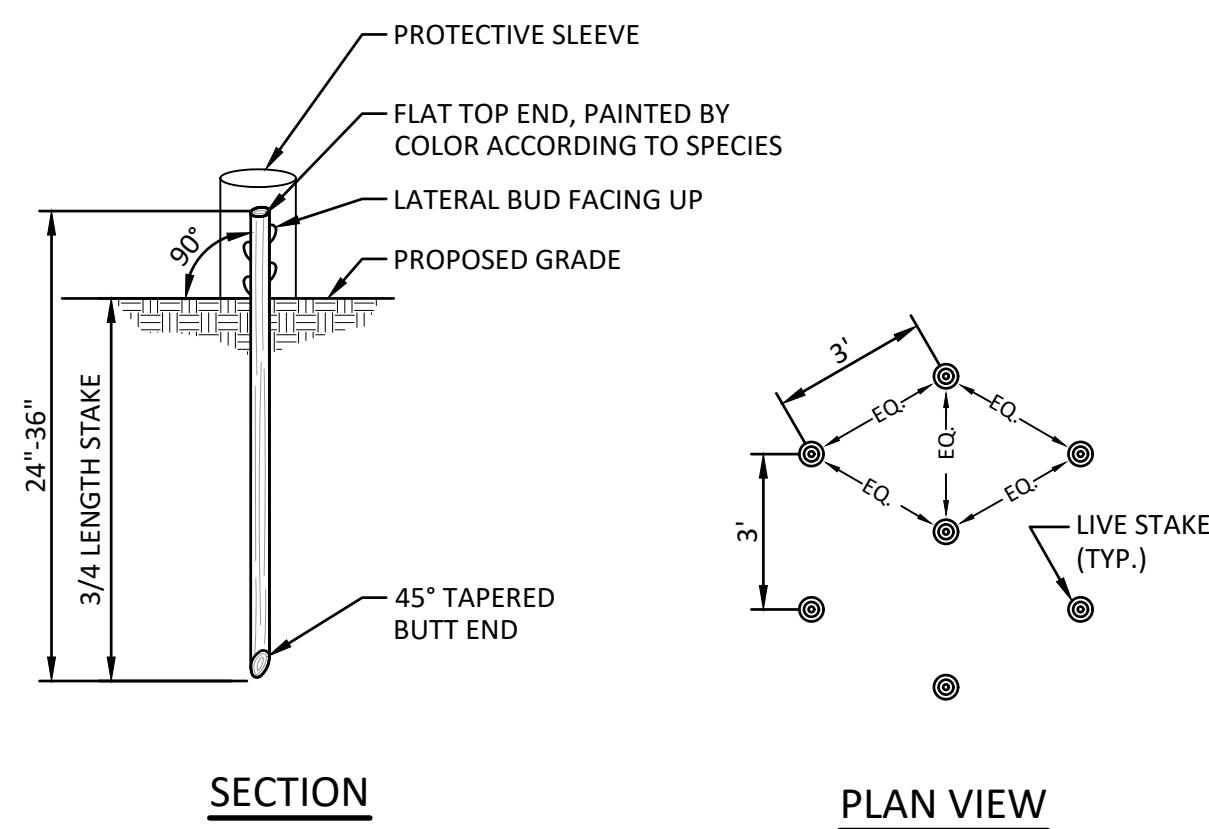
**CONSTRUCTION NOTES FOR FABRICATED SILT FENCE**

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
  - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
  - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
  - MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
- POSTS: STEEL EITHER "T" OR "U" TYPE OR 2" HARDWOOD  
 FENCE: WOVEN WIRE, 14 1/2 GA. 6" MAX. MESH OPENING  
 FILTER CLOTH: FILTER X, MIRAFI 100X, STABILINKA T140N OR APPROVED EQUAL  
 PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUAL

