



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

**REGULAR MEETING OF THE CITY COUNCIL
Council Chambers, City Hall
Wednesday, February 11, 2026
6:30 p.m. Executive Session
7:00 p.m. Public Session**

If you wish to address the Council, kindly sign in with the Clerk by completing the Speaker Form. The Mayor and Councilmembers are happy to meet with residents at City Hall. Check the City website for the “office hours” schedule at <https://www.ryeny.gov/government/city-council>.

AGENDA

1. Call to Order *Mayor*

EXECUTIVE SESSION I

2. Matters covered under NYS Public Officers Law Article 7 §105 *Mayor*
- a) Potential Acquisition of Property
 - b) Litigation
 - c) Personnel Matters
 - d) Law Enforcement

WELCOME

3. Pledge of Allegiance and Welcome to the Public *Mayor*
4. Roll Call *Clerk*
5. Community Spotlight *Mayor*
6. Report of the City Manager *City Manager*
7. Hearing of the Public on Non-Agenda Items *Mayor*

ACTION ITEMS

8. Consent Agenda *Clerk*

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- a. Approval of the Minutes of the City Council Meeting of January 28, 2026
 - b. Consideration of a request from the Rye Free Reading Room to use the Village Green, City Hall Parking lot, and host food trucks on Haviland Lane on May 31, 2026, from 8:00 a.m. to 5:00 p.m. to host the annual vehicle fair
 - c. Consideration of a request from the Rye Free Reading Room to use the Village Green for a variety of summer programs from May 15, 2026, to October 1, 2026, between 9:30 a.m. and 8:00 p.m.
 - d. Award bid for Sanitary Sewer Cleaning and CCTV Project (Contract # 2026-01)
 - e. Award bid for Solid Waste Containers Service Contract (Contract # 2026-02)
 - f. Authorization for the City Manager to execute a Memorandum of Understanding with Christ's Church for the use of the Church's facility for Kiddy Camp in 2026

- 9. Items Removed From the Consent Agenda (if any) *Mayor*
- 10. Appointments to Boards and Commissions *Mayor*

PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

- 11. Proposed additions to the Rules and Regulations of the City of Rye Police Department. *Public Safety Commissioner*
 - a) Policy 302 – Handcuffing & Restraints
 - b) Policy 303 – Control Devices
 - c) Policy 304 – Conducted Energy Devices
 - d) Policy 311 – Officer Response to Calls
 - e) Policy 500 – Traffic
- 12. Presentation by the City of Rye Deer Management Committee and request for the transfer of \$19,000 from the General Contingency line to the City Council Consultant line for a forest ecological health assessment. *City Manager*
- 13. Continue the public hearing to consider Local Law No. 1-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the *City Manager and Corporation Council*

use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter

- a) Any Comments on the Proposed Local Law can be submitted on Engage Rye at:
<https://engage.ryeny.gov/>

INFORMATION

- 14. Councilmember Reports *Deputy Mayor*
- 15. Old Business-New Business *Mayor*

A LOOK AHEAD

(For Enhanced Transparency, Possible Discussion at a Future Meeting)

- 16. Upcoming Proposed Additions to the Rules and Regulations of the City of Rye Police Department
 - a) Policy 425 – Homeless Persons
 - b) Policy 426 – Medical Cannabis
 - c) Policy 428 – First Amendment Assemblies
 - d) Policy 607 – Operations, Planning, & Deconfliction
 - e) Policy 1027 – Illness and Injury Prevention
 - f) Policy 1029 – Wellness Program

EXECUTIVE SESSION II

- 17. Matters covered under NYS Public Officers Law Article 7 §105

ADJOURNMENT

If the Council adjourns into executive session, it will then adjourn without further public session.

* * *

The next regular meeting of the City Council will be held on Wednesday, February 25, 2026, at 6:30 p.m. for executive session and 7:00 p.m. for public session.

City Council meetings are available live at www.ryeny.gov/home under Rye TV Government Videos, on Cablevision Channel 75 and Verizon Channel 39, and on demand, indexed by agenda item, on the City website at <https://www.ryeny.gov/government/city-council>.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Approval of the Minutes of the City Council Meeting of January 28, 2026

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council review and approve the meeting minutes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached January 28, 2026, meeting minutes.

UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held at City Hall on January 28, 2026 at 7:00 P.M.

PRESENT:

JOSH NATHAN, Mayor
MARION ANDERSON
KEITH CUNNINGHAM
AMY KESAVAN
JAMIE JENSEN
JAMES WARD
Councilmembers

ABSENT:

ALSO ATTENDING:

BRIAN SHEA, INTERIM CITY MANAGER
KRISTEN WILSON, CORPORATION COUNSEL
MICHAEL KOPY, COMMISSIONER OF PUBLIC SAFETY

The Council convened in City Hall at 7:02 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

WELCOME

1. [Pledge of Allegiance and Welcome to the Public](#)
Mayor Nathan led the Pledge of Allegiance.
2. [Roll Call](#)
The City Clerk called the roll, and there was a quorum.
3. [Special Announcements](#)
4. [Presentations](#)
 - Brian Harper on the New York Blood Center and ongoing Blood Emergency
 - Presentation by Christine Siller on Y DEC Grant for the Rye Nature Center’s Blind Brook restoration project to improve wetland habitat and flood mitigation
 - Presentation by Alison Relyea, Chair of the Landmarks Advisory Committee, on a new initiative
5. [Report of the City Manager](#)
City Manager Brian Shea updated the City Council on various items.
6. [Hearing of the Public on Non-Agenda Items](#)

- Pastor, Jennie, 106 Evergreen Ave spoke on the United Hospital Development traffic.
- Stephanie Gomez, 135 Maple Ave. spoke about the funding request from the Deer Committee featured in the Consent Agenda.

ACTION ITEMS

7. [Consent Agenda](#)

- Approval of the Minutes of the City Council Meeting of January 7, 2026
- Resolution authorizing the City Manager to retain attorney Joel R. Dichter Law LLC for an amount of \$9,000 for professional fees and services regarding Veolia water rate increases.
- Consideration of a request by Rye Recreation for the closing of Purchase Street for the 73rd annual Halloween Window Painting Event on Sunday, October 18, 2026, with a rain date of Sunday, October 25, 2026. This event will require the City to close Purchase Street from the Square House to Purdy Ave. from 8:00 a.m. to 3:15 p.m.
- Consideration of a request from Rye Recreation for the use of City Streets on Saturday, November 28, 2026, from 9:00 a.m. for the 49th annual Turkey Run.
- Consideration of a request from Westchester Endurance Corp., for the use of City Streets on September 19 & 20, 2026, for the Toughman Westchester Triathlon.
- Consideration of employment agreements.
- Authorization for the transfer of \$7,000 from the General Contingency line to the City Council Consultants line for a drone deer population survey.

On motion by Councilperson Jensen, seconded by Councilperson Ward, it was:

RESOLVED to approve all Consent Agenda items.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Jensen, Ward, Anderson, Kesavan, and Mayor Nathan

NAYS: None

ABSENT: None

8. [Appointments to Boards and Commissions](#)

- Chair Reappointments:
 - Nick Everett – Planning Commission
 - Tracy Stora – CCAC
 - Michael Harrington – Board of Architectural Review

- Alan Weil – Zoning Board
- New Appointments:
 - Councilwoman Anderson – liaison to HRC and Chamber of Commerce
 - Robin Jovanovich – Landmarks Advisory Committee

PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

9. [Proposed additions to the Rules and Regulations of the City of Rye Police Department.](#)

- Policy 310 – Foot Pursuits
- Policy 705 – Personal Protective Equipment
- Policy 1008 – Communicable Diseases
- Policy 1011 – Safety Belts
- a. Policy 1012 – Body Armor

Public Safety Commissioner Mike Kopy summarized the proposed Rules and Regulations.

The Council unanimously accepted the proposed additions.

10. [Open a public hearing for Local Law No. 2-2026 to amend Chapter 1-12 “Definitions” by amending the definition of “Holidays” to conform the definition throughout the City Code](#)

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

RESOLVED to open the public hearing.

On motion by Councilperson Anderson, seconded by Councilperson Kesavan, and unanimously carried, it was

RESOLVED to close the public hearing.

On motion by Councilperson Kesavan, seconded by Councilperson Ward, it was

RESOLVED to adopt Local Law No. 1-2026 to amend Chapter 1-12 “Definitions” by amending the definition of “Holidays” to conform the definition throughout the City Code

Adopted by the following vote:

AYES: Councilpersons Cunningham, Jensen, Ward, Anderson, Kesavan, and Mayor Nathan
NAYS: None
ABSENT: None

11. [Open a public hearing to consider Local Law No. 2-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter.](#)

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

RESOLVED to open the public hearing.

The following individuals came to speak:

- Leslie Winters, 87 Grace Church Street
- Larry Wilson, Tuckahoe, NY
- Kate Briggs, Landscaper
- John Mayo-Smith, 3 Fairlawn Ct.
- Isidro Sanchez, 12 Edison Pl
- Tom Kanos, 12 Fulton Ave
- Bonnie Council, 14 Fairlawn St
- Jaun Pablo Gomez, New Rochelle, NY
- Peter Balsamo, Mamaroneck, NY
- Donna Providenti, 105 Hix Ave
- Curtis Spacavento, 176 Theodore Fremd Ave.
- Martha Bradt, 164 Kirby Lane
- Tracy Stora, 3 Fairlawn St
- Stanley Reese, 168 Kirby Lane
- Estephani Partida, Port Chester, NY
- Daniel Greto, 56 Sonn Dr.
- Jared Miller, 7 Bradford Ave.
- Hilary Garland, 1 Kirby Lane

The Council unanimously adjourned the public hearing to February 11, 2026.

INFORMATION

12. [Councilmember Reports](#)

Councilmembers provided individual updates on the Boards and Commissions to which they serve as liaisons.

13. [Old Business – New Business](#)

Mayor Nathan referenced several matters under review by the Council, including duck hunting, blasting schedules at the United Hospital development site, and the Comprehensive Plan.

14. [Upcoming Proposed Additions to the Rules and Regulations of the City of Rye Police Department](#)

15. [City Policies Related to Immigration and Communication from Westchester County](#)

- [Erin Floria of 100 Theodore Fremd spoke about concerns regarding potential ICE agents in Rye.](#)

ADJOURNMENT

On motion of Councilperson Jensen, seconded by Councilperson Ward, and with the Council in favor, the meeting was adjourned at 10:02 P.M.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Consideration of a request from the Rye Free Reading Room to use the Village Green, City Hall Parking lot, and host food trucks on Haviland Lane on May 31, 2026, from 8:00 a.m. to 5:00 p.m. to host the annual vehicle fair.

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council consider the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached request letter.

This will require the Police Department to restrict parking on Haviland Layne between 10:00 a.m. and 2:00 p.m.



January 30, 2026

Honorable Josh Nathan, Mayor
Rye City Council

Dear Mayor Nathan:

The Rye Free Reading Room respectfully requests the use of the Village Green and City Hall parking lot on Sunday, May 31, 2026 from 10:00 am to 2 pm to host the annual Vehicle Fair. In order to allow time for setup and cleanup, we would like to request permission to use the Green, parking lot, and Haviland Lane from 8 am to 5 pm. We also respectfully requests permission to host three food trucks on Sunday, May 31st as part of the 2025 Vehicle Fair.

An interactive community event, the Vehicle Fair features carnival style activities, family crafts, and an up close experience with the large machines that fascinate young children. The Rye Free Reading Room and the Auxiliary Board host this event as a fundraiser for the library.

The trucks would sell food during the run of the event, 10 am to 2 pm, and would be located on Haviland Lane. No amplified sound used by the vehicles. We would like to request that "No Parking" notices be placed on Haviland Lane in advance.

The Rye Free Reading Room is committed to providing a wide range of programming that enhances the lives of Rye residents, and has collaborated with the City for approval of similar requests. We are excited to continue to support community focused programs, and appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Shoemaker', with a long horizontal flourish extending to the right.

Chris Shoemaker
Library Director



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Consideration of a request from the Rye Free Reading Room to use the Village Green for a variety of summer programs from May 15, 2026, to October 1, 2026, between 9:30 a.m. and 8:00 p.m.

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council consider the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached request letter.



January 30, 2026

Honorable Josh Nathan, Mayor
Rye City Council

Dear Mayor Nathan:

The Rye Free Reading Room respectfully requests the use of the Village Green to offer a variety of library programs from May 15, 2026 through October 1, 2026. The programs will include Wiggle Giggle, Robert the Guitar Guy, family story times, classical musical concerts, and other common library programs.

Library programs will occur between 9:30 am and 6:30 pm, with later programs wrapping up by 8 pm.

The library will coordinate set-up and other activities with the City Manager and appropriate city staff to ensure programs do not interfere with landscaping activities or other program requests.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Shoemaker', is written over a light gray rectangular background.

Chris Shoemaker
Library Director



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Award bid for the Sanitary Sewer Cleaning and CCTV Project (Contract # 2026-01).

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council award the bid to the recommended bidder.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached memo, bid tabulation, bid notice, and bid approval.

Ryan Coyne, P.E.
City Engineer
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7464
E-mail: rcoyne@ryeny.gov
<http://www.ryeny.gov>

**CITY OF RYE
DEPARTMENT OF PUBLIC WORKS**

To: Brian Shea, City Manager

From: Ryan Coyne PE, City Engineer

Date: February 5, 2026, *RXC*

Re: Contract 2026-01 Sanitary Sewer Cleaning and CCTV Project

This office has reviewed and tabulated the bid received on February 4, 2026, for the above reference project. A copy of the bid result is attached herewith.

I recommend the contract be awarded to the lowest bidder, Fred A. Cook Jr., Inc., in the amount of Two Hundred Twenty One Thousand Nine Hundred Eighty Dollars and Zero Cents (\$221,980.00).

This work is required to be completed as part of the STS settlement and is the second phase of an ongoing five-year rotation of cleaning and inspecting sanitary sewers.

M:\01-Sanitary Sewers\Contracts&Bids\2026-01 Sanitary Sewer Cleaning and CCTV Project\Award Letter\Contract 2026-01 - Award Memo.docx

**Sanitary Sewer Cleaning and CCTV Project - Contract 2026-01
Bid Tabulation**



Item Number	Item	Unit	Quantity	1. Fred A. Cook Jr., Inc.		2. Vortex Services, LLC		3. National Water Main Cleaning Company		4. Insituform	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Pre-Clean Inspection Services (Up to 12-inches)	LF	54,100	\$0.05	\$ 2,705.00	\$0.50	\$ 27,050.00	\$1.50	\$ 81,150.00	\$0.75	\$ 40,575.00
2	Light Sewer Main Cleaning Services (Up to 12-inches)	LF	43,300	\$1.00	\$ 43,300.00	\$1.50	\$ 64,950.00	\$0.01	\$ 433.00	\$0.75	\$ 32,475.00
3	Heavy Sewer Main Cleaning Services (Up to 12-inches)	LF	10,800	\$1.00	\$ 10,800.00	\$1.50	\$ 16,200.00	\$0.01	\$ 108.00	\$1.25	\$ 13,500.00
4	Sewer Main Television/Video Inspection Services	LF	54,100	\$1.75	\$ 94,675.00	\$1.50	\$ 81,150.00	\$1.65	\$ 89,265.00	\$3.00	\$ 162,300.00
5	Sewer Manhole Inspection Services	Ea	330	\$50.00	\$ 16,500.00	\$50.00	\$ 16,500.00	\$276.25	\$ 91,162.50	\$225.00	\$ 74,250.00
6	Disposal of Debris	Tons	20	\$200.00	\$ 4,000.00	\$200.00	\$ 4,000.00	\$190.00	\$ 3,800.00	\$550.00	\$ 11,000.00
7	Miscellaneous Additional Work	FLS	1	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00
BASE BID TOTAL				\$221,980.00		\$259,850.00		\$315,918.50		\$384,100.00	

Bid Opening:
February 4, 2026

PUBLIC NOTICE

City of Rye
New York

NOTICE IS HEREBY GIVEN that sealed bids for Contract No. **2026-01, SANITARY SEWER CLEANING AND CCTV PROJECT**, will be received by the City of Rye on **Wednesday February 4, 2026 until 10:00 AM** at the office of the City Clerk at which time and place will be opened and read aloud by the Clerk for the work:

SANITARY SEWER CLEANING CONTRACT NO. 2026-01 AND CCTV PROJECT

Bid Security equal to 5% of the total of each bid will be required in the form of Certified Check, Bid Bond or Bank Draft.

Plans, specifications, and other Contract Documents are available at www.empirestatebidsystem.com and may be obtained therefrom beginning on **Friday, January 23, 2026 at 3:00 PM**. There is no charge for the bid documents. Bid security must be made payable to the City of Rye, in the amount specified above.

Bid must be in a sealed envelope addressed to The City Clerk, City of Rye, City Hall, Rye, New York 10580 and have the words **“Contract #2026-01 Sanitary Sewer Cleaning and CCTV Project”** clearly marked on the outside of the envelope.

No bidder may withdraw his bid within 45 days after the date bids are opened. No bid will be received or considered after the time stated herein above.

Additional Information and Technical Questions can be directed to Eric Kingsbury at (914) 967-7464 or emailed at ekingsbury@ryeny.gov.

The City of Rye Council reserves the right to accept or reject any and all bids; to waive any informality; to re-advertise for new bids or to accept any bid, which is in the best interest of the City of Rye, New York.

The City's acceptance of the lowest responsible bid is not binding until the written contract is signed by all parties. The oral award of the bid to the lowest responsible bidder is not an enforceable agreement.

Noga Ruttenberg
City of Rye
City Clerk



CITY OF RYE
Department of Public Works

Interoffice Memorandum

To: Brian Shea, City Manager
From: Eric Kingsbury, ASPW
Date: January 16, 2026
Subject: **Contract 2026-01 – Sanitary Sewer Cleaning and CCTV Project**

This office has prepared plans and specifications for the Sanitary Sewer Cleaning and CCTV Project (Cleaning Zone 2). I hereby request your approval to publish the attached notice in the newspaper with an anticipated bid opening date of Wednesday, February 4, 2026. We plan to be on the City Council Agenda for a bid award on February 11, 2026.

Approved

Denied


Brian Shea
City Manager



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Award bid for the Solid Waste Container Service Contract (Contract # 2026-02).

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council award the bid to the recommended bidder.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached memo, bid tabulation, bid approval, and bid notice.

Ryan Coyne, P.E.
City Engineer
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7464
E-mail: rcoyne@ryeny.gov
<http://www.ryeny.gov>

**CITY OF RYE
DEPARTMENT OF PUBLIC WORKS**

To: Brian Shea, City Manager

From: Ryan Coyne PE, City Engineer *RC*

Date: February 5, 2026

Re: Contract 2026-02 Solid Waste Container Service Contract

This office has reviewed and tabulated the bid received on February 4, 2026, for the above reference project. A copy of the bid result is attached herewith.

I recommend the contract be awarded to the lowest bidder, James R. Santaguida Sanitation, LLC. in the amount of Seventy Eight Thousand Dollars and Zero Cents (\$78,000.00). James R. Santaguida Sanitation, LLC was the lowest responsive and responsible bidder for this contract.

M:\39-Department of Public Works\39.1-Refuse Collection\Refuse Container Contracts\2026-01 Container Contract\2026-02 Award Memo.docx

**Service Contract for Solid Waste Containers - Contract 2026-02
Bid Tabulation**



Item No. Quantity	Items of Work with Unit Prices	1. James R. Santaguida Sanitation, LLC		2. AAA Carting & Rubbish Removal Inc.	
		Unit Price	Total Price	Unit Price	Total Price
40 Container Pulls per Year	10 cubic yard container for street sweepings and catch basin cleanings. Price per pull	\$200.00	\$8,000.00	\$224.50	\$8,980.00
500 Tons per Year	Price per Ton for disposal of material contained in containers for Item 1	\$120.00	\$60,000.00	\$124.50	\$62,250.00
50 Container Pulls per Year	30 cubic yard container for garbage	\$200.00	\$10,000.00	\$224.50	\$11,225.00
Engineer's Total		\$78,000.00		\$82,455.00	
Contractor's Total		\$78,000.00		\$82,455.00	

Bid Opening:
February 24, 2026

**CITY OF RYE
PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that sealed bids for **CONTRACT #2026-02 Service Contract for Solid Waste Containers** will be received by the City of Rye until **February 4, 2026 at 10:00 AM** at the office of the City Clerk, at which place and after which time they will be opened and read aloud by the City Clerk.

**CONTRACT #2026-02 SERVICE CONTRACT 5% BID SECURITY
FOR SOLID WASTE REQUIRED
CONTAINERS**

Specifications and other contract documents are available at www.bidnetdirect.com/new-york and may be obtained therefrom beginning on **Friday, January 23, 2026 at 3:00 PM**. There is no charge for the bid documents.

Bid must be in a sealed envelope addressed to City Clerk, City of Rye, City Hall, Rye, New York 10580, and have the words **“CONTRACT #2026-02 SERVICE CONTRACT FOR SOLID WASTE CONTAINERS”** marked on the outside of the envelope.

No bidder may withdraw his bid within 45 days after the date bids are opened. No bid will be received or considered after the time stated herein above.

Additional Information and Technical Questions can be directed to Eric Kingsbury at (914) 967-7464 or emailed at ekingsbury@ryeny.gov.

The City of Rye Council reserves the right to accept or reject any and all bids; to waive any informality; to re-advertise for new bids or to accept any bid, which is in the best interest of the City of Rye, New York.

The City’s acceptance of the lowest responsible bid is not binding until the written contract is signed by all parties. The oral award of the bid to the lowest responsible bidder is not an enforceable agreement.

Noga Ruttenberg
City of Rye
City Clerk



CITY OF RYE
Department of Public Works

Interoffice Memorandum

To: Brian Shea, City Manager
From: Eric Kingsbury, ASPW
Date: January 21, 2026
Subject: **Contract 2026-02 – Service Contract for Solid Waste Containers**

Attached please find the public notice for Contract #2026-02, Service Contract for Solid Waste Containers. These containers are stored at DPW and hauled by the contractor to dispose of the City's refuse and street sweeper debris.

I hereby request your approval to publish the attached notice in the newspaper with an anticipated bid opening date of Wednesday, February 4, 2026. We plan to be on the City Council Agenda for a bid award on February 11, 2026.