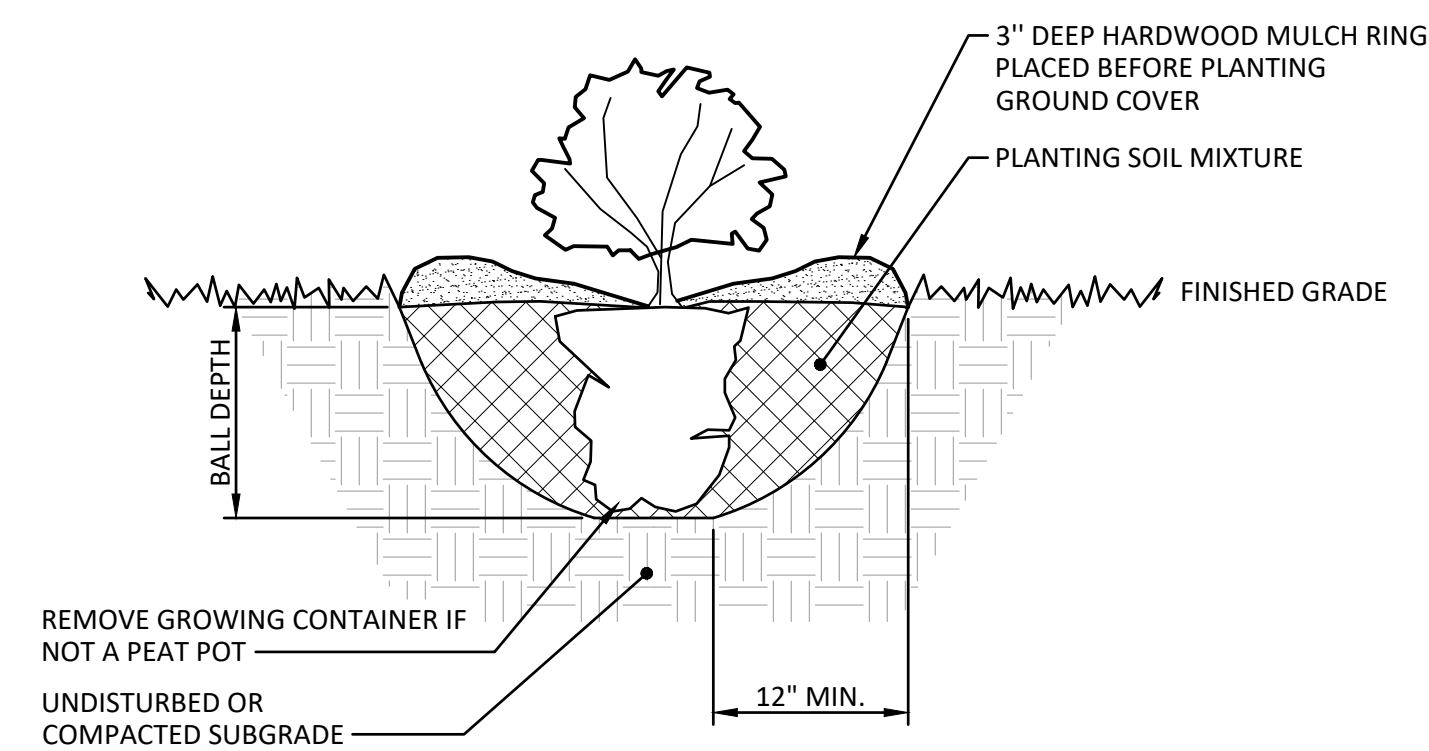
**1 SILT FENCE DETAIL**  
NOT TO SCALE



**2 TYPICAL ACCESS ROAD**  
SCALE: 1/2" = 1'-0"



**3 LIVE STAKE PLANTING DETAIL**  
NOT TO SCALE

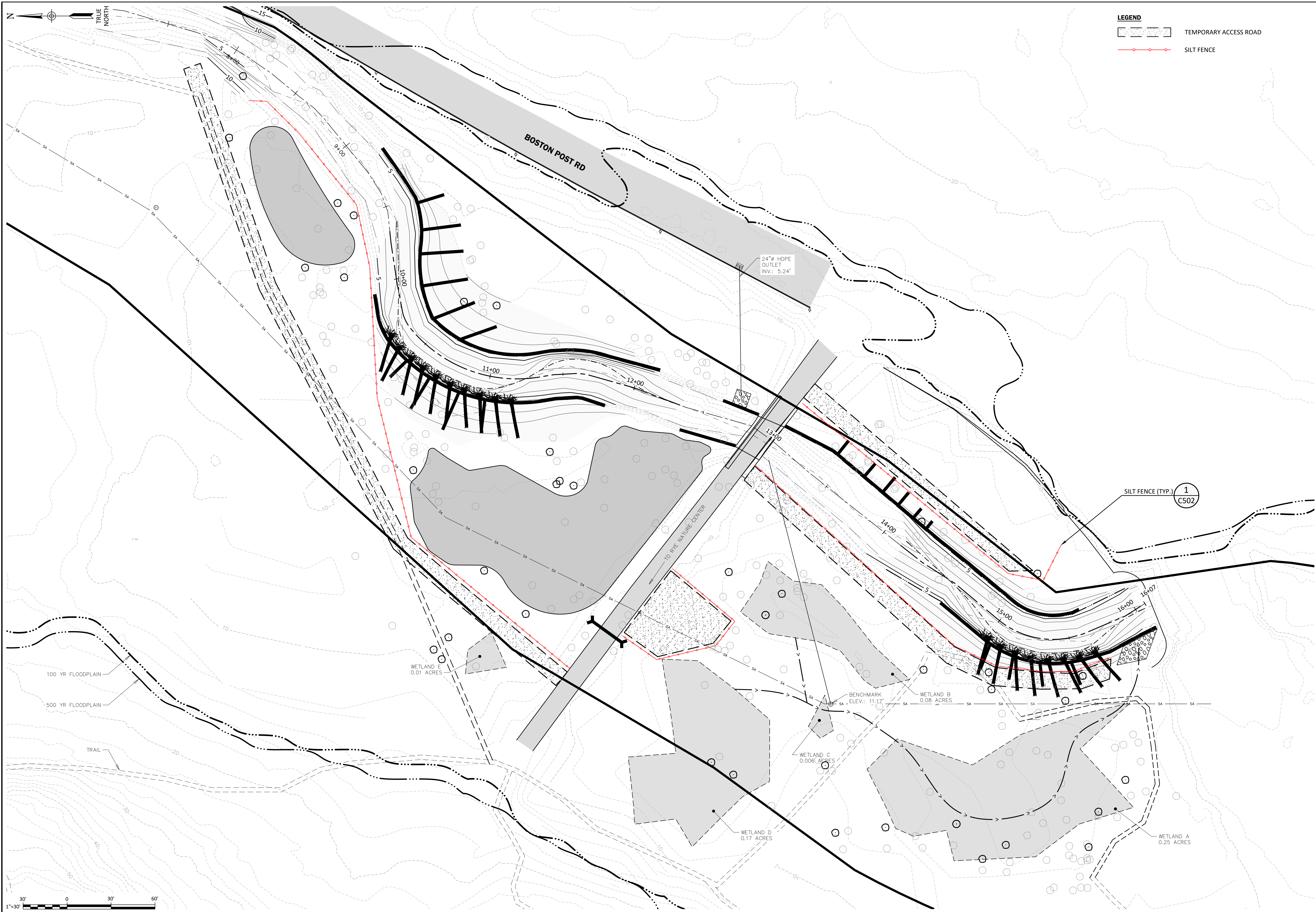


**4 TREE AND SHRUB CONTAINER PLANTING DETAIL**  
NOT TO SCALE

Plotted: Sep 19, 2024 - 1:11PM By: WBG  
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 Checked by: WBG  
 Drawn by: ANE/RML  
 Designed by: ANE/RML  
 In charge of:

Plotted: Sep 19, 2024 - 1:11PM S:\R By: WBG  
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Checked by: WBG Drawn by: ANE/RML In charge of:



**LEGEND**

- TEMPORARY ACCESS ROAD
- SILT FENCE

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REVISIONS	

RYE NATURE CENTER  
 BLIND BROOK RIPARIAN RESTORATION  
**EROSION AND SEDIMENT CONTROL PLAN**  
 CITY OF RYE  
 WESTCHESTER COUNTY, NEW YORK

**Barton & Loguidice**  
 443 Electronics Parkway  
 Liverpool, NY 13088  
 NYS CERTIFICATE #  
 0018246, 0205368, 019903,  
 019905, 020336

**REVIEW DRAFT**

NYS EXP.:	Date
	SEPTEMBER 2024
Scale	1" = 30'
Sheet Number	C700
Project Number	2426.003.001

**EROSION AND SEDIMENT (E&S) CONTROL INSTALLATION SEQUENCE**

**PRE-CONSTRUCTION ACTIVITIES - GENERAL**

- A. THE CONTRACTOR SHALL LOCATE AND VERIFY THE EXISTENCE OF ALL UTILITIES PRIOR TO STARTING WORK.
- B. PRIOR TO BEGINNING WORK AT THE SITE, THE CONTRACTOR WILL COORDINATE WITH THE PROJECT OWNER (FRNC) AND PROJECT ENGINEER (B&L) TO CLEARLY IDENTIFY APPROPRIATE LOCATIONS FOR LAYOUT OF THE TEMPORARY CONSTRUCTION ACCESS ROADS AND MATERIAL STAGING AREAS FOR THE STREAM WORK AREAS. THESE FEATURES WILL BE SITED IN A MANNER THAT MINIMIZE DISTURBANCE AREAS AND AVOID MATURE TREES TO THE GREATEST EXTENT POSSIBLE.
- C. STAKE OUT LAYOUT OF TEMPORARY CONSTRUCTION ACCESS ROADWAY ALONG THE STREAM CORRIDOR.
- D. INSTALL TRAFFIC DEVICE ALONG RYE NATURE CENTER DRIVEWAY TO PROTECT VISORS.
- E. INSTALL SILT FENCE TO FOLLOW DESIGNATED LIMIT OF DISTURBANCE BOUNDARY WITHIN PROJECT REACH.
- F. INSTALL TEMPORARY GRAVEL CONSTRUCTION ACCESS ROAD.
- G. UTILIZE PUMP AROUND SYSTEM AS NEEDED TO DE-WATER DAILY WORK AREAS WITHIN THE STREAM CHANNEL. USE OF THE PUMP-AROUND SYSTEM WILL BE AT THE DISCRETION OF THE PROJECT ENGINEER OR CONSTRUCTION MANAGER, BASED ON PREVAILING WEATHER AND/OR STREAM FLOW CONDITIONS.
- H. PRESCRIBED BMPS SHALL BE INSTALLED PER THE METHODS, LOCATIONS, AND SPECIFICATIONS INCLUDED IN THE PLANS AND DETAILS PRIOR TO STARTING ANY CONSTRUCTION ACTIVITIES. FOR THIS STREAM WORK, THE LIMITS OF DISTURBANCE WILL BE DEFINED BY THE BOUNDS CONTAINED WITHIN THE SILT FENCE. NO DISTURBANCE ACTIVITIES SHALL BE PERMITTED OUTSIDE OF THE DEFINED LIMITS OF DISTURBANCE.