_____ Approved

_____ Denied

Brian Shea
City Manager



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Authorization for the City Manager to execute a memorandum of understanding with Christ's Church for the use of the Church's facility for Kiddy Camp in 2026.

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council authorize the City Manager to execute the agreement.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached draft agreement.

Under this agreement, which is being renewed this year, the City will pay Christ's Church a total of \$11,500 for the use of Church facilities for hosting Kiddy Camp during 2026.



January 16, 2026

Senior Warden, Cynthia Howard
Christ's Church
2 Rectory Street
Rye, NY 10580

Dear Senior Warden Howard,

The City of Rye's Recreation Department and the Christ's Church Parish have had discussions regarding a business arrangement whereby Christ's Church would grant to the City of Rye the right to use the church's facilities for The City of Rye's "Kiddy Camp" for the summer of 2026.

Please find enclosed the Agreement for the City of Rye to operate their Kiddy Camp program at Christ's Church.

If you have any questions or concerns, please do not hesitate to contact me,

Sincerely,

Erin Mantz
Superintendent, City of Rye Recreation Department
281 Midland Ave
Rye, New York 10580
emantz@ryeny.gov
(914) 967-2535



January , 2026

Senior Warden, Cynthia Howard
Christ's Church
2 Rectory Street
Rye, NY 10580

Dear Warden Howard:

The following Agreement between the City of Rye (the "City") and Christ's Church (the "Church") shall take effect upon signing.

1. TERM/ FACILITY USE

The City will operate its Day Camp at the Church from June 29, 2026 through August 7, 2026.

The City will use the following program areas within the Church's Facility:

- Orange Room;
- Purple Room;
- Gold Room;
- Blue Room;
- Literacy & Music
- Red Room;
- Green Room;
- Yellow Room;
- Bathrooms;
- Playground;

All daily custodial cleaning will be included.

2. HOURS OF FACILITY USE

Day Camp:

- Camp day: 9:00am – 12:00pm
- Camp extended day: 12:00pm – 2:00pm
- Staff Hours: 8:00am – 2:30pm

3. FEES:

The City shall pay the Church the following:	\$7,000 for facility rental
	\$3,000 for daily cleaning
	\$1,500 for playground
Total Fees for 2026	\$11,500 Total

4. RULES:

All City staff and participants shall adhere to any and all rules and regulations of Church property presently existing or implemented by the Church acting reasonably during the term. The Church shall provide a copy of existing rules and regulations. If there are any changes, the Church shall notify the City in writing prior to their effective date.

5. STAFFING:

- The City’s Day Camp programs are guided by the Westchester County Department of Health. The City shall abide by all Department of Health regulations, including staff to camper ratios.
- In addition, the City shall provide skilled, certified personnel to conduct activities and other programs at the Church. The City shall conduct supervisory activities only during the times when conducting its programs and shall bear no responsibility whatsoever outside of those specified hours of operation. The Church may ask the City to remove/replace personnel who are or become unacceptable to the Church. In such event and upon reasonable notice under the circumstances, the City agrees to promptly provide qualified replacement personnel.

6. COMMUNICATION WITH CHURCH REPRESENTATIVES:

Normal communications will be with the Director in charge of the specific programming. The Director in charge of the program will inform the Supervisory Staff of all requests from the Church; other daily communications about schedules or specific requests shall be through Erin Mantz, Superintendent or Danielle Fairweather, Assistant Superintendent.

7. MAINTENANCE:

The Church shall be responsible for ongoing maintenance of all facilities at the Church. The Church shall ensure that bathrooms are fully stocked and trash is emptied on a regular basis.

8. PARKING:

The City shall ensure its personnel and any participants in any programs park only in the designated parking lots.

9. INSURANCE:

- *9.1 Insurance* – City of Rye. The City shall maintain liability insurance in the amount of \$1,000,000 per occurrence and \$2,000,000 aggregate as well as an umbrella liability policy in the amount of \$5,000,000 at all times during the term. Such policies shall name Christ’s Church as an additional insured. The City shall provide evidence of such policies at all times during the term at the request of the Church.
- *9.2 Insurance* – Christ’s Church. The Church shall maintain liability insurance in the amount of \$1,000,000 per occurrence and \$2,000,000 aggregate as well as an umbrella liability policy in the amount of \$5,000,000 at all times during the term. The Church shall provide evidence of such policies at all times during the term at the request of the City.

10. INDEMNIFICATION:

10.1 Indemnification – the City. To the fullest extent permitted by law, the City hereby defends, indemnifies the Church and holds it harmless from and against all claims, liabilities, damages, losses, cost and expenses (including reasonable attorneys’ fees) arising out of any action, claim, suit or proceeding brought by any third party resulting from, related to or in connection with this agreement or the use of the premises by the City, its personnel, participants and guests, except for the gross negligence or willful misconduct of the Church. This provision shall survive the termination of this agreement.

10.2 Indemnification – the Church. To the fullest extent permitted by law, the Church hereby defends, indemnifies and holds the City harmless from and against all claims, liabilities, damages, losses, costs and expenses (including reasonable attorneys’ fees) arising out of any action, claim, suit, or proceeding brought by any third party resulting from, related to or in connection with this Agreement directly resulting from Church’s negligence or any of it’s employees, agents or representatives. This provision shall survive the termination of this Agreement.

11. MISCELLANEOUS:

(A) This Agreement shall not be assigned, sublicensed or otherwise transferred to any other party without the prior written consent of the Church. Any attempted assignment, sublicense or transfer shall be void and shall be a breach of this Agreement.

(B) Any notice, report, approval or consent required or permitted hereunder shall be in writing and will be deemed to have been effectively given: (i) immediately upon personal delivery of a facsimile transaction to the parties to be notified (ii) one (1) day after deposit with a commercial overnight courier with tracking capabilities, or (iii) three (3) days after deposit with the United States Postal Service, by registered or certified mail, postage prepaid to the respective addresses of the parties as set forth above.



CITY COUNCIL AGENDA

DEPT.: Public Safety

CONTACT: Michael Kopy, Public Safety Commissioner

INFORMATION: Consideration of the proposed additions to the Rules and Regulations of the City of Rye Police Department.

- Policy 302 – Handcuffing & Restraints
- Policy 303 – Control Devices
- Policy 304 – Conducted Energy Devices
- Policy 311 – Officer Response to Calls
- Policy 500 – Traffic

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council consider 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
1051 Boston Post Road
Rye, New York 10580

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E-mail: mkopy@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE
Public Safety

To: Brian Shea, City Manager

From: Michael Kopy, Public Safety Commissioner

Date: 02/11/2026

Re: Police Department – Lexipol Policy

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 302 – Handcuffing and Restraints

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

Policy 303 – Control Devices

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

Policy 304 – Conducted Energy Device

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

Policy 311 – Officer Response to Calls

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

Policy 500 – Traffic

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The Rye Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Rye Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or offense leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

Handcuffing and Restraints

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility or other secure area.

302.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

Handcuffing and Restraints

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

302.7.1 APPLICATION OF RESTRAINTS FOR COURT

If a person is being escorted to court by an officer of this department, that individual should be restrained utilizing leg restraints and belly chains. Any deviation from that should be approved by the Tour Supervisor.

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

302.9 TRAINING

The Patrol or Detective Lieutenant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.

Rye Police Department

Rye Police Department Policy Manual

Handcuffing and Restraints

- (c) Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

Control Devices

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Rye Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Commissioner of Public Safety may also authorize other positions or individual department members to use specific control devices.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Commissioner of Public Safety or the authorized designee.

Only those members who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a person who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

303.4 RESPONSIBILITIES

303.4.1 TOUR SUPERVISOR RESPONSIBILITIES

The Tour Supervisor may authorize the use of a control device by selected department members who may not currently be issued or carrying the control device or those in specialized assignments who have successfully completed the required training.

303.4.2 HEAD FIREARMS INSTRUCTOR RESPONSIBILITIES

The Head Firearms Instructor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Head Firearms Instructor or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Control Devices

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Head Firearms Instructor for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to him/herself or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt or on an outer vest carrier. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignments or at the direction of their supervisors.

303.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in, violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

303.6.1 OC SPRAY

Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt, outer vest carrier, or in their duty bag. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

303.6.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where an individual has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward an individual, whether or not the launcher was used.

Control Devices

Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training or a product demonstration, is exempt from the reporting requirement.

303.6.3 TREATMENT FOR OC EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

303.7 POST-APPLICATION NOTICE

Whenever OC has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

303.8 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.8.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of individuals engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at officers, other department members and/or other people.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.8.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

Control Devices

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the suspect must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.8.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect shotguns and projectiles at the beginning of each shift to ensure that the shotguns are in proper working order and the projectiles are of the approved type and appear to be free from defects.

When they are not deployed, shotguns will be unloaded and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

303.9 TRAINING FOR CONTROL DEVICES

The Patrol or Detective Lieutenant shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

Control Devices

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.

303.10 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The appropriate instructor should keep an inventory of all CED devices.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

304.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the appropriate instructor for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

304.4 VERBAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

Conducted Energy Device

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

A spark test may be utilized as a de-escalation tactic and does not constitute a Use of Force.

304.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

304.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or similarly restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

Conducted Energy Device

- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Conducted Energy Device

304.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports and a Use of Force Report. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

304.6.1 CED REPORT FORM

As applicable based on the device type, items that shall be included in the CED report form are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

304.7 MEDICAL TREATMENT

Officers may elect to allow EMS to remove the conducted energy weapon probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

Conducted Energy Device

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) It is discovered the person has a pacemaker.
- (f) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

If a subject is displaying signs of "excited delirium" as outlined in officers' training prior to, during or after CED exposure, EMS should respond to transport the subject to the hospital.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Head Firearms Instructor and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

304.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Conducted Energy Device

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Patrol or Detective Lieutenant. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Patrol or Detective Lieutenant is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Patrol or Detective Lieutenant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

Officer Response to Calls

311.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

311.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

311.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

311.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and should continuously operate the emergency vehicle lighting and siren as required by law and this policy (Vehicle and Traffic Law § 114-b; Vehicle and Traffic Law § 1104). The Rye Police Department recognizes that there are times when an emergency response is required, but the use of lights and/or a siren would not be prudent. These responses will be judged by the Commissioner of Public Safety to the standard of a reasonable officer on a case by case basis taking into account the expectation is to utilize emergency lights and sirens.

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.
- (d) When an emergency response would be deemed necessary by a reasonable officer.

Any officer initiated emergency response should be reported to the desk.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

311.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

Officer Response to Calls

If circumstances permit, the requesting member should provide the following information:

- Location of the emergency situation
- Identifying call sign
- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the desk officer.

311.5 SAFETY CONSIDERATIONS

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (Vehicle and Traffic Law § 1104):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.

When two or more emergency vehicles approach an intersection simultaneously, the emergency vehicle that otherwise would have had the right of way shall proceed first.

311.5.1 NUMBER OF OFFICERS ASSIGNED

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

An emergency response involving more than one police vehicle should be coordinated by the Desk to avoid any unanticipated intersecting of response routes. The desk officer shall notify the Tour Supervisor or field supervisor, who will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

311.6 EMERGENCY EQUIPMENT

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate

Officer Response to Calls

their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Tour Supervisor, field supervisor or the desk officer of the equipment failure so that another officer may be assigned to the emergency response.