**CONSTRUCTION ACTIVITIES**

- A. CONTRACTOR SHALL IMPLEMENT THE EROSION AND SEDIMENT POLLUTION CONTROL PLAN IN ACCORDANCE WITH THE PLANS AND TECHNICAL SPECIFICATIONS. A COPY OF THE APPROVED E&S CONTROL PLAN SHALL BE KEPT AVAILABLE FOR INSPECTION ON THE CONSTRUCTION SITE THROUGHOUT THE TERM OF THE PROJECT
- B. ENSURE THAT ALL SILT FENCE, TEMPORARY ACCESS ROADS, AND OTHER BMPS HAVE BEEN INSTALLED AND ARE FULLY FUNCTIONAL PRIOR TO THE BEGINNING ANY OTHER CONSTRUCTION ACTIVITY ON SITE. ENSURE THAT THE BOUNDS OF THE SILT FENCE ARE ACCURATELY REFLECT THE LIMITS OF DISTURBANCE FOR THE STREAM WORK PROJECT AS SHOWN ON THE CONSTRUCTION PLANS.
- C. ALL IN-CHANNEL AND STREAMBANK/FLOODPLAIN MODIFICATIONS, INCLUDING GRADING AND CONSTRUCTION OF BANK PROTECTION, SHALL BE CONSTRUCTED STARTING AT THE UPSTREAM LIMIT OF THE DISTURBANCE AND PROCEEDING IN A DOWNSTREAM DIRECTION.
- D. ALL CHANNEL AND FLOODPLAIN CONSTRUCTION WORK WILL BE PERFORMED IN DRY STREAM CHANNEL CONDITIONS. A PUMP-AROUND SYSTEM WILL BE UTILIZED ON SITE, AND SHALL BE UTILIZED AT THE DIRECTION OF THE PROJECT ENGINEER OR CONSTRUCTION MANAGER TO DEWATER THE STREAM CHANNEL WITHIN THE IMMEDIATE WORK AREA.
- E. WHENEVER UTILIZED, THE PUMP-AROUND SYSTEM SHALL BE INSTALLED IN SUCH A FASHION TO DEFINE DEWATER A SPECIFIED AREA THAT CAN BE FULLY COMPLETED AND STABILIZED WITHIN A SINGLE-DAY'S WORK.
- F. IN NO INSTANCE WILL MACHINERY BE PERMITTED TO ENTER OR CROSS ANY WETTED PORTION OF THE STREAM CHANNEL.
- G. AT THE START OF EACH WORK DAY, THE CONTRACTOR SHALL INSPECT AND REPAIR, AS NEEDED, ALL EROSION CONTROL MATERIALS AND IDENTIFY AN ANTICIPATED PORTION OF THE STREAM CORRIDOR CONSTRUCTION WORK TO BE COMPLETED THAT DAY.
- H. AT THE END OF EACH WORK DAY, THE CONTRACTOR WILL STABILIZE ANY TEMPORARY SOIL PILES BY INSTALLING SPECIFIED RIPARIAN SEED MIX AND MULCH.
- I. THE CONTRACTOR OR THEIR AGENT SHALL INSPECT THE SITE FOLLOWING EACH SIGNIFICANT RAINFALL EVENT, OR EVERY TWO WEEKS (WHICHEVER OCCURS SOONER) FOLLOWING THE COMPLETION OF WORK. INSPECTIONS SHALL OCCUR UNTIL THE SITE HAS BEEN PERMANENTLY STABILIZED (MINIMUM 70% PERENNIAL VEGETATIVE COVER SUFFICIENT TO RESIST ACCELERATED SURFACE EROSION).
- J. THE SITE SHALL BE INSPECTED AND REPAIRED, IF NECESSARY, AFTER EACH RAINFALL EVENT OR AT A PERIOD NOT TO EXCEED 48 HOURS. PREVENTATIVE AND MAINTENANCE WORK, INCLUDING CLEAN OUT, REPAIR, REPLACEMENT, REGRADING, RESEEDING, REMULCHING AND ANCHORING OF THE MULCH SHALL BE PERFORMED WITHIN 48 HOURS. SEDIMENT COLLECTED FROM THE EROSION CONTROL STRUCTURES SHALL BE PLACED UPSTREAM OF THOSE CONTROLS AND IMMEDIATELY STABILIZED WITH SEED AND AN ANCHORED MULCH OR HAULED OFF SITE TO A DISPOSAL AREA WITH AN APPROVED EROSION AND SEDIMENT CONTROL PLAN.
- K. THE INTENT OF THIS PLAN/NARRATIVE IS TO INDICATE THE GENERAL MEANS OF COMPLIANCE WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS OF THE USACE AND NYSDEC. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO IMPLEMENT THESE METHODS, PLUS ANY ADDITIONAL METHODS, AS MAY BE NECESSARY BECAUSE OF THE CONDITIONS CREATED BY LOCALIZED SITE CONDITIONS AND/OR CONSTRUCTION PROCEDURES IN ORDER TO ASSURE COMPLIANCE WITH APPLICABLE LAW. IT WILL FURTHER BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN E&S CONTROL FACILITIES SO THAT THEY PERFORM AS REQUIRED BY APPLICABLE LAW.
- L. FINES AND RELATED COSTS RESULTING FROM THE CONTRACTOR'S FAILURE TO PROVIDED ADEQUATE PROTECTION AGAINST SOIL EROSION AND FOR ANY VIOLATIONS OF THE PROTECTION OF WATERS PROGRAM (NYSDEC) AND THE RULES AND REGULATIONS PROMULGATED THEREUNDER SHALL BE BORNE BY THE CONTRACTOR.

**FINISH WORK AND PERMANENT STABILIZATION**

- A. ENSURE THAT ALL INSTREAM STRUCTURE INSTALLATIONS AND GRADING ARE COMPLETE. ENSURE ALL WORK AREAS ARE AT FINAL GRADE, AND THAT ALL RE-GRADED AND DISTURBED AREAS WITHIN THE WORK AREAS ARE STABILIZED PER DESIGN PLANS AND DETAILS.
- B. REMOVE THE TEMPORARY CONSTRUCTION ACCESS ROADS. PORTIONS OF THE AREA OCCUPIED BY THE TEMPORARY ACCESS ROAD WILL REQUIRE GRADING TO MEET FINAL DESIGN CONTOURS AND WILL BE STABILIZED WITH THE SPECIFIED SEED MIX.
- C. INSTALL SPECIFIED RIPARIAN SEED MIX AND EROSION CONTROL FABRIC IN AREAS PREVIOUSLY OCCUPIED BY THE TEMPORARY CONSTRUCTION ACCESS ROADS. THIS WORK MAY BE DONE CONCURRENTLY WITH REMOVAL OF TEMPORARY ACCESS ROADS.
- D. NO MACHINERY SHALL BE PERMITTED TO ENTER THE WORK AREA ONCE THE ACCESS ROAD HAS BEEN REMOVED, FINAL GRADE HAVE BEEN ACHIEVED, AND EROSION CONTROL BLANKET/SEED MIX HAS BEEN APPLIED. IF THE NEED ARISES TO ACCESS THE WORK AREA WITH MACHINERY FOR THE PURPOSE OF SITE MAINTENANCE, ETC., THE SILT FENCE AND TEMPORARY ACCESS ROAD MUST BE RESTORED TO DESIGN CONDITIONS AS SHOWN ON THE PLANS AND DETAILS.
- E. PERMANENTLY SEEDED AREAS THAT BECOME ERODED SHALL HAVE THE TOPSOIL REPLACED, BE RESEEDD WITH THE SPECIFIED SEED MIX, EROSION CONTROL MATTING REPLACED (IF APPLICABLE), AND MULCH REAPPLIED AND ANCHORED. IF EROSION PERSISTS, ADDITIONAL SITE GRADING WILL BE REQUIRED AT THE DISCRETION OF THE ENGINEER.
- F. AFTER PERMANENT STABILIZATION IS ACHIEVED, ALL SILT FENCE MUST BE REMOVED. ALL AREAS DISTURBED DURING REMOVAL OF THE SILT FENCE MUST BE BROUGHT TO FINAL GRADE AND STABILIZED IMMEDIATELY.
- G. AFTER STABILIZATION IS ACHIEVED AT ALL DISTURBED AREAS ONSITE (INCLUDING SITE WORK, STREAM WORK, AND WETLAND WORK) A NOTICE OF TERMINATION MUST BE SUBMITTED TO THE NYSDEC.

**TEMPORARY CONTROL MEASURES AND FACILITIES**

- A. TO FILTER RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE.
- B. SILT FENCE IS NOT PERMITTED IN ANY AREA OF CONCENTRATED FLOWS SUCH AS DITCHES, SWALES OR CHANNELS.
- C. SILT FENCE MUST BE INSTALLED IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIONS AND DETAILS AS SHOWN ON THE PLANS.
- D. ANY FENCE SECTION, WHICH HAS BEEN UNDERMINED OR TOPPED, MUST IMMEDIATELY BE REPLACED WITH A ROCK FILTER OUTLET. (SEE ROCK FILTER OUTLET DETAIL)
- E. ACCUMULATED SEDIMENTS SHALL BE REMOVED AS REQUIRED TO KEEP ½ THE ABOVE-GROUND HEIGHT OF THE FENCE EXPOSED.
- F. STABILIZE DISTURBED AREAS WITH TEMPORARY SEED AND STRAW MULCH APPLIED AT A RATE OF 3 TONS PER ACRES.

**SEEDING AND PLANTING**

- A. REFER TO PROJECT SPECIFICATION SECTION 02698 - SEEDING AND LIVE STAKING FOR RIPARIAN CORRIDOR.
- B. PROVIDE THE FOLLOWING SPECIFIED SEED MIXTURES OR EQUIVALENT APPROVED BY ENGINEER:
  - a. ERNST MIX ERNMX - 178 RIPARIAN SEED MIX
  - b. ERNST MIX ERNMX - 137 SHADED OBL-FACW AREAS
  - c. ERNST MIX ERNMX - 734 COASTAL PLAIN FRESHWATER OBL MIX
  - d. COVER CROP CONSISTING OF 50% OATS/50% GRAIN RYE
- C. INSTALLED SEED BY HAND BROADCASTING, OR HYDROSEEDING. RAKE SEED INTO SOIL TO MAXIMIZE SOIL CONTACT.
- D. HYDRAULIC APPLICATION CAN BE USED AND SHALL CONSIST OF SEED AND HYDROMULCH.
- E. FOR METHODS OTHER THAN HYDROSEEDING, A STRAW MULCH SHALL BE UNIFORMLY SPREAD IN A CONTINUOUS BLANKET AT A RATE OF 1,240 POUNDS PER 1,000 SQUARE YARDS (3 TONS PER ACRE) AFTER SEEDING.
- F. SEEDED AREAS WILL BE WATERED PER PROJECT SPECIFICATIONS, REFER TO PROJECT SPECIFICATIONS SECTION 02698.
- G. PLANTING SHALL NOT COMMENCE UNTIL THE FINISH ROUGH GRADE OF THE SITE HAS BEEN ACHIEVED AND APPROVED BY THE CONTRACTING OFFICER.
- H. ALL PLANTS SHALL BE AS SPECIFIED AND INSPECTED PRIOR TO INSTALLATION.
- I. ALL PLANTS SHALL BE DELIVERED AS SPECIFIED IN THE PLAN LIST, NO CONTAINER BOUND OR ROOT BOUND STOCK WILL BE ACCEPTED. ALL ROOT WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED ENTIRELY AT THE TIME OF PLANTING.
- J. WITH CONTAINER-GROWN STOCK, THE CONTAINER SHALL BE REMOVED AND THE CONTAINER BALL SHALL BE LOOSENEED BY SCARIFYING THE SURFACE OF THE BALL VERTICALLY IN THREE LOCATIONS TO ENCOURAGE IMMEDIATE ROOT GROWTH.
- K. ALL LOCATIONS OF TREES AND SHRUBS SHALL BE STAKED ONE DAY PRIOR TO PLANTING INSTALLATIONS, FOR APPROVAL BY THE ENGINEER OR CONSTRUCTION INSPECTOR.
- L. ALL PLANTS SHALL BE SET PLUMB UNLESS DIRECTED OTHERWISE.
- M. ALL PLANTING AREAS SHALL RECEIVE A MINIMUM OF FOUR INCHES OF TOPSOIL.
- N. ALL NEW TREE AND SHRUB PLANTINGS ARE TO BE INSTALLED WITH PLASTIC TUBING FOR PROTECTION FROM DEER DAMAGE. OTHER PROPOSED DEER REPELLING MEASURES SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION.
- O. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF THE PLANTINGS FROM PHYSICAL INJURY, ROOT ZONE COMPACTION, OR OTHER DAMAGE DURING ALL SITE OPERATIONS.
- LIVE STAKES
  - A. REFER TO PROJECT SPECIFICATION SECTION 02698 - SEEDING AND LIVE STAKING FOR RIPARIAN CORRIDORS
  - B. PROVIDE THE SPECIFIED LIVE STAKE SPECIES; ANY SPECIES SUBSTITUTIONS MUST BE APPROVED BY ENGINEER
  - C. INSTALL LIVE STAKES IN SPECIFIED AREAS, ACCORDING TO SUPPLIERS INSTRUCTIONS AND PROJECT SPECIFICATIONS

**MAINTENANCE: OWNERS RESPONSIBILITIES**

- A. THE PERMITTEE SHALL SUBMIT A NOTICE OF TERMINATION TO THE NYSDEC AT THE COMPLETION OF CONSTRUCTION ACTIVITIES.

**STREAM DISTURBANCE NOTES**

- A. IMPROVEMENT AND RESTORATION ACTIVITIES WITHIN THE AQUATIC RESOURCES WILL BE PERFORMED IN ACCORDANCE WITH SECTION 401 AND 404 OF THE CLEAN WATER ACT, 6 NYCRR PART 608, AND OTHER PERMIT CONDITIONS OF THE USACE AND NYSDEC.
- B. THE CONTRACTOR SHALL MAINTAIN STREAM FLOW IN NON-WORK AREAS AT ALL TIMES.
- C. THE CONTRACTOR SHALL NOT PERFORM CONSTRUCTION ACTIVITIES DURING PERIODS OF PROLONGED PRECIPITATION OR WHEN PROLONGED PRECIPITATION IS FORECAST. THE CONTRACTOR SHALL PERFORM ALL CONSTRUCTION OPERATIONS AS REQUIRED TO LIMIT THE MIGRATION OF SILTATION/SEDIMENT DOWNSTREAM OF THE CONSTRUCTION ZONE. SPECIFIC CRITERIA TO BE ADHERED TO INCLUDE THE FOLLOWING:
  - a. TURBIDITY: NO INCREASE IN TURBIDITY 400 FEET DOWNSTREAM OF THE CONSTRUCTION ZONE WHICH WILL CASE A SUBSTANTIAL VISIBLE CONTRAST TO NATURAL CONDITIONS.
  - b. SETTLEABLE SOLIDS: NO SETTLEABLE SOLIDS 100 FEET DOWNSTREAM OF THE CONSTRUCTION ZONE WHICH WILL CAUSE DEPOSITION OR IMPAIR THE WATERS FOR THEIR BEST USAGE.
- D. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO COMPLETE CONSTRUCTION OPERATIONS AS EXPEDITIOUSLY PRACTICAL AS TO MINIMIZE THE DURATION OF DISTURBANCE TO THE STREAM.
- E. THE CONTRACTOR SHALL NOT STORE CHEMICALS, FUELS, OR LUBRICATING OILS WITHIN 100 FEET OF STREAMS AND WETLANDS WITHIN THE EXCEPTION OF DEWATERING PUMPS, EQUIPMENT SHALL NOT BE REFUELED WITHIN 100 FEET OF STREAMS OR WETLANDS.
- F. EQUIPMENT AND/OR MACHINERY SHALL NOT BE WASHED IN THE STREAM NOR CLOSE ENOUGH TO THE STREAM THAT WATER FROM SUCH ACTIVITIES CAN ENTER THE STREAM.
- G. THE CONTRACTOR'S STAGING AREA SHALL BE LOCATED AT MINIMUM OF 100 FEET AWAY FROM THE STREAM BANK; STAGING SHALL BE COORDINATED WITH THE CONTRACTOR PRIOR TO THE PROJECT IMPLEMENTATION.
- H. ALL NECESSARY PRECAUTIONS WILL BE TAKEN TO PRECLUDE CONTAMINATION OF ANY WATERWAYS BY SUSPENDED SOLIDS, SEDIMENTS, FUELS, SOLVENTS, LUBRICANTS, OR ANY OTHER ENVIRONMENTALLY DELETERIOUS MATERIAL ASSOCIATED WITH THE PROJECT WORK.
- I. FLOW TO DISTURBED PORTIONS OF THE STREAM BED SHALL BE RESTORED AS SOON AS PRACTICAL FOLLOWING INSTALLATION OF PROPOSED STRUCTURES.
- J. CUT OR PRUNE EXISTING STREAM BANK VEGETATION, WHERE NECESSARY FOR CONSTRUCTION, UTILIZING APPROPRIATE PRUNING METHODS. TO THE EXTENT PRACTICAL, ROOTS SHOULD REMAIN INTACT AND A MINIMUM OF 1-FT OF ABOVE GROUND STEM SHALL REMAIN.

**CONSTRUCTION SEQUENCING**

**I CONSTRUCTION PREPARATION**

- a. INSTALL CONSTRUCTION ENTRANCE WITH WASH RACK WHERE SHOWN ON THE PLANS. PROVIDE TEMPORARY WATER SOURCE ONSITE TO ALLOW FOR WHEEL WASHING OF ALL VEHICLES THAT LEAVE THE PROJECT SITE.
- b. INSTALL SILT FENCE OR COMPOST FILTER SOCKS AS PERIMETER CONTROL ALONG TEMPORARY ACCESS ROAD, STAGING AREAS, SPOILS AREAS, AND OTHER AREAS WHERE THE POTENTIAL FOR SEDIMENT TO LEAVE THE SITE OR ENTER SURFACE WATERS EXISTS.
- c. CLEAR AND GRUB TEMPORARY ACCESS ROAD, STAGING AREAS AND SPOILS AREAS. STOCKPILE APPROPRIATELY-SIZED TREES TO BE USED FOR INSTREAM STRUCTURES.

**II IN-STREAM AND FLOOD PLAIN CONSTRUCTION**

- a. INSTALL BY-PASS PUMP, INTAKE, AND COFFERDAM FOR FIRST PROJECT SEGMENT. PUMPING MAY OCCUR IMMEDIATELY UPSTREAM OF COFFERDAM. INSTALL ENERGY DISSIPATER, ROCK FILTER AND PUMP DISCHARGE DOWNSTREAM OF THE ACTIVE WORK AREA. RELOCATE AS NECESSARY WHEN WORK PROGRESSES DOWNSTREAM.
- b. CONSTRUCT INSTREAM STRUCTURES AND BANK TREATMENTS WITHIN FIRST SEGMENT OF WORK AREAS SHOWN ON THE DESIGN PLANS AND DETAILS.
- c. CONSTRUCT ROCK OUTLET INTO BLIND BROOK AT DOWNSTREAM EXTENT OF PROJECT SITE, SHALL BE CONSTRUCTED OF STONE AND INSTALLED TO SPECIFIED ELEVATIONS AND CONFIGURATIONS AS PER THE DESIGN PLANS.
- d. INSTALL TOPSOIL, SPECIFIED SEED MIX, EROSION CONTROL BLANKET, LIVESTAKES, AND TREE PLANTINGS AT LOCATIONS SHOWN ON PLANTING PLAN.