311.7 OFFICER RESPONSIBILITIES

An officer is expected to respond to all emergencies and calls as directed. The decision on how to respond should be based on weather, traffic, call type, and other mitigating factors that a reasonable officer would consider. The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the desk officer. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the desk officer of his/her determination. Any subsequent change in the appropriate response level should be communicated to the desk officer by the officer in charge of the scene unless a supervisor assumes this responsibility.

311.8 THE DESK

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the desk officer shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers. In all other circumstances, the desk officer shall obtain authorization from the Tour Supervisor or a field supervisor prior to assigning an emergency response.

311.8.1 RESPONSIBILITIES

Upon notification or assignment of an emergency response, the desk officer is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.
- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).

Officer Response to Calls

- (e) Notifying the Tour Supervisor as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Tour Supervisor or field supervisor.

311.9 SUPERVISOR RESPONSIBILITIES

Upon being notified that an emergency response has been initiated or requested, the Tour Supervisor shall verify that:

- (a) The proper response has been initiated.
- (b) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Tour Supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.

Traffic

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the Rye Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety. Vehicle and Traffic Law violations committed by residents and non-residents will be handled in the same manner.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

Traffic

The Department may use speed measuring devices in traffic enforcement operations. Members must be properly trained in the use and operation of such devices. The Department will ensure that all such equipment is properly calibrated and that all necessary records are maintained so as to ensure that speed measurements are legally admissible.

500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or tickets issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Traffic enforcement should be focused on the reduction of traffic accidents.

500.4.1 PRE-STOP

Officers must:

- Maintain a safe distance between the vehicle and the police unit.
- Locate a safe spot to stop the vehicle.
- Activate emergency lights and, when necessary, siren to signal the vehicle to pull over.
- Utilize appropriate equipment for the safety of the uninvolved individuals, the violator, and the officer.
- Call out the location and other pertinent information via the police radio or generate a CAD with that information.
- If feasible, activate body worn camera prior to making contact.

500.4.2 TRAFFIC STOPS

Officers must :

- Be alert at all times.
- Be certain the observations of the traffic violation were accurate.
- Present a professional image in dress, grooming, language, bearing, and emotional stability.
- Decide on the appropriate enforcement action based upon the violators driving behavior, not attitude.
- Communicate appropriately with the violator.
- Ask for the violator's drivers license, vehicle registration, and insurance card.

500.4.3 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

Traffic

500.4.4 TICKETS

Tickets should be issued when a member believes it is appropriate. When issuing a ticket for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with:

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.4.5 PHYSICAL ARREST

Officers should exercise discretion in determining whether a physical arrest is appropriate for criminal traffic offenses (see the Appearance Tickets Policy for additional guidance).

500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic ticket or make an arrest as appropriate.

If the driver is not the owner, the Department is required to notify the owner (Vehicle and Traffic Law § 511-c).

500.6 TRAFFIC PROCEDURES MANUAL

The Patrol Lieutenant is responsible for developing, maintaining and reviewing detailed procedures for the enforcement of traffic laws. Traffic procedures shall include, but are not limited to:

- Roadside safety checks.
- Stopping and approaching vehicles.
- Required information provided to violators.
- High- and unknown-risk traffic stops.

The Patrol Lieutenant is responsible for developing and maintaining violator procedures for traffic law violations committed by, but not limited to:

- Non-residents of the department jurisdiction.
- Juveniles.
- Legislators.
- Foreign diplomats and consular representatives (see the Foreign Diplomatic and Consular Representatives Policy).
- Active military members.

Traffic

500.7 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

500.7.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

Officers must keep their high-visibility vests in good repair. Should a vest become damaged it is the officers responsibility to inform their Division Commander to obtain a serviceable vest.

500.8 RECORDKEEPING

Officers will:

- Ensure that they are logged into their individual account prior to issuing an electronic summons.
- Close the call appropriately, recording if a warning or summons was issued.
- Submit summonses for processing at the end of each tour.
- Should an officer issue a summons in error, all parts of the summons will be turned over to the Tour Supervisor with a completed summons void form. The Tour Supervisor will then investigate the circumstances and, if in agreement, will sign the summons void form before submitting all paperwork to the Records Department.

500.9 SPEED MEASURING DEVICES

The City of Rye Police Department will utilize speed measuring devices under the following circumstances: high or potentially high accident locations when speed is a factor, in areas where speed violations are prevalent, and in response to citizen complaints concerning violations. It is also this department's policy that all SMD will be calibrated as recommended by the manufacturer prior, during and after use.

500.9.1 TRAINING

All officers utilizing SMD will have successfully completed the basic operating training program and must have proper certification prior to utilizing departmental SMD.

Traffic

500.9.2 RESPONSIBILITIES

The Special Operations Sergeant will make the necessary arrangements, through the Patrol Commander, to have the devices brought to the Division of Criminal Justice Services Department of Municipal Police for testing and calibration.

The Special Operations Sergeant will have the responsibility of maintaining and keeping all records associated with departmental SMD including maintenance, testing, calibration and records for court testimony.

It is the responsibility of the SMD operator to ensure that the device receives proper care and upkeep while assigned to them.

500.9.3 OPERATION

The SMD operator will be thoroughly acquainted with the nomenclature and operation of the SMD utilized. When tracking a vehicle on the road the operator will:

- (a) Observe the vehicle traffic at the location.
- (b) Pick out the vehicle in violation.
- (c) Estimate the violator's speed.
- (d) Verify the speed with the SMD.

A complete calibration and testing of the unit will be done before utilization as well as prior to the end of the tour.

500.9.4 PACE CLOCKING

Speedometers on new vehicles come certified from the factory and members will verify the speed with moving mode from the radar unit.

Members will keep the patrol vehicle in a position to observe the target vehicle so that they are able to identify that vehicle, yet are far enough away to maneuver safely.

Members will follow the target vehicle for a reasonable distance while keeping the distance between the police vehicle and the target vehicle constant.

Members will note the approximate start and finish points where the target vehicle is clocked.

500.9.5 COURT PROCEDURE

[Rye Police Department Procedures Manual: 500.1 COURT PROCEDURE](#)



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Presentation by the City of Rye Deer Management Committee and request for the transfer of \$19,000 from the General Contingency line to the City Council Consultant line for a forest ecological health assessment.

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council hear the presentation and consider the following resolution.

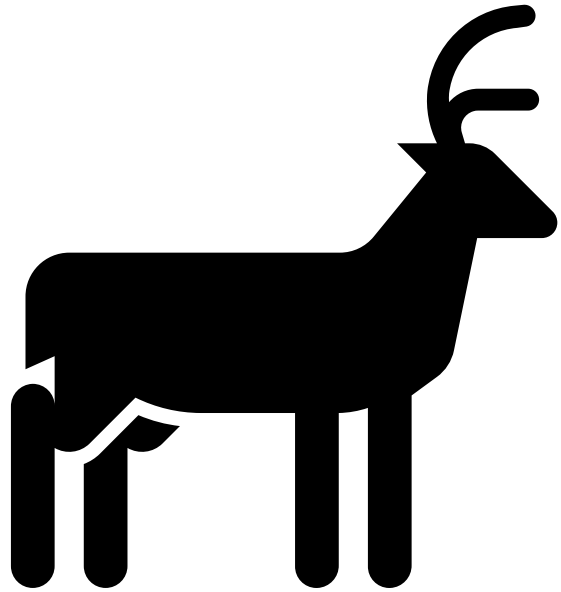
RESOLVED the City Council authorizes the City Manager to transfer \$19,000 from the General Fund Contingency Account to the City Council's Consultant line to engage Forest Management Solutions LLC for a forest health assessment and related professional services.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Deer Management Committee will be presenting on their recent work, findings, and recommendations.

The Deer Management Committee is recommending that the City hire a forest ecologist to study the understory of local forests in the City of Rye to measure deer damage.

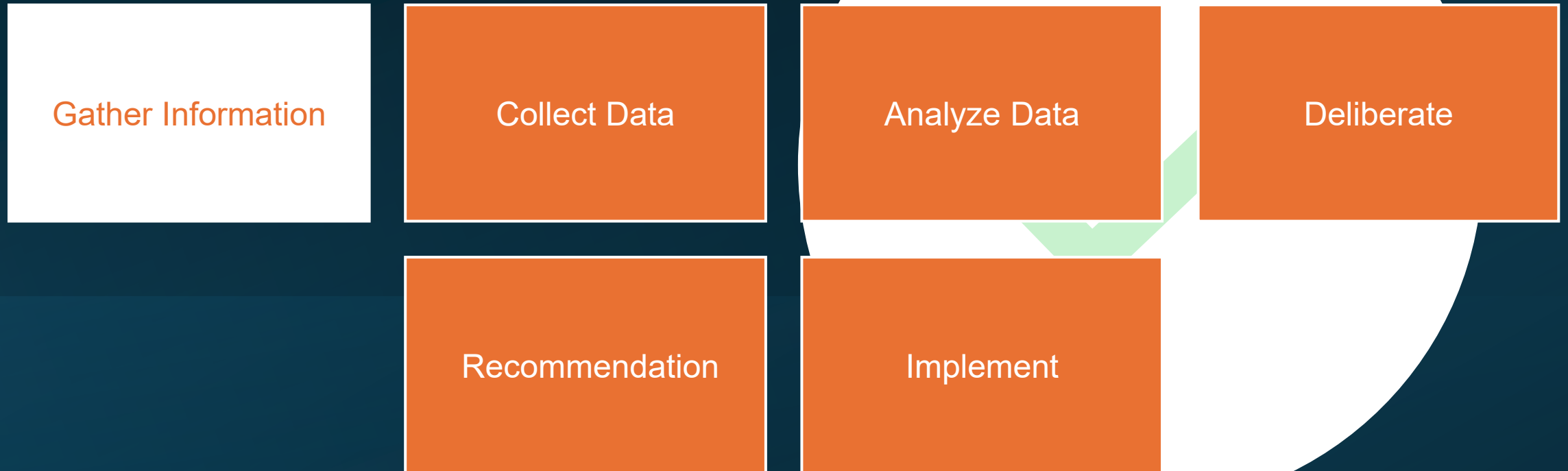
See the attached presentation, memo, and forest ecologist quotes from the Deer Management Committee.