**III CONSTRUCTED AND ENHANCED WETLANDS**

- a. ALL EQUIPMENT IS TO BE WASHED PRIOR TO DELIVERY TO THE SITE IN ORDER TO AVOID INTRODUCING INVASIVE PLANT SPECIES TO THE PROJECT SITE.
- b. INSTALL EROSION AND SEDIMENT CONTROL MEASURES AS SHOWN ON DESIGN PLANS. UPSTREAM CONTRIBUTING DRAINAGE SHALL BE ROUTED AROUND WETLAND CREATION/ENHANCEMENT AREAS UNTIL WETLAND WORK IS COMPLETED.
- c. THE CONTRACTOR SHALL THOROUGHLY EXAMINE AND VERIFY IN THE FIELD ALL EXISTING AND GIVEN CONDITIONS, ELEVATIONS AND DIMENSIONS SHOWN ON THE PLANS. IF FIELD CONDITIONS AND DIMENSIONS DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY AND MAKE ANY APPROPRIATE CHANGES REQUIRED IN ORDER TO COMPLETE THE WORK, AS APPROVED BY THE ENGINEER.
- d. ALL EXCAVATION AND GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THE APPROVED DESIGN PLANS AND SPECIFICATIONS. ANY DEVIATIONS FROM DESIGN MUST BE APPROVED BY THE ENGINEER.
- e. REMOVE TOP 12 INCHES OF SOIL FROM EXISTING WETLANDS AND REMOVE FROM THE SITE. CONTRACTOR MUST DISPOSE OF THE SOIL AT AN APPROVED DISPOSAL SITE(S).
- f. IMPORT WETLAND TOPSOIL TO FINISH TO PLAN GRADES AS SHOWN ON PLANS. REFER TO PROJECT SPECIFICATION SECTION 0XXXX - WETLAND TOPSOIL.
- g. IN WETLAND CONSTRUCTION AND ENHANCEMENT AREAS INSTALL A MINIMUM OF 12- INCHES OF TOPSOIL TO ACHIEVE FINAL GRADE.
- h. SUBSOIL SHALL BE EXCAVATED TO A DEPTH OF 12 INCHES BELOW THE FINISH ELEVATION.
- i. FOLLOWING PLACEMENT OF THE WETLAND TOPSOIL LAYER, IT SHALL BE SCARIFIED OVER THE ENTIRE DEPTH. NO AREAS OF TOPSOIL SHALL BE COMPACTED PRIOR TO SEEDING. TOPSOIL IN WETLAND MITIGATION AREAS SHALL BE GRADED AS TO PROVIDE A ROUGH AND UNEVEN SURFACE.
- j. VEGETATION PLANTING SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PLANTING PLAN. PLANT SPECIES, SPACING, AND PLANTING DEPTH SHOULD ADHERE TO THE DESIGN PLAN AND PLANTING SPECIFICATIONS.
- k. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES EXCEPT WETLAND AREAS SHALL BE FINE GRADED, COVERED WITH A MINIMUM OF FOUR INCHES OF TOPSOIL, SEEDED, FERTILIZED AND MULCHED.
- l. FINAL GRADING AND SURFACE PREPARATION SHOULD RESULT IN UNIFORM SLOPES, SMOOTH TRANSITIONS, AND PROPER SURFACE DRAINAGE WITHIN THE WETLAND BASIN.

**IV FINISH WORK AND PERMANENT STABILIZATION**

- a. ENSURE THAT ALL INSTREAM STRUCTURE INSTALLATIONS AND GRADING ARE COMPLETE. ENSURE ALL WORK AREAS ARE AT FINAL GRADE, AND THAT ALL RE-GRADED AND DISTURBED AREAS WITHIN THE WORK AREAS ARE TEMPORARILY OR PERMANENTLY STABILIZED.
- b. REMOVE THE TEMPORARY CONSTRUCTION ACCESS ROADS. PORTIONS OF THE AREA OCCUPIED BY THE TEMPORARY ACCESS ROAD WILL REQUIRE GRADING TO MEET FINAL DESIGN CONTOURS.
- c. INSTALL SPECIFIED RIPARIAN SEED MIX IN AREAS PREVIOUSLY OCCUPIED BY THE TEMPORARY CONSTRUCTION ACCESS ROADS. THIS WORK MAY BE DONE CONCURRENTLY WITH REMOVAL OF TEMPORARY ACCESS ROADS.
- d. ENSURE ALL SEEDED AREAS HAVE REACHED PERMANENT STABILIZATION BY ACHIEVING A MINIMUM OF 70% PERENNIAL VEGETATIVE COVER.
- e. NO MACHINERY SHALL BE PERMITTED TO ENTER THE WORK AREA ONCE THE ACCESS ROAD HAS BEEN REMOVED, FINAL GRADE HAVE BEEN ACHIEVED, AND EROSION CONTROL BLANKET/SEED MIX HAS BEEN APPLIED. IF THE NEED ARISES TO ACCESS THE WORK AREA WITH MACHINERY FOR THE PURPOSE OF SITE MAINTENANCE, ETC., THE SILT FENCE AND TEMPORARY ACCESS ROAD MUST BE REINSTALLED AS SHOWN ON THE PLANS AND DETAILS.
- f. AFTER PERMANENT STABILIZATION IS ACHIEVED, ALL SILT FENCE MUST BE REMOVED. ALL AREAS DISTURBED DURING REMOVAL OF THE SILT FENCE MUST BE BROUGHT TO FINAL GRADE AND STABILIZED IMMEDIATELY.
- g. AFTER STABILIZATION IS ACHIEVED AT ALL ONSITE DISTURBED AREAS (INCLUDING SITE WORK, STREAM WORK, AND WETLAND WORK), A NOTICE OF TERMINATION MUST BE SUBMITTED TO THE NYSDEC.

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145 §7209 SPECIAL PROVISIONS, FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING PROFESSIONAL SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

REVISIONS	

RYE NATURE CENTER  
BLIND BROOK RIPARIAN RESTORATION  
**EROSION AND SEDIMENT CONTROL NARRATIVE**  
WESTCHESTER COUNTY, NEW YORK  
CITY OF RYE

**Barton & Loguidice**  
443 Electronics Parkway  
Liverpool, NY 13088  
NYS CERTIFICATE #  
0018246, 020368, 019903,  
019905, 020336

**REVIEW DRAFT**

NYS EXP.:
Date
SEPTEMBER 2024
Scale
AS SHOWN
Sheet Number
<b>C701</b>
Project Number
2426.003.001



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** 2025 proposed budget discussion.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council discuss the 2025 City budget.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Discussion of possible expanded use of videoconferencing of Rye Public Bodies subject to the Open Meetings Law.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council discuss the possible expanded use of videoconferencing.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached draft local law, Committee on Open Government appendix, draft videoconferencing policy, and New York State legislation regarding videoconferencing.

## APPENDIX I

### REQUIRED REPORT CONCERNING IMPLEMENTATION OF CHAPTER 56 OF THE LAWS OF 2022

On April 9, 2022, Governor Hochul signed Chapter 56 of the Laws of 2022 (“Chapter 56”) relating to the New York State budget for the 2022-23 state fiscal year. Included in the bill is an amendment to the OML to allow for the expanded use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency. These amendments are primarily codified in Public Officers Law § 103-a. These amendments will expire and be deemed repealed on July 1, 2024, unless the Legislature takes further action.

Chapter 56 requires that no later than January 1, 2024, the Committee issue a report to the Governor and Legislative leaders concerning the application and implementation of the law and any further recommendations governing the use of videoconferencing by public bodies to conduct meetings pursuant to POL § 103-a.

To support this required report, in addition to the many hundreds of comments on this topic received from correspondents making informal contact with our office over the year, the Committee undertook a separate organized survey of public bodies, advocacy groups, the media, and the general public to affirmatively solicit feedback and identify any trends.<sup>4</sup> Based on information from correspondents to our office and this survey feedback, we can make the following general conclusions:

- Since the pandemic began in 2020, many public bodies continue to struggle to meet the required in-person quorum to conduct an open meeting. This finding is perhaps partly attributable to two main factors: (i) many members of public bodies are new to serving in the last three years and do not “remember” a time when in-person attendance at a meeting was mandatory; and (ii) even long serving members of public bodies have become used to being able to participate in meetings from home, increasing convenience and saving time and the effort of traveling to a central location. (In the section just below, we make a suggestion for an amendment to the law that may ameliorate these concerns.)
- A significant majority of all correspondents and survey responders – public bodies, the media, public interest groups, and members of the general public – strongly support the broadened use of remote access technology to permit meetings to occur regardless of an in-person quorum. This finding may be attributable to the following common themes from the feedback we

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<sup>4</sup> With deepest thanks to our special summer project intern, survey author and survey conductor Elizabeth Baird, who is set to graduate from Hartwick College in 2024. The Committee issued more than 250 written invitations to public bodies, media, and the public to participate and publicized the survey and invited participation at every training session, educational presentation, or invited talk that it held between June 2022 and the present. The formal survey invitations resulted in approximately 35 responses; in total, however, the Committee received informal feedback on this topic from several hundred correspondents across public bodies, the media, and members of the public.



received: (i) remote meetings are easier to attend, regardless of your role in the meeting (as a participant or attendee); (ii) remote meetings are more convenient and enjoyable for everyone; and (iii) remote meetings can be held regularly, and important business conducted, regardless of weather or other considerations, reducing scheduling concerns for participants and attendees.

Also based on this feedback, we can offer the following suggestions and general notes of caution relating to the continuation of the current statutory rubric (extraordinary circumstances) or any statutory expansion of circumstances under which remote meetings are permitted:

- Correspondents have observed that public bodies taking advantage of OML § 103-a extraordinary circumstances have not uniformly understood that, where a body is meeting with a member participating remotely, the body must permit remote attendees the same opportunity to make public comment as those persons attending the meeting in person. While this is an explicit requirement of the current statute, we believe that many public bodies may fundamentally misunderstand their obligations in this regard.
- The term “videoconferencing” is used in several places in the OML, and the use of the term, with the qualifier “extraordinary,” in § 103-a has introduced confusion among public bodies and other groups. For example, some public bodies, on advice from their attorneys or other interest groups (offered notwithstanding contrary advice published by the Committee), believe that the use of the term videoconferencing in § 103-a now provides for the *only* permitted use of videoconferencing under the OML, essentially voiding the videoconferencing long permitted by § 104. The Committee believes that clarification – or the use of an alternative term in any extension or expansion of § 103-a – would be useful to ensure that the Legislature intends that the uses of videoconferencing that were common and permitted before the introduction of § 103-a remain so.
- Where a public body experiences a “technical difficulty” during a meeting where the body is making use of § 103-a and therefore there is a requirement that remote attendees be permitted and the meeting be live streamed, attendees may be precluded from attending. Such circumstances may make continued compliance with § 103-a during the affected meeting impossible. In addition, many correspondents identified what may be called a “skills gap” (in either a member of a public body or the administrator of the public body) or a financial gap (cost prohibition where a public body represents a very small municipality) concerning the proper implementation of remote meetings when using § 103-a.
- There is significant confusion concerning what constitutes an “extraordinary circumstance.” Although the Committee has offered the advice that a public body may define this term as it chooses, many bodies remain confused and have identified this as a concern with the use of § 103-a.

- To the extent that bodies believe they do understand what an “extraordinary circumstance” is, many have suggested that the statutory parameters are “too strict” and that there should be no limitation on the reason that a member might need to participate in an open meeting remotely from a non-public location. As a corollary to this observation, many correspondents have stated that, if a member has qualified to participate remotely because of a claimed “extraordinary circumstance” and because of this there is either “barely” a quorum at the public location(s) or no longer a quorum at the public location(s), that precludes another member from claiming an “extraordinary circumstance” and requires that an affected meeting be canceled. We understand from our correspondents that this result feels arbitrary and undercuts the purpose of recognizing that a member of a public body may be experiencing an “extraordinary circumstance” to begin with.
- Many public bodies have identified confusion and burden concerning the pre-requisite “hearing” before the implementation of a policy to adopt § 103-a (or, in the case of a municipality, the necessary hearing before the adoption of a local law). Despite the publication of guidance and templates, the Committee is aware that many bodies that may wish to make use of § 103-a have not done so due to the burden this requirement imposes. Anecdotally, however, we understand that some public bodies that have not held a hearing or adopted a policy or local law have been leveraging § 103-a anyway.
- In light of the increasingly reported challenges associated with convening an in-person quorum for open meetings given today’s technological environment and otherwise changing views toward the power of technology, transparency and greater access may continue to be properly served by amending the OML to reduce the burden of the in-person quorum required by OML § 103-a. Reasons for considering this proposal include the: (i) logistical difficulties associated with gathering geographically-dispersed members in connected public locations for frequent, short meetings especially of advisory committees and subcommittees, resulting in delayed or cancelled meetings, delay of advice needed by the parent public body, and additional functions performed outside of the meeting context, lessening access; (ii) substantial improvements in remote access technology that better ensure public access and transparency even without a public meeting location; and (iii) evidence strongly suggesting that there has been a drastic *decrease* in “in person” attendance at open meetings by interested citizens and a concomitant significant increase in (and preference for) remote meeting attendance by such citizens.

## LOCAL LAW

CITY OF RYE NO. \_\_\_\_\_ -2024

### **A new local law to add a new chapter 192, “Videoconferencing” to allow members of public bodies of the City of Rye who are subject to Public Officers Law, Article 7, to participate in meetings via videoconferencing**

#### **Section 1. Legislative Intent**

It is the intent of this Local Law to give members of the City’s local public bodies, as such term is defined in Public Officers Law §103-a(1), the authority to participate in meetings via videoconferencing in a manner consistent with the authority granted in Public Officers Law § 103-a upon sufficient notice to the chair of said public body.

#### **Section 2. Authority**

This local law is adopted pursuant to Public Officers Law § 103-a which expressly permits the City Council to adopt a local law to authorize the use of videoconferencing for itself and all local public bodies, including committees and subcommittees, of the City which are subject to Public Officers Law, Article 7, known as the “Open Meetings Law”. Members of such local public bodies may participate in meetings via videoconferencing from locations not accessible to the public so long as a quorum of the public body participates from locations where the public may be physically present and all conditions set forth in Public Officers Law § 103-a are met.

#### **Section 3. Videoconferencing for Public Meetings**

- (1) The City Council of the City of Rye hereby authorizes members of the City’s local public bodies to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a so long as a quorum of the public body participates from locations where the public may be physically present.
- (2) The City Council shall promulgate and adopt by resolution written procedures, which may be amended from time to time, for the conduct of any meeting which involves participation by a member exercising the right to participate remotely under Open Meetings Law § 103-a.

#### **Section 4. Other Remote Meetings Permitted Under Public Officers Law, Article 7**

The provisions of this Local Law and Public Officers Law § 103-a do not limit the existing authority set forth in the Public Officers Law § 104(4) which allows all public bodies to

remotely connect multiple public locations from which members and the public may attend. The City's local public bodies who are subject to Public Officers Law, Article 7, may continue to hold proper open meetings by videoconferencing from multiple physical locations which are identified in the meeting notice, open to the public and connected remotely together by videoconferencing.

**Section 5. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 6. Effective date.**

This chapter shall take effect \_\_\_\_\_.



## **CITY OF RYE**

### **VIDEOCONFERENCING POLICY**

#### **A. Introduction**

1. The City of Rye recognizes the benefits of having in-person meetings but understands there are circumstances which preclude certain members of the public body to meet in-person. As such, this policy shall allow members of the City's local public bodies to attend meetings using videoconferencing technology, when necessary. On February xx, 2024, the City Council, pursuant to Public Officers Law Section 103-a, adopted a local law to authorize the use of videoconferencing for itself and all local public bodies, including committees and subcommittees, of the City *which are subject to the New York State Open Meetings Law*, Public Officers Law, Article 7, pending request to and approval of the chairperson of said local public body.
2. This Videoconferencing Policy shall govern member and public attendance and participation where council/board/committee members attend the public meeting via videoconferencing pursuant to Public Officers Law Section 103-a. Any request for council/board/committee members to be allowed to attend a public meeting(s) using videoconferencing technology from a location not open to the public pursuant to Public Officers Law Section 103-a must be submitted in writing to the chairperson of the City's local public body. Such written request must identify the meeting(s) for which the request is being made along with a statement explaining the reason(s) for the request.
3. This Videoconferencing Policy shall be posted on the City website.
4. This policy shall apply to the City Council, Board of Appeals, Planning Commission, Board of Architectural Review, Board of Assessment Review, Boat Basin Commission and Rye Golf Commission.
5. Hybrid meetings must take place in City Hall and all members of the public body who attend via videoconferencing must be present for the entire meeting.