Deer Management Committee

Update: February 11, 2026

The Process

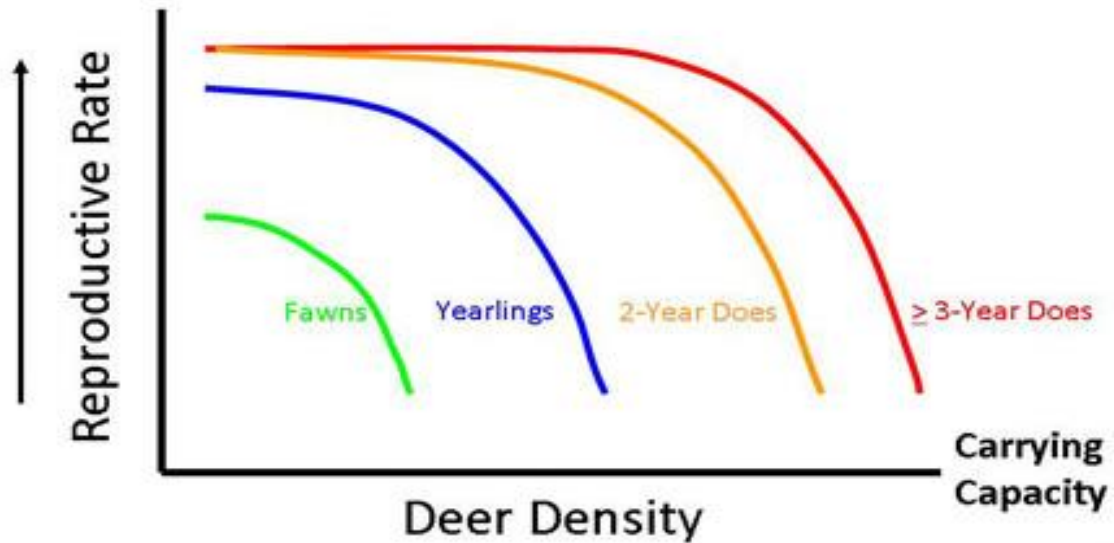


NY State Deer

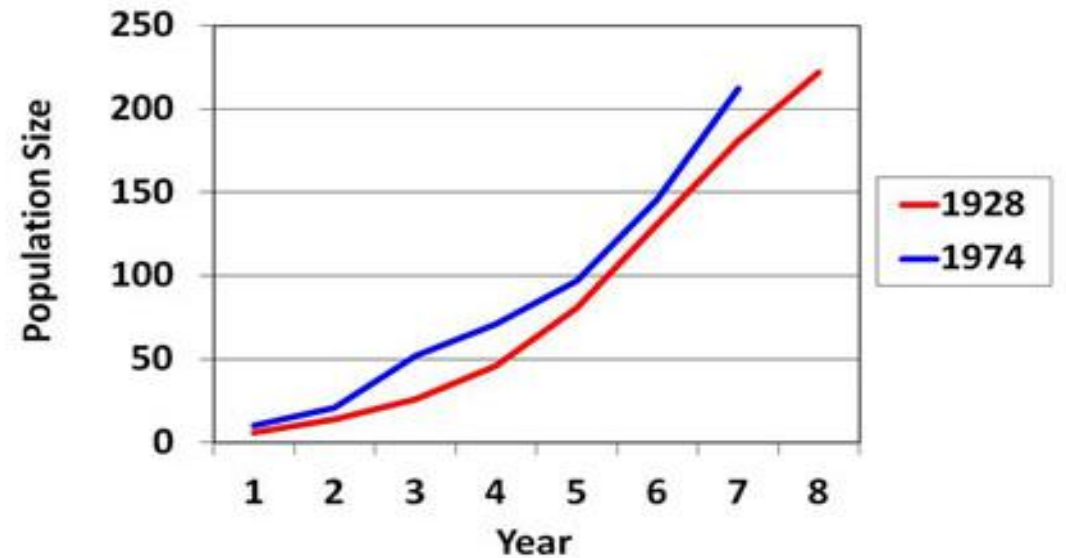
- There are an estimated **1,200,000** deer in NY State
 - There are estimated more than **21,000** deer in Westchester county
 - This is based on around **50+** deer per square mile
 - South of 287 we have seen estimates of greater than **140** deer per square mile in some areas
- Deer's #1 predator in New York are Coyotes
 - Followed by black bear and bobcats
 - Coyotes, bears and bobcats generally, take fawns (under 6 weeks) and the sick
- Deer have age-staged reproduction
 - A yearling will have only one fawn
 - A two-year-old will have twins if the resources are sufficient
 - A three-year-old can have up to three fawns depending on if the resources are sufficient
 - Deer need a **40%** mortality rate to keep the herd from growing.

Explosive Population Growth

Age-Structured Reproduction Relative to Carrying Capacity



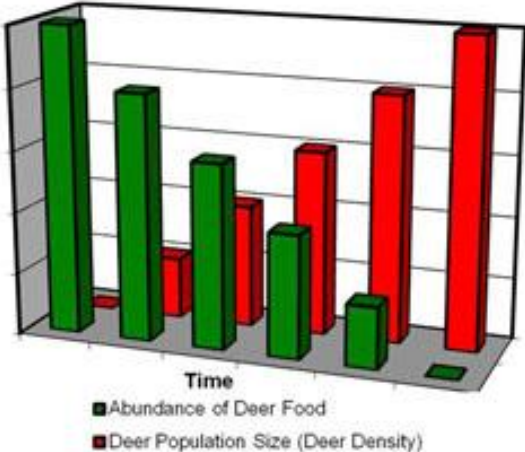
Deer Population Growth George Reserve Deer Herd



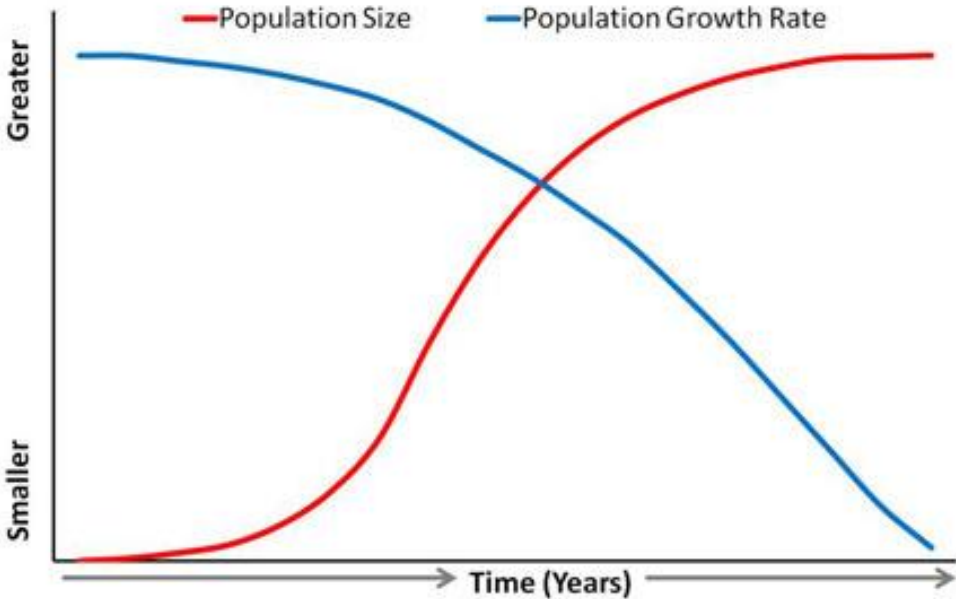
Source: McCullough, D.D. 1984. Lessons from the Caspian Boar Deer Herd. Pages 211-243 in White, et al.

Carrying Capacity

Inverse Relationship between Deer Population Size and Deer Food



Deer Population Dynamics



+ Charts taken from Mississippi State Deer Ecology & Management Lab

Meet the Experts

+●

Bernd Blossey was born and raised in northern Germany. In 1992, he moved to Cornell University, where he is a Professor directing the Ecology and Management of Invasive Plants Program in the Department of Natural Resources and the Environment.



Susan Kalisz received her Bachelor of Science degree in Botany from the University of Michigan and her master's and Ph.D. degrees in Ecology and Evolutionary Biology from the University of Chicago. Her research focuses on the evolution and ecology of plants, including stressors that influence native plant species' population dynamics, and the effects of overabundant deer and exotic invasion on the composition of understory plant communities.



What the Experts Said

Studying the understory will enable you to know:

- Damage by deer
- Invasives plants
 - Establishment and spread of invasive species can degrade wildlife habitat
 - Results in poor quality agriculture lands
 - Degraded water quality
 - Increased soil erosion
- Health of ecosystem

The number of deer **does not necessarily** indicate if there is an over abundance of deer

- It is a baseline
 - Each area has a different ecosystem, and the carry of the land can be different
- This is an indicator if efforts in reducing the herd are effective

What the Experts Said, Continued

There is no silver bullet

- Sterilization is expensive and **ineffective**
- Recreational hunting alone is **ineffective**; however, can be a useful tool
- Culling or managed hunting is **effective** to reduce deer numbers
 - Needs proper management
- Fencing **does** work at protecting areas
 - Fencing does not reduce the size of the herd
 - Puts pressure on other areas
 - Expensive
 - Requires maintenance

There will always be detractors that will **ignore the science**, on all sides

Ongoing effort is required to ensure **success**

DEC Discussion

Deer Management Assistance Program (DMAP)

The Deer Management Assistance Program (DMAP) is one tool that wildlife biologists use to manage white-tailed deer in New York. DMAP allows the DEC to issue additional antlerless tags to landowners who need improved harvests of deer to meet management goals on their property.

Deer Damage Permits (DDPs)

Deer Damage Permits (DDPs) may be issued in situations where deer harvest during the regular hunting seasons doesn't reduce the negative impacts of abundant local deer populations. These impacts include:

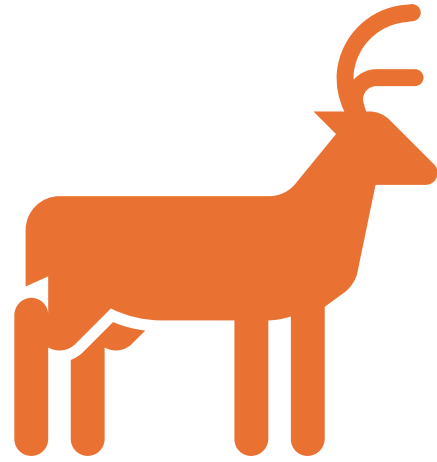
- agricultural, horticultural, and silvicultural damage;
- impacts to biodiversity and native plant communities; and
- threats to human health and safety

~~DEC NY Sterilization Deer~~

~~The New York State Department of Environmental Conservation (DEC) has been involved in deer management and sterilization efforts. The sterilization process involves removing the deer's ovaries and is similar to spaying or neutering in animals. The DEC has conducted sterilization projects to gain a baseline on what can be expected with a fertility control approach in suburban settings. The DEC's approach includes community-level plans, information-gathering, education, and outreach to address deer population issues effectively.~~

Rye Nature Center : Information





Three Pillars of Deer Management

- **Dimension the Herd**
 - Deer density
 - Baseline
- **Assess Damage**
 - Forest health/Property damage
 - Impact to understory
 - Bellwether for the ecosystem
 - Disease
 - Lyme
 - Car Impacts
- **Monitor Progress**
 - Control plots
 - Herd size



Methods Being Explored



Costs and Timing

Activity	Cost	Timing of Activity
Drones	\$7,000-\$10,000	Feb-March
Plot Studies	\$5,600-\$17,000	Spring/Summer
Documentation	\$5,000-\$8,000	Summer
Recommendation		September –October.



Why Deer Management Matters: Stewardship

Forest Renewal

- Too many deer = no young trees
- Seedlings and saplings are eaten before forests can regenerate

Biodiversity

- Fewer plants → fewer animals
- Over browsing removes native understory needed by birds & pollinators

Ecosystem Balance

- Healthy forests need balance
- Unchecked deer populations disrupt natural systems

Invasive Species

- Deer favor natives
- Invasives spread when native plants disappear
- Damage the soil

Soil & Water

- Bare ground erodes
- Loss of understory harms soil stability and water quality

Stewardship

- Humans fill the gap
- With few predators, management protects forests for the future

To: Mayor Nathan and Rye City Council members

From: Deer Management Committee (DMC)

Date: January 27, 2026

Re: Selection of Forest Ecologist to assess understory forest health and deer impacts.

The purpose of this memo is to explain the rationale for selecting Dr. Danielle Begley-Miller to monitor understory forest plots to assess forest health, including deer impact, across the City's forested, open space lands. An objective is to support the City of Rye's efforts to understand current forest conditions. Also, an assessment of deer impacts on the local forest and natural environments.

Part of the project will be to present relevant background information on deer impacts in forested and open space systems to include the findings from her forest assessment of these areas. An objective is to inform stakeholders including the City Council and the public about the effects of deer on forested and open space lands in the City of Rye. Please see attached work proposal.

Following a review of available candidates, Dr. Danielle Begley-Miller was selected based on her strong technical qualifications, relevant professional experience including her tenure as Director of Science and Stewardship at Teatown Lake Reservation for over 5 years, and demonstrated ability to conduct objective, science-based assessments. Dr. Begley-Miller holds advanced training in forest and wildlife ecology and has extensive experience evaluating herbivory impacts, forest regeneration, and ecosystem health in comparable Westchester/suburban environments.

Of particular importance, Dr. Begley-Miller has previously completed deer impact studies for other municipalities and conservation organizations, using established methodologies to conduct vegetation surveys to assess both general forest conditions and existing browse intensity using site condition indicators. This experience ensures that the resulting analysis will be credible, data-driven, and aligned with best practices in the field.

In addition to technical expertise, Dr. Begley-Miller demonstrated a clear understanding of the need for neutrality and transparency when working in communities where wildlife management decisions can be complex and sensitive. Her proposed approach emphasizes clear documentation, defensible conclusions, and communication of findings in a manner accessible to decision-makers and the public.

Finally, the proposed scope of work and cost are reasonable and appropriate given the level of analysis required. The Deer Management Committee is confident that this selection will provide City Council with reliable information to support informed policy discussions regarding deer management and forest health.

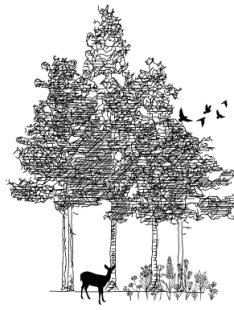
Please feel free to contact me and other DMC members with any questions regarding this selection or the proposed study.

Respectfully submitted,

Chris

Christopher J. Cohan, Deer Management Committee member

Cc: DMC members



FOREST MANAGEMENT
SOLUTIONS, LLC

Work Proposal

Project: Deer Impact Stakeholder Engagement and Outreach

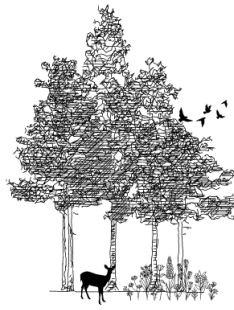
Description of Work: Present relevant background information on deer impacts in forested systems, including the findings from the town’s forest assessments of conserved areas.

Goal: Inform stakeholders, including the board and public, about the effect of deer on conserved lands in the Town of Rye.

Item	Description	Rate	Unit	Total
Planning Meeting	Planning meeting with the Rye Deer Management Committee and board members to discuss outreach and educational needs	Included	Included	\$0
Educational Presentation Only	A presentation on the ecological impacts of deer overabundance, including long-term effects on forest sustainability (including presentation preparation)	\$200	Hour	\$1,600 (8) - \$2,000 (10)
Report Presentation Only	A presentation on the findings of the vegetation survey report, including current conditions (if funded)	\$200	Hour	\$800 (4) - \$1,600 (8)
Combined Educational and Report Presentation	A presentation on the ecological impacts of deer overabundance and findings from the vegetation survey report (if funded)	\$200	Hour	\$2,400 (12) - \$3,600 (18)
TOTAL				\$800 - \$3,600*

***Additional outreach work (including repeat presentations, meetings, or discussions) would be billed at a rate of \$100 per hour as needed.**

Estimate Only: The figures in this proposal are estimates meant for informational purposes only. These estimates are based on current conditions and expected project needs. Actual costs may change due to unexpected issues or changes in the project. Therefore, this proposal is not a guarantee of costs or a binding commitment. A final budget will be created when a formal contract is signed.



F O R E S T M A N A G E M E N T
S O L U T I O N S , L L C

Work Proposal

Project: Understory Forest Health Assessment for the Town of Rye

Description of Work: Establishment and monitoring of understory forest plots to assess forest health, including deer impact, across the town’s conserved lands

Goal: Support the Town of Rye in their efforts to understand current forest conditions in existing conservation areas.

Item	Description	Rate	Unit	Total
Initial Site Visit	Pre-survey walkthrough of existing conservation areas for survey planning	Included	Included	\$0
Plot Establishment	GIS mapping of boundaries, overlay of potential plot locations, and establishment of on-the-ground locations	\$200	Plot	\$800 (4) - \$2,400 (12)
Vegetation Surveys	Surveying of all vegetation plots for tree regeneration and key wildflowers	\$200	Plot	\$800 (4) - \$2,400 (12)
Vegetation Surveys	Surveying of all vegetation plots for invasive species presence and abundance	\$100	Plot	\$400 (4) - \$1,200 (12)
Vegetation Surveys	Surveying of all vegetation plots for all additional ground vegetation and overstory trees	\$400	Plot	\$1,600 (4) - \$4,800 (12)
Vegetation Report	Summary report of all findings from vegetation surveys and general forest health assessments	\$100	Hour	\$2,000 (20) - \$4,000 (40)
TOTAL				\$5,600 - \$14,800

Estimate Only: The figures in this proposal are estimates meant for informational purposes only. These estimates are based on current conditions and expected project needs. Actual costs may change due to unexpected issues or changes in the project. Therefore, this proposal is not a guarantee of costs or a binding commitment. A final budget will be created when a formal contract is signed.



CITY COUNCIL AGENDA

DEPT.: Corporation Counsel

CONTACT: Kristen Wilson, Corporation Counsel

AGENDA ITEM: Continue the public hearing to consider Local Law No. 1-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter.

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council continue the public hearing and consider adopting the local law.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached draft local law, resolution, and short environmental assessment form.

CITY OF RYE

LOCAL LAW NO. __ 2026

A local law to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter as follows:

Section 1. Repeal § 133-7 in its entirety.

§ 133-7 “Lawn maintenance equipment regulations.”

~~It is the policy of the City of Rye to minimize noise created by lawn maintenance equipment. The following rules are intended to help accomplish that goal.² In addition to these restrictions, operators should exercise courtesy and take reasonable steps to minimize the noise creation at all times.~~

- ~~A. No person shall operate within the City of Rye any gasoline or electric leaf blower between May 1 and September 30 every year with the exception that this ban does not take effect until June 1, 2008. As used in this subsection, "leaf blower" shall be defined to include any device powered by a electricity, gasoline, diesel or similar fuel engine which is used, designed or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.~~
- ~~B. The head of the Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed seven days after significant storm events or during other emergency situations circumstances.~~
- ~~C. Additional rules for any person operating any leaf blower between the dates of October 1 and April 30 are as follows:
 - ~~(1) No leaf blower shall be operated simultaneously on the same lot with any other type of machine powered lawn equipment.~~
 - ~~(2) Two or more leaf blowers shall not be operated simultaneously except in R-1 Residence Districts as indicated on the City of Rye Zoning Map.~~~~
- ~~D. This section shall not apply to the following entities and activities: municipal, schools, religious institutions, membership clubs, golf courses, hospital and retirement communities, cemeteries, and driveway/road paving and sealing activities, except that any leaf blower use shall be minimized to the maximum extent practicable in proximity to residences.~~
- ~~E. The use of power or leaf blowers to move leaves or yard debris to City streets, public property, storm drains or abutting lots is prohibited at all times.~~
- ~~F. Between January 1 and March 1 of 2009, the City Council shall place on its agenda for~~

~~public comment a discussion of § 133-7 to evaluate the City's experience concerning the provisions of this section. Exempt entities in § 133-7D shall file a report with the City Manager by December 31, 2008 describing their efforts to reduce and minimize leaf blower use within their institutions.~~

Section 2. Amend Chapter 122 “Leaf Blowers” as follows:

§ 122-1. Purpose.

The City Council finds that motorized landscaping activities generate noise, and more specifically the use of gas-powered ~~and certain types of electric~~ leaf blowers can significantly increase the level of noise, particularly in the higher-density neighborhoods of Rye. Gas-powered leaf blowers also create pollution and contribute to global warming through the release of carbon emissions. Accordingly, it is the intent and purpose of this chapter to **prohibit** ~~place limits on~~ the use of gas-powered ~~and certain types of electric~~ leaf blowers, **with certain exceptions, and allow year round use of battery powered electric leaf blowers to allow for** while promoting the use of quieter electric powered leaf blowers, with the ultimate objective of eliminating the use of gas-powered leaf blowers at the time when a more suitable and **a quieter environment** technology becomes available.

§ 122-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BATTERY POWERED LEAF BLOWER — a moveable, portable, backpack style, handheld, tow behind or other device or unit powered by battery (not a cord or a generator) and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.

ELECTRIC LEAF BLOWER — A moveable, portable, handheld, backpack-style, tow-behind or other device or unit powered by electricity ~~is a cord attached to a generator or other power source or battery~~ and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris. **An electric leaf blower may be powered by a battery, or a cord plugged into an electric wall outlet or battery power bank. However, an electric leaf blower being used while plugged into an operating generator which is powered by an internal combustion engine shall be deemed an internal combustion leaf blower and use of such machine is prohibited.**

GAS LEAF BLOWER (also referred to as an INTERNAL COMBUSTION LEAF BLOWER) — A moveable, portable, handheld, backpack-style, tow-behind or other device or unit powered by an internal combustion engine using gasoline or other hydrocarbon fuel and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.

LANDSCAPER — Any person, corporation, partnership, or business entity of any form who tends, plants, installs, maintains, or repairs lawns, or performs general yard maintenance work or leaf collection of any kind, on real property which such person does not own or at which s/he

does not reside.

MOTORIZED LANDSCAPING EQUIPMENT — Electric, battery or internal combustion engine powered equipment commonly used for general yard maintenance work, including cutting grass, aerating and seeding lawns, planting, digging holes, trimming hedges and shrubs, collecting and removing leaves and other common yard maintenance activities.

§ 122-3. Use of ~~battery powered~~ electric leaf blowers.

Effective ~~January 1, 2023,~~ **May 1, 2026, only battery powered** electric leaf blowers may be used for landscaping activities on a year-round basis.

§ 122-4. Use of gas **and certain electric** leaf blowers.

Effective ~~May~~ **January 1, 2026,** **the use of gas leaf blowers is prohibited unless such use falls within the exceptions listed in §122-5(D)** ~~gas leaf blowers may only be used during the Fall and Spring cleanup seasons defined as from October 1 to December 15 and from March 1 to April 30. At all other times of the calendar year, the use of gas leaf blowers is prohibited. Except in R-1 Residence Districts, and on lots greater than one acre in size, only one gas leaf blower may be utilized per lot during the Fall and Spring cleanup seasons as defined above.~~

§ 122-5. Days and hours of operation of motorized landscaping equipment.