#### **B. Remote Meeting Attendance by Council and Applicable Boards and Commissions Listed Above**

1. Members of the relevant public body shall be physically present at all meetings of such public body unless such member is unable to be physically present at any such meeting location due to the following extraordinary circumstances:



## CITY OF RYE

- a. Disability;
  - b. Illness;
  - c. Health Concerns;
  - d. Caregiving responsibilities; or
  - e. Other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
2. A quorum of the public body must conduct the public meeting from a physical location or locations where the public can attend. A physical location is any location identified in the meeting notice that is open to in-person public attendance.
    - a. For example, no less than four members of the City Council must conduct the meeting in the same physical location or locations where the public can attend the meeting. If two City Council members are sick and two City Council members are on vacation, the public meeting must be cancelled because only three City Council members are available to meet in-person (or in any physical location open to the public). All members cannot participate in the public meeting using videoconferencing from a location that is not open to in-person public attendance.
    - b. The City Council may conduct a meeting where two members attend the meeting from City Hall, two members attend using videoconferencing where their physical locations are open to the public and such locations have been identified in the meeting notice, and three members attend using videoconferencing where their location is not open to the public.
  3. Council, Land Use Boards and Boat Basin or Golf Commission members wishing to attend a public meeting using videoconferencing technology from a location not open to the public pursuant to Public Officer's Law § 103-a, must submit the request to the chair of said public body as early as possible before the scheduled meeting that they are unable to be physically present at the meeting, shall give at least 72 hours advanced notice.
  4. The public notice for any public meeting where a member attends using videoconferencing from a location not open to the public pursuant to Public Officers Law § 103-a, shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and



## CITY OF RYE

records will be posted or available and identify the physical location or locations for the meeting where the public can attend. Public notice that meeting will be hybrid with the public zoom link posted must be made at least 72 hours in advance of the meeting.

- a. If a member of the public body plans to attend a meeting using videoconferencing technology from a location open to the public pursuant to Public Officers Law § 104(4), such member must advise the chair of such public body as soon as possible to ensure that the public body has enough time to post the required public meeting notice. The public notice for such meeting shall inform the public that videoconferencing will be used and shall identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.
5. Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, the chair shall ensure that all members of the public body, including those attending via videoconferencing, can be heard, seen and identified, while the public meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. Any board member attending a public meeting via videoconferencing technology must have their video turned on for the duration of the meeting.
6. During the public meeting, the chair shall announce the name or names of those members participating remotely. This information shall be included in the minutes.
7. Each public meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting.
8. If videoconferencing is used to conduct a public meeting from locations not open to the public pursuant to Public Officers Law § 103-a, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconferencing in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in-person participation or testimony.
9. If a vote takes place during the public meeting, the remote attendee will be entitled to participate in the vote as usual.



## **CITY OF RYE**

### **C. Exemptions**

1. The provisions of this Policy and Public Officers Law § 103-a do not limit the existing authority set forth in the Public Officers Law § 104(4) which allows all public bodies to remotely connect multiple public locations from which members and the public may attend a public meeting. The City's public bodies may continue to hold proper open meetings by videoconferencing from multiple physical locations which are identified in the meeting notice, open to the public and connected remotely together by videoconferencing pursuant to Public Officers Law § 104(4).
2. The in person participation requirements set forth in this Policy and Public Officers Law § 103-a(2)(c) shall not apply during a state disaster emergency declared by the Governor pursuant to Executive law § 28, or a local state of emergency proclaimed by the Mayor pursuant to Executive Law § 24, if the Governor or the Mayor determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

### **D. Remote Meeting Etiquette for Council/ Board/ Committee Members**

1. Council/Board/Committee members that attend a public meeting via videoconferencing technology are expected to comply with the following rules:
  - a. Be on time.
  - b. Keep your camera on at all times.
  - c. Attend the entirety of the meeting.
  - d. Ensure your technology works correctly.
  - e. Wear appropriate clothing.
  - f. Frame the camera correctly.
  - g. Have the right light.
  - h. Pay attention.
  - i. Mute yourself when not speaking.
  - j. Minimize distractions in the room.





## **CITY OF RYE**

- k. Maintain appropriate backgrounds.
- l. Silence all background noises.
- m. Ensure your displayed participant name is correct.
- n. Be mindful of the camera and look toward it as much as possible.

### **E. Public Participation via Videoconferencing Technology**

1. Questions will be answered in the order they are received. Participants attending a meeting via videoconferencing technology shall be called upon to speak following in-person speakers.
2. Participants must use the “Raise Hand” function to verbally ask a question. To raise one’s hand, click the “Participants” button in the bottom toolbar, then click the “Raise Hand” button at the bottom of the “Participants” dialogue box. Participants who have joined the meeting solely via phone can dial \*9 to raise their hand.
3. Remote meeting participants must wait until authorized to speak by the chair. Only remote speakers with a digital hand raised shall be called upon to speak.
4. Participants shall not type any questions or comments in the chat box. Please note, chats sent privately through a private chat box will show up on the administrator’s downloaded transcript.
5. Participants must mute themselves when not speaking to cut down on background noise.
6. Participation of legal services or other professionals/consultants via videoconferencing while all Board members are physically present does not trigger videoconferencing capabilities for the public at large.

McKinney's Consolidated Laws of New York Annotated  
Public Officers Law (Refs & Annos)  
Chapter 47. Of the Consolidated Laws  
Article 7. Open Meetings Law (Refs & Annos)

McKinney's Public Officers Law § 103-a

§ 103-a. Videoconferencing by public bodies

Effective: May 3, 2023

[Currentness](#)

<[Expires and deemed repealed July 1, 2026, pursuant to [L.2022, c. 56, pt. WW, § 4.](#)]>

1. For the purposes of this section, “local public body” shall mean a public corporation as defined in [section sixty-six of the general construction law](#), a political subdivision as defined in [section one hundred of the general municipal law](#) or a committee or subcommittee or other similar body of such entity, or any entity for which a quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for an entity limited in the execution of its official functions to a portion only of the state, or a political subdivision of the state, or for an agency or department thereof. For the purposes of this section, a public body shall be as defined in [subdivision two of section one hundred two](#) of this article.

2. A public body may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this article provided that a minimum number of members are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend and the following criteria are met:

(a) the governing board of a county, city, town or village has adopted a local law, or a public body has adopted a resolution, or the senate and assembly have adopted a joint resolution, following a public hearing, authorizing the use of videoconferencing:

(i) for itself and its committees or subcommittees; or,

(ii) specifying that each committee or subcommittee may make its own determination;

(iii) provided however, each community board in a city with a population of one million or more shall make its own determination;

(b) the public body has established written procedures governing member and public attendance consistent with this section, and such written procedures shall be conspicuously posted on the public website of the public body;

(c) members of the public body shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (a) and (b) of this subdivision, including disability, illness, caregiving responsibilities, or

any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. Notwithstanding the in person quorum requirements set forth in this subdivision, the public body may determine, through its written procedures governing member and public attendance established pursuant to and consistent with this section, to allow for any member who has a disability as defined in [section two hundred ninety-two of the executive law](#), where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for purposes of fulfilling the quorum requirements for such public body at any meetings conducted through videoconferencing pursuant to this section, provided, however, that the remaining criteria set forth in this subdivision are otherwise met; and provided, further, that the public body maintains at least one physical location where the public can attend such meeting;

(d) except in the case of executive sessions conducted pursuant to [section one hundred five](#) of this article, the public body shall ensure that members of the public body can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon;

(e) the minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to [section one hundred six](#) of this article;

(f) if videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend;

(g) the public body shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request;

(h) if videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony; and

(i) a local public body electing to utilize videoconferencing to conduct its meetings must maintain an official website.

3. The in person participation requirements of paragraph (c) of subdivision two of this section shall not apply during a state disaster emergency declared by the governor pursuant to [section twenty-eight of the executive law](#), or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to [section twenty-four of the executive law](#), if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

4. No later than January first, two thousand twenty-four, the committee on open government, created by [paragraph \(a\) of subdivision one of section eighty-nine](#) of this chapter, shall issue a report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate standing committee on local government, the chair of the senate standing committee on investigations and government operations, the chair of the assembly standing committee on local governments, and the chair of the assembly standing committee on governmental operations concerning the application and implementation

of such law and any further recommendations governing the use of videoconferencing by public bodies to conduct meetings pursuant to this section.

5. Open meetings of any public body that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this section, “disability” shall have the meaning defined in [section two hundred ninety-two of the executive law](#).

**Credits**

(Added L.2022, c. 56, pt. WW, § 2, eff. April 9, 2022. Amended L.2023, c. 58, pt. X, § 1, eff. May 3, 2023.)

McKinney's Public Officers Law § 103-a, NY PUB OFF § 103-a

Current through L.2024, chapters 1 to 385. Some statute sections may be more current, see credits for details.

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# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution authorizing the City of Rye to enter into a cooperative purchasing agreement.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution. The City Council previously adopted Chapter 32 "Procurement Policy" that allows for piggybacking on other municipal contracts as long as certain criteria are met under Gen. Mun. Law. The attached resolution permits the City to piggyback on the contracts of the Educational Services Commission of New Jersey.