- A. The use of motorized landscaping equipment, including lawn mowers, leaf blowers and other outdoor machine-powered equipment, is permitted only between 8:00 a.m. and 6:00 p.m. on weekdays and 10:00 a.m. and 4:00 p.m. on weekends. ~~The permitted hours described in this subsection will apply to the use of gas leaf blowers during the Fall and Spring eCleanup sSeason when the use of gas leaf blowers is permitted.~~
- B. The use of motorized landscaping equipment, including lawn mowers, leaf blowers and other outdoor machine-powered equipment, is not permitted on holidays, ~~Rosh Hashanah or Yom Kippur.~~ [Amended 6-14-2023 by L.L. No. 9-2023]
- C. The ~~City Manager~~ head of the Rye Department of Public Works may permit the expanded use of gas and electric leaf blowers, ~~or use of motorized landscaping equipment, on holidays,~~ for a period not to exceed 14 days after significant storm events or during other emergency situations.
- D. The restrictions regarding the use of motorized landscaping equipment, including gas leaf blowers and other outdoor machine-powered equipment, in this chapter shall not apply to the following entities and activities: municipal, schools, religious institutions, membership clubs, golf courses, hospital and retirement communities, cemeteries, and non-residential lots greater than three acres in size ~~and driveway/road paving and sealing activities.~~
- E. The above restrictions in 122-4 (A through D) shall not apply to snowblowers or use of motorized equipment for the purposes of snow or ice removal.
- F. Moving leaves or yard debris to City streets, private streets, public property, storm drains or abutting lots is prohibited at all times.

§ 122-6. Enforcement.

The provisions of this chapter shall be enforced by the City of Rye Police Department, the Rye Building Department or any other City employee designated by the City Manager.

§ 122-7. Penalties for offenses.

- A. The following parties shall have committed a violation of this chapter if it is not complied with:
- (1) The party(ies) operating the illegal leaf blower(s); and or
 - (2) The party who employed the person(s) who operated the illegal leaf blower(s) at the time of violation; and or
 - (3) The party who owns, rents or otherwise controls the property where the violation occurs.
- B. Conducting motorized landscaping work outside of permitted hours or on holidays. The following parties shall have committed a violation of this chapter if it is not complied with: **[Amended 6-14-2023 by L.L. No. 9-2023]**
- (1) The party(ies) operating the motorized landscaping equipment; and or
 - (2) The party who employed the person(s) who operated the motorized landscaping equipment at the time of violation; and or
 - (3) The party who owns, rents or otherwise controls the property where the violation occurs.
- C. Failure of commercial landscapers to comply with the provisions of Westchester County Law §§ 863.312 through 863.330. Commercial landscapers who fail to comply with WCC §§ 863.312 through 863.330, including working without a valid Westchester County license or failure to display license decals and required identification information on its vehicles, shall also be in violation of this chapter.
- D. Any person **found in violation** ~~violating any of the provisions of this chapter shall be guilty of a violation~~ **City Code infraction** and, ~~upon conviction thereof,~~ shall be punished by a fine not to exceed the sum of \$250 for the first offense. A second **infraction** ~~violation~~ shall be punishable by a fine not to exceed the sum of ~~\$350~~ **1,500** and a third **infraction** ~~violation~~ shall **result in a minimum fine of \$2,500** and a maximum fine not to exceed the sum of **\$10,000**. **Repeat offenders may be issued a court appearance ticket(s) and be subject to subsequent court orders including civil forfeiture of property.**

Section 3. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 4: Effective Date.

This local law will take effect on May 1, 2026.

**RESOLUTION OF THE RYE CITY COUNCIL ADOPTING LOCAL LAW NO. 2 OF
2026 REPEALING CHAPTER 133 AND AMENDING CHAPTER 122 TO PROHIBIT
THE USE OF GAS LEAF BLOWERS**

WHEREAS, the City Council has heard concerns regarding the incessant noise that is caused by gas powered leaf blowers during the spring and fall clean-up periods; and

WHEREAS, the City Council has also heard concerns that the current regulations related to the use of leaf blowers and lawn equipment to be confusing and difficult to understand; and

WHEREAS, a resolution was duly adopted by the City Council of the City of Rye on January 13, 2026 scheduling a public hearing to be held on January 28, 2026 to hear all interested persons on a proposed local law to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations; and

WHEREAS, the City Council held a public hearing on January 28, 2026 and received numerous written comments; and

WHEREAS, the City Council continued the public hearing to February 11, 2026, allowing all those wishing to be heard a chance to speak; and

WHEREAS, the City Council considered all the oral testimony and written comments and closed the hearing on _____; and

WHEREAS, pursuant to part 617 of the implementing regulations of Article 8 of the New York State Environmental Quality Review Act (SEQRA), the adoption of said proposed Local Law is an unlisted action; and

WHEREAS, the Rye City Council is the only involved agency for the proposed Unlisted Action, and is therefore, the Lead Agency; and

WHEREAS, SEQRA requires the Lead Agency to consider the relative impacts based on the proposed changes as compared to the existing use and impact of the property.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the proposed local law is classified as an Unlisted Action under SEQRA; it has no significant adverse environmental impacts and issues a negative declaration thereon;
2. That the adopted of the proposed local law is in the best interests of the residents of the City, and hereby adopts said Local Law No. 2 of 2026, entitled “A local law to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye

to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter Local Law”;

3. The City Council hereby adopts Local Law No. 2 of 2026.

This Resolution shall take effect immediately.

Motion made by:

Seconded by:

Vote:

Dated: Rye, New York

February __, 2026

DRAFT

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. 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				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. 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? b. 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?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Project:

Date:

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



CITY COUNCIL AGENDA

DEPT.: Public Safety

CONTACT: Michael Kopy, Public Safety Commissioner

INFORMATION: Consideration of the proposed additions to the Rules and Regulations of the City of Rye Police Department at the February 25, 2026, meeting.

- Policy 425 – Homeless Persons
- Policy 426 – Medical Cannabis
- Policy 428 – First Amendment Assemblies
- Policy 607 – Operations, Planning, & Deconfliction
- Policy 1027 – Illness and Injury Prevention
- Policy 1029 – Wellness Program

FOR THE MEETING OF:

February 11, 2026

RECOMMENDATION: That the Council consider the listed policies at the February 25, 2026, meeting.

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
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-1234 ex 2011
E-mail: mkopy@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE Public Safety

To: Brian Shea, City Manager
From: Michael Kopy, Public Safety Commissioner
Date: 02/25/2026
Re: Police Department – Lexipol Policy

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 425 – Homeless Persons

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedure to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

Policy 426 – Medical Cannabis

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transfer, transportation, delivery, administration, or use of cannabis under New York's medical cannabis laws.

Policy 428 – First Amendment Assemblies

This policy provides guidance for responding to public assemblies or demonstrations.

Policy 607 – Operations Planning and Deconfliction

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Policy 1027 – Illness and Injury Prevention

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Rye Police Department.

Policy 1029 – Wellness Program

The purpose of this policy is to provide guidelines on establishing and maintaining a proactive wellness program for department members.

Homeless Persons

425.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

This policy details the need for special protection and services for homeless persons.

425.2 POLICY

It is the policy of the Rye Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The Rye Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

425.3 FIELD CONTACTS

Officers are encouraged to contact a homeless person to render aid, offer assistance or to check on the person's welfare. Officers also will take enforcement action when information supports a reasonable and articulable suspicion of criminal activity. However, such contacts shall not be used for harassment.

When encountering a homeless person who has committed a nonviolent minor offense and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions, such as shelter referrals and counseling, in lieu of an arrest and criminal charges.

Officers should provide homeless persons with resources and assistance information whenever it is reasonably apparent that such services may be appropriate.

425.3.1 CONSIDERATIONS

A homeless person will receive the same level and quality of service provided to other members of the community. The fact that a victim, witness or suspect is homeless can, however, require special consideration for a successful investigation and prosecution. When handling investigations involving victims, witnesses or suspects who are homeless, officers should consider:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Documenting locations the person may frequent.
- (c) Providing victim/witness resources, when appropriate.
- (d) Obtaining sufficient statements from all available witnesses in the event that a victim cannot be located and is unavailable for a court appearance.

Homeless Persons

- (e) Arranging for transportation for investigation-related matters, such as medical exams and court appearances.
- (f) Whether a crime should be reported and submitted for prosecution, even when a victim who is homeless indicates that he/she does not desire prosecution.
- (g) Whether the person may be an adult abuse victim and, if so, proceed in accordance with the Adult Abuse Policy.

425.3.2 INCLEMENT WEATHER

Officers encountering homeless persons who are without shelter during freezing weather should direct or transport the person to the nearest shelter, as appropriate (Exec. Order 151 (2016)).

425.4 MENTAL HEALTH ISSUES

When mental health issues are evident, officers should consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. Officers should consider detaining the person under emergency admission when facts and circumstances reasonably indicate such a detention is warranted (see the Emergency Admissions Policy).

425.5 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the community. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, it should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure it. It will be the supervisor's responsibility to coordinate its removal and safekeeping.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the Department of Public Works.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the liaison if such property appears to involve a trespass, is a blight to the community or is the subject of a complaint.

425.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can have an impact on the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged

Rye Police Department

Rye Police Department Policy Manual

Homeless Persons

to notify other appropriate agencies or City departments when a significant impact to the environment has or is likely to occur. A significant impact to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Medical Cannabis

426.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transfer, transportation, delivery, administration, or use of cannabis under New York's medical cannabis laws (Cannabis Law § 1 et seq.).

426.1.1 DEFINITIONS

Definitions related to this policy include (Cannabis Law § 3; 9 NYCRR § 113.1):

Allowable amount - Possession of a 60-day dosage of medical cannabis by a certified patient or designated caregiver. This may include possession of the certified patient's next 60-day supply during the last seven days of any 60-day period (Cannabis Law § 31).

Certified medical use - The acquisition, possession, transportation, or other authorized use of medical cannabis by a certified patient or designated caregiver.

Certified patient - A person residing or receiving treatment in New York for a condition that qualifies the person to receive a certification from an authorized practitioner to use medical cannabis pursuant to Cannabis Law § 30.

Designated caregiver - A person designated by a certified patient in a registry application to assist the certified patient in the acquisition, possession, transportation, or other authorized use of medical cannabis, or an employee of a registered designated caregiver facility.

Licensee or permittee - A person granted a license or a permit to cultivate, process, distribute, deliver, or dispense cannabis, or a cannabis research license, by the Cannabis Control Board.

Registered facility or organization - A designated caregiver facility that is registered with the Office of Cannabis Management, or a business or organization registered by the Cannabis Control Board (Cannabis Law § 32; Cannabis Law § 33; Cannabis Law § 34).

Registry identification card (RIC) - The card that is issued in accordance with Cannabis Law § 32 based upon a certification provided by an authorized practitioner that identifies an individual as a certified patient or a designated caregiver.

426.2 POLICY

It is the policy of the Rye Police Department to prioritize resources to avoid making arrests related to cannabis that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

New York medical cannabis laws are intended to provide protection from prosecution to those who acquire, possess, cultivate, use, or transport cannabis to mitigate the symptoms of medical conditions. However, New York medical cannabis laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of cannabis. The Rye Police Department will exercise discretion to ensure laws are appropriately enforced without

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unreasonably burdening both those individuals protected under New York law and the resources of the Department.

426.3 INVESTIGATION

Investigations involving the possession, delivery, production, or use of cannabis generally fall into one of two categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a person possessing an RIC.

426.3.1 INVESTIGATIONS WITH NO MEDICAL CLAIM

In any investigation involving the possession, delivery, production, or use of cannabis or drug paraphernalia where no person claims that the cannabis is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use (Penal Law § 222.00 et seq.). A medicinal claim may be raised later, so officers should document any statements and observations that may be relevant to whether the cannabis was possessed or produced for medicinal purposes.

426.3.2 INVESTIGATIONS INVOLVING PERSONS WITH AN RIC

Officers shall not take enforcement action against a certified patient or designated caregiver who is in possession of a valid RIC when (Cannabis Law § 32):

- (a) The certified patient or designated caregiver possesses an allowable amount of cannabis.
 - 1. A designated caregiver may possess the allowable amount of cannabis for up to four certified patients.
- (b) The form of medical cannabis that is possessed is in compliance with the recommended amount or limitation set by the medical practitioner who issued the patient's certification for the use of medical cannabis.
- (c) The medical cannabis is in the original package that it was dispensed in except for the portion removed for immediate consumption.

Officers should not take enforcement action if the officer can reasonably ascertain that the person otherwise has a valid RIC. The officer should document attempts to verify the existence and validity of an RIC issued to the patient or designated caregiver in a written report.

426.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving cannabis possession, delivery, production, or use:

- (a) Because enforcement of medical cannabis laws can be complex, time-consuming, and can call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
 - 1. The suspect has been identified and can be easily located at another time.

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2. The case would benefit from review by a person with expertise in medical cannabis investigations.
 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
 4. Any other relevant factors exist, such as limited available department resources and time constraints.
- (b) Before proceeding with enforcement related to registered organizations or dispensing facilities that supply cannabis for patients, licensees, or permittees, officers should consider conferring with appropriate legal counsel (e.g., to discuss requested enforcement actions such as preliminary injunctions, orders to seal, and temporary restraining orders and associated procedural requirements (Cannabis Law § 16-a; Cannabis Law § 134; Cannabis Law § 138-b).
- (c) The Cannabis Control Board should be contacted should questions arise regarding cannabinoid hemp and hemp extract activity (Cannabis Law, Article 5; Cannabis Law § 109).
- (d) Cannabis involved in any way with conduct deemed to be lawful under New York State law is not subject to seizure and does not support the forfeiture of property as set forth in the Asset Forfeiture Policy (Penal Law § 222.05).
- (e) Questions regarding the validity of an RIC, a registered facility, or organization, licensee, or permittee should be referred to the New York State Cannabis Control Board (Cannabis Law § 32).

426.3.4 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person:

- (a) Consumes cannabis through smoking or vaporization in any location where smoking is prohibited by New York law, including but not limited to (Public Health Law § 1399-o):
1. Places of employment.
 2. Places of mass transportation.
 3. Child care facilities and all public and private educational institutions.
 4. Hospitals and residential health care facilities (unless use is in a designated smoking room for patients of such facilities).
 5. Within 100 feet of the entrance, exit, or outdoor area of a public or private elementary or secondary school.
- (b) Obtains, possesses, stores, or maintains an amount of cannabis in excess of the amount that the certified patient or designated caregiver is authorized to possess under New York's medical cannabis laws (Penal Law § 179.15).
- (c) Sells, trades, delivers, or otherwise provides medical cannabis to another person with knowledge or reasonable grounds to believe that the person is not registered under New York's medical cannabis laws (Penal Law § 179.11).

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- (d) Is a medical practitioner who issues a certification with knowledge or reasonable grounds to believe that the person to receive it has no medical need for it or that it is for a purpose other than to treat a condition (Penal Law § 179.10).
- (e) Consumes cannabis while in any motor vehicle (9 NYCRR § 113.19)

426.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a cannabis investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities pursuant to a valid court order (Cannabis Law § 127).

426.5 DETECTIVE DIVISION SUPERVISOR RESPONSIBILITIES

The Detective Division supervisor should ensure that cannabis, drug paraphernalia, or other related property seized from a person engaged or assisting in the use of medical cannabis is not destroyed. Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Detective Division supervisor should as soon as practicable return to the person from whom it was seized any useable cannabis, drug paraphernalia, or other related property.

The Detective Division supervisor should not destroy cannabis that was alleged to be for medical purposes except upon receipt of a court order.

The Detective Division supervisor may release cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Division supervisor.

First Amendment Assemblies

428.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

428.2 POLICY

The Rye Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

428.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting, disorderly conduct, unlawful assembly, inciting to riot, criminal interference with health care services or religious worship and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed. Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and to prevent the destruction of property. Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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428.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions, assistance in evaluating department performance, serving as training material, recording the use of dispersal orders and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

428.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to:

- Location.
- Number of participants.
- Apparent purpose of the event.
- Leadership (whether it is apparent and/or whether it is effective).
- Any initial indicators of unlawful or disruptive activity.
- Indicators that lawful use of public facilities, streets or walkways will be impacted.
- Ability and/or need to continue monitoring the incident.

Initial assessment information should be promptly communicated to the Desk, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

428.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

428.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

428.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles, and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) An established liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief, and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests, to be coordinated with the District Attorney's Office.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

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- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

428.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

428.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear, standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

428.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

428.8 ARRESTS

The Rye Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking, and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail, and courts (see the Appearance Tickets Policy).

428.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media, to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

428.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

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428.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include:

- (a) Operational plan.
- (b) Any incident logs.
- (c) Any assignment logs.
- (d) Vehicle, fuel, equipment, and supply records.
- (e) Incident, arrest, use of force, injury, and property damage reports.
- (f) Photographs, audio/video recordings, and the Desk records/tapes.
- (g) Media accounts (print and broadcast media).

428.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event and explain all incidents where force was used, to include:

- (a) Date, time, and description of the event.
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts, or circumstances.

428.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Operations Planning and Deconfliction

607.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

607.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

607.2 POLICY

It is the policy of the Rye Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

607.3 OPERATIONS DIRECTOR

The Commissioner of Public Safety will designate a member of this department to be the operations director.

The director will also have the responsibility for coordinating operations that are categorized as high risk.

607.4 OPERATIONAL PLAN

607.4.1 OPERATIONAL PLAN REVIEW

The officer assigned as the Operational Lead will create an Operational Plan for any high risk or major event. Officers will present the Operational Plan and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

607.4.2 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

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- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 - 1. Tactical Unit (Tactical Unit)
 - 2. Additional personnel
 - 3. Outside agency assistance
 - 4. Special equipment
 - 5. Medical personnel
 - 6. Persons trained in negotiation
 - 7. Additional surveillance
 - 8. Canines
 - 9. Detective Division or analytical personnel to assist with cataloguing seizures
 - 10. Forensic specialists
 - 11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

607.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

607.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

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- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
 - 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
 - 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
 - 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
 - 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Participants and their roles.
 - 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 - 2. How all participants will be identified as law enforcement.
- (d) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (e) Identification of all communications channels and call-signs.
- (f) Use of force issues.
- (g) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (h) Plans for detaining people who are not under arrest.
- (i) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (j) Communications plan.
- (k) Responsibilities for writing, collecting, reviewing and approving reports.

607.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

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- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the operations director to ensure that the Desk is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by the Desk, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
 - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

607.8 TACTICAL UNIT PARTICIPATION

If the operations director determines that Tactical Unit participation is appropriate, the director and the Tactical Unit supervisor shall work together to develop a written plan. The Tactical Unit supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the Tactical Unit supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

607.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Commissioner of Public Safety. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any Tactical Unit debriefing.

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Operations Planning and Deconfliction

607.11 TRAINING

The Patrol or Detective Lieutenant should ensure officers who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Illness and Injury Prevention

1027.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Rye Police Department.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1027.2 POLICY

The Rye Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1027.3 ILLNESS AND INJURY PREVENTION PLAN

The Patrol Division Commander is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

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- (f) Establishing a process to ensure illnesses and injuries are reported as required under the New York Public Employee Safety and Health (PESH) Act (Labor Law § 27-a; 12 NYCRR § 801.39).

1027.4 PATROL DIVISION COMMANDER RESPONSIBILITIES

The responsibilities of the Patrol Division Commander include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing members of the illness and injury prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Respiratory protection (29 CFR 1910.134; 12 NYCRR § 800.3)
 - (b) Communicable diseases (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3)
 - (c) Exit routes, Emergency Action Plans, and Fire Prevention Plans (29 CFR 1910.33 et seq.; 12 NYCRR § 800.3)
 - (d) Workplace safety and violence prevention, specifically addressing the essential elements related to (Labor Law § 27-b; 12 NYCRR § 800.6):
 - 1. Risk evaluation and determination
 - 2. Written workplace violence prevention program
 - 3. Employee information and training
 - (e) The placement and maintenance of the Safety Data Sheets (SDS)
 - (f) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy)
 - (g) Walking-working surfaces (29 CFR 1910.21; 12 NYCRR § 800.3)

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- (e) Making available a form to document inspections, unsafe conditions, or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

1027.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Patrol Division Commander.
- (e) Notifying the Patrol Division Commander when:
 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 2. New, previously unidentified hazards are recognized.
 3. Occupational illnesses and injuries occur.
 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 5. Workplace conditions warrant an inspection.

1027.6 HAZARDS

All members shall report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors shall make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards shall be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors shall protect or remove all exposed members from the area or item, except those necessary to correct the existing

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condition. When this cannot happen Supervisors shall bring the matter to the next highest ranking member.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented in a supplemental report. This report shall be forwarded to the Patrol Division Commander via the chain of command.

The Patrol Division Commander will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1027.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Patrol Division Commander shall ensure that the appropriate documentation is completed for each inspection.

1027.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members shall advise their supervisor verbally.

1027.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report shall personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

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1027.9 TRAINING

The Patrol Division Commander should work with the Detective Lieutenant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1027.9.1 TRAINING TOPICS

The Patrol or Detective Lieutenant shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretching and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

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1027.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Wellness Program

1029.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1029.1.1 DEFINITIONS

Definitions related to this policy include:

Critical incident – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

Peer support – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

1029.2 POLICY

It is the policy of the Rye Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1029.3 WELLNESS COORDINATOR

- (a) The Commissioner of Public Safety should appoint a trained wellness coordinator. The Commissioner of Public Safety is committed to designating an individual to focus on:
 1. Department Peer Support
 2. Critical Incident Stress Debriefings
 3. Peer Support Communications
 4. Physical Wellness Program
 5. Wellness Program Audit
 6. Training

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- (b) Assisting members who have become disabled with application for federal government benefits such as those offered through the Public Safety Officers' Benefits Program (34 USC § 10281 et seq.).
 - 1. The coordinator should work with appropriate department liaisons to assist qualified members and survivors with benefits, wellness support, and counseling services, as applicable, when there has been a member death (see the Line-of-Duty Deaths Policy for additional guidance).