# CITY OF RYE

## **RESOLUTION AUTHORIZING THE CITY OF RYE TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY**

**WHEREAS**, New York State General Municipal Law § 103 authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

**WHEREAS**, the City of Rye duly adopted Rye City Code Chapter 32 "Procurement Policy" that allows for piggybacking on other municipal contracts as long as certain requirements are met; and

**WHEREAS**, on November 20, 2024 the governing body of the City of Rye, County of Westchester, State of New York duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED** as follows:

### **TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the City of Rye.

### **AUTHORITY**

Pursuant to the provisions of New York General Municipal Law § 103, the City Manager is hereby authorized to enter into a Cooperative Pricing Agreement with the Educational Services Commission of New Jersey.

### **CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**CERTIFICATION**

I hereby certify that the above resolution was adopted by the Mayor and Council of the City of Rye at a meeting of said governing body held on November 20, 2024.

BY:

\_\_\_\_\_

(Greg Usry, City Manager)

ATTEST BY:

\_\_\_\_\_

(Kristen K. Wilson, Corporation Council)



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Rye Town Park Commission 2023 financial contribution.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached letter, financial document, and resolution.





# Rye Town Park Commission

222 Grace Church Street, Suite 302  
Port Chester, NY 10573

Tel: 914.939.3075 • Fax: 914.939.1465  
www.townofryeny.com

Gary J. Zuckerman, Esq.  
President

Deborah A. Reisner  
Secretary to the Rye Town Park Commission

Commissioners  
Jason Klein  
Lindsay Jackson  
Luis Marino  
Josh Cohn  
Emily Proskine Hurd

Mr. Joseph Fazzino  
Rye City Acting Comptroller  
1051 Boston Post Road  
Rye, New York 10580

October 24, 2024

Dear Mr. Fazzino,

The Rye Town Park Commission requests \$ 302,657 due from the City of Rye. This includes its share of the 2023 operating deficit contribution and its share of the 2023 capital contribution, as specified on page 8 of the Audited Statements for FY2023 provided by our Auditors, PKF O'Connor Davies, LLP.

Description	Operating	Capital Supplement	Total
FY 2023 Deficit (Page 8)	\$ 223,983	\$484,447	\$708,430
FY2023 City of Rye share	\$ 94,560	\$ 208,097	\$ 302,657
FY2023 Town of Rye share	\$ 84,065	\$321,708	\$405,773

Please make this payment to: "Rye Town Park Commission" and forward it to:  
Rye Town Park Commission  
Office of the Supervisor  
222 Grace Church Street  
Port Chester, New York 10573

Best regards,

Debbie Reisner  
Secretary to the Rye Town Park Commission

### Rye Town Park Sponsor Funding

Project Title	Granting Agency	Award Amount	2023 Expenditures	PYs Expenditures	Overextended Falls to Local Share
CDBG Bathhouse C-67-21-U34 - 50% Match	Federal - Pass Through WC	160,000	554,400	-	394,400
CDBG - C-67-22-U45 - Ramps	Federal - Pass Through WC	17,735	38,659	-	20,924
LoCap - Construction of ADA Compliance Restrooms & Parking Lot - 25803	State	250,000	47,283	-	-
SAM - Accessibility Improvements to Town Parks - No. 24026	State	250,000	-	238,605	-
SAM - DASNY - Roof Restoration	State	250,000	8,613	-	-
FEMA PW 586 - RTP Culvert Erosion - 90% Cost Share	Federal	20,194	300	6,683	-
FEMA PW 591 - Walkway Promenade Erosion - 90% Cost Share	Federal	98,798	17,785	27,409	-
FEMA PW 580 - Beach Replenishment - 90% Cost Share	Federal	260,650	184,987	9,961	-
EPF Grant - Bath House	State	300,000	31,071	276,364	7,435
HMGF Grant - Contract # C000968, AL#97.039 - 100% Federal	Federal	51,775	3,625	-	-
Non-Grant (small recurring CapEx)	N/A	-	39,489	-	34,061
Potential Local Share (completion of the ramp project)	N/A	-	27,627	-	27,627
		1,659,152	953,838	559,022	484,447



# CITY OF RYE

## RESOLUTION ALLOCATING THE RYE TOWN PARK COMMISSION (RTP) 2023 FINANCIAL CONTRIBUTION

**WHEREAS**, the Agreement signed by the City of Rye and Town of Rye on January 31, 1942 regarding Rye Town Park stipulated the City's share of the assessed value at 39.278% of the Town's roll; and

**WHEREAS**, Chapter 848 of the NYS law enacted in 1953 law codified that provision and sets forth the process for capital projects at Rye Town Park: and

**WHEREAS**, for capital projects, the RTP Commission identifies the scope of a project and the estimated cost; and

**WHEREAS**, the RTP Commission provides to the Rye City Council and Rye Town Board a certificate stating the costs of the project and the portions attributable to each municipality; and

**WHEREAS**, the RTP Commission requests \$ 302,657 due from the City of Rye for 2023; and

**WHEREAS**, this sum includes the City's share of the 2023 operating deficit contribution of \$94,560 and the City's share of the 2023 capital contribution of \$208,097; and

**NOW, THEREFORE**, the Rye City Council, duly convened does hereby

**RESOLVE**, that the Rye City Council does hereby allocate \$302,657 to the RTP Commission for the City's 2023 Financial Contribution

**BE IT FURTHER RESOLVED**, that the City anticipates covering these costs through the use of the Contingency account and Capex reserve account.

**RESOLVED**, this Resolution shall take effect immediately.

ROLL CALL

Ayes:

Nays:

STATE OF NEW YORK)  
COUNTY OF WESTCHESTER)  
CITY OF RYE)



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution in support of continued and increased State aid for local governments.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution.



# CITY OF RYE

## RESOLUTION IN SUPPORT OF CONTINUED AND INCREASED STATE AID FOR LOCAL GOVERNMENTS

**Whereas**, until 2024, cities, villages and towns had not received an increase in unrestricted state aid (AIM funding) in 15 years, significantly impacting their ability to provide essential services to their residents; and

**Whereas**, after a prolonged period without financial support, local governments finally received an increase of \$50 million in unrestricted state aid; and

**Whereas**, local officials express their gratitude for the \$50 million increase in unrestricted state aid, recognizing it as a positive step towards addressing long-standing funding challenges; and

**Whereas**, the State has referred to this new aid as Temporary Municipal Assistance, suggesting that such increase may not continue, jeopardizing the sustainability of crucial municipal programs and services; and

**Whereas**, the property tax cap further limits the ability of local governments to properly fund the programs and services their residents need; and

**Whereas**, increased and ongoing state aid for local governments is vital for maintaining infrastructure, public safety, housing and other municipal services; and

**Whereas**, the challenges of inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid only accentuate the need for consistent and predictable funding to effectively plan for the future and meet the growing needs of their residents;

**Now, therefore, be it resolved**, that the City of Rye calls upon the Governor and the State Legislature to commit to continuing the additional \$50 million in unrestricted state aid in the 2025-26 State Budget and beyond, and

**Be it further resolved**, that the City of Rye urges state officials to recognize the need for a long-term plan that ensures consistent and predictable increases in financial support for local governments that keep pace with inflation.

*A copy of this resolution shall be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Shelley Mayer, Assemblymember Steven Otis and the New York State Conference of Mayors (NYCOM).*



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution to participate in the 2024 Tree City program.

**FOR THE MEETING OF:**

November 20, 2024

**RECOMMENDATION:** That the Council consider the resolution and acknowledge application submission to enable the City to participate in the Tree City program this year.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

## BACKGROUND:

For over 20 years, the City of Rye has been declared a Tree City. The Tree City USA program provides communities with a four-step framework to maintain and grow their tree cover. It also gives the City an avenue to celebrate our work, showing residents, visitors, and the entire country that we're committed to the mission of environmental change. The four-step framework includes:

1. Maintaining a tree board or department
2. Having a community tree ordinance
3. Spending at least \$2 per capita on urban forestry
4. Celebrating Arbor Day



# CITY OF RYE

## RESOLUTION TO PARTICIPATE IN THE 2024 TREE CITY PROGRAM

WHEREAS, the Tree City USA program has been greening up cities and towns across America since 1976 and is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees; and

WHEREAS, trees in our community increase property values, enhance the vitality of our business areas and neighborhoods, beautify our community, provide wildlife habitat, clean the air we breathe, moderate temperatures, provide shade, produce oxygen, and sequester carbon dioxide; and,

WHEREAS, the City has been recognized as a Tree City USA by the National Arbor Day Foundation for over 20 years; and,

WHEREAS, becoming a Tree City connects a community to a network of other communities who care about their trees;

NOW, THEREFORE, BE IT RESOLVED that the City of Rye has applied to be designated a Tree City again in 2024.