



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

**CEREMONIAL SQUARE HOUSE MEETING OF THE CITY COUNCIL
REGULAR MEETING OF THE CITY COUNCIL**

The Square House

Wednesday, April 15, 2026

6:30 p.m. Ceremonial Square House Meeting

7:15 p.m. Regular Meeting

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>.

CEREMONIAL SQUARE HOUSE MEETING (6:30 PM)

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|---|---------------------|
| 1. Call to Order | <i>Mayor</i> |
| 2. Pledge of Allegiance | |
| 3. Roll Call | |
| 4. Welcome Remarks and Acknowledgment of Officials Past and Present | <i>Mayor</i> |
| 5. Remarks by Councilmembers | <i>Deputy Mayor</i> |
| 6. Remarks by Alison Relyea on the Living Landmarks Committee | |
| 7. A toast to Rye | <i>Mayor</i> |
| 8. Adjournment of Ceremonial Square House Meeting | |

Note: There will be a brief intermission between the Ceremonial Square House Meeting and the beginning of the Regular Meeting.

REGULAR MEETING (7:15 PM)

- 1. Report of the City Manager *City Manager*
- 2. Hearing of the Public on Non-Agenda Items *Mayor*

ACTION ITEMS

- 3. Consent Agenda *Clerk*
 - a. Approval of the Minutes of the City Council Meeting of March 25, 2026
 - b. Reschedule City Council Meeting originally scheduled for May 13, 2026, to May 6, 2026 at 8:00 PM
 - c. Approval of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays for the Down to Earth Farmer’s Market to be held weekly from April 26, 2026 – November 22, 2026
 - d. Approval of a resolution authorizing a grant application to the Hudson River Valley Greenway for funding assistance for updated comprehensive plan
 - e. Authorization to publish a Request for Proposal for a Central Business District Design Guidelines & Zoning Standards Study
- 4. Items Removed From the Consent Agenda (if any) *Mayor*
- 5. Appointments to Boards and Commissions *Mayor*
- 6. Approval of a resolution supporting an Inter-Municipal Cooperative Approach between the Village of Rye Brook, the Town of Harrison, and the City of Rye concerning the Blind Brook, and Storm Resilience *Councilwoman Baldwin*
- 7. Authorization for the City Manager to execute an agreement with Sport Tech Acrylics for renovations to the Pickleball Courts at Rye Recreation Park *City Manager*

PRESENTATIONS AND DISCUSSION/PUBLIC HEARINGS

- 8. Proposed additions to the Rules and Regulations of the City of Rye Police Department. *Public Safety Commissioner*
 - a. Policy 331 – Death Investigation

-
- b. Policy 416 – Field Training
 - c. Policy 417 – Air Support
 - d. Policy 418 – Contacts and Temporary Detentions
 - e. Policy 419 – Tour Supervisors

INFORMATION

9. Councilmember Reports

Deputy Mayor

10. Old Business-New Business

Mayor

EXECUTIVE SESSION I (If Necessary)

11. Litigation

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, April 29, 2026, at 6:30 p.m. for executive session and 7:00 p.m. for public session. The April 29th City Council meeting will be held at the Osborne Home located at 101 Theall Road, Rye, NY 10580.

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, City Manager

AGENDA ITEM: Approval of the Minutes of the City Council Meeting of March 25, 2026.

FOR THE MEETING OF:

April 15, 2026

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

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached March 25, 2026, meeting minutes.

UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held at City Hall on March 25, 2026, at 7:00 P.M.

PRESENT:

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

ABSENT:

ALSO ATTENDING:

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

The Council convened in City Hall at 7:06 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. The Mayor announced location changes for the April meetings due to construction at City Hall.

2. [Roll Call](#)

The City Clerk called the roll, and there was a quorum.

3. Community Spotlight

a) [Monarch Pledge](#)

Junior Commissioner of the Conservation Commission, Ava Perota, gave an overview of the importance of the Monarch butterfly.

b) [Presentation on Rye's Women Vets](#)

Councilperson Kesavan gave a presentation about the Women Veterans from the City of RYTe

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

City Manager Brian Shea updated the City Council on various items.

5. [Manager’s update on Traffic and Pedestrian Safety Matters](#)

6. [Hearing of the Public on Non-Agenda Items](#)

No one spoke.

ACTION ITEMS

7. [Consent Agenda](#)

- a) Approval of the Minutes of the City Council Meeting of March 11, 2026
- b) Approval of resolution authorizing the hiring of Joel R. Dichter of Dichter Law LLC as Special Counsel to Represent participating Westchester Municipalities in Monitoring the Con Edison Rate Settlement:

CONSIDERING AUTHORIZING THE HIRING OF JOEL R. DICHTER OF DICHTER LAW LLC AS SPECIAL COUNSEL TO REPRESENT PARTICIPATING WESTCHESTER MUNICIPALITIES IN MONITORING THE CON EDISON RATE SETTLEMENT

WHEREAS, the Westchester Municipal Consortium including the Village of Rye Brook hired Joel R. Dichter of Dichter Law LLC to represent participating Westchester County municipalities in Con Edison’s electric and gas rate case before the New York Public Service Commission; and

WHEREAS, the New York State Public Service Commission recently approved a three-year rate settlement with Con Edison starting January 1, 2026; and

WHEREAS, it is in the best interest of the Village of Rye Brook and the Westchester Municipal Consortium that the settlement be monitored for compliance with the terms agreed upon with the New York State Public Service Commission; and

WHEREAS, Joel R. Dichter of Dichter Law LLC has the necessary experience and expertise to represent the interests of the participating municipalities in this matter and has submitted a three-year monitoring proposal dated February 1, 2026; and

WHEREAS, the proposal includes monitoring submissions, respond thereto when necessary, participate in the WMC specific meetings, and provide periodic updates to the Westchester Municipal Consortium at a cost of \$1,250 per participating municipality per year.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of the Village of Rye Brook, as follows:

UNAPPROVED MINUTES – Regular Meeting - City Council
March 25, 2026

- 1) that the Village of Rye Brook Board of Trustees hereby authorizes the hiring of Joel R. Dichter of Dichter Law LLC as special counsel to represent participating Westchester municipalities of the Westchester Municipal Consortium to monitor the approved New York State Public Service Commission settlement in accordance with the three-year proposal from Joel R. Dichter of Dichter Law LLC dated February 11, 2026; and
- 2) The participating municipalities shall share the cost of legal and related fees incurred by Joel R. Dichter of Dichter Law LLC, with the total annual amount of such representation not to exceed \$1,250 per participating municipality; and
- 3) The Mayor and Village Administrator are hereby authorized to take all necessary actions to execute agreements and related documents and make payments in furtherance of this resolution.
 - c) Approval of a request from the Rye Sustainability Committee to host a Compost Giveback Day on Saturday, May 9, 2026, from 9:00 AM to 12:00 PM at Disbrow Park near the Food Scrap Recycling area, where Rye residents may collect free compost
 - d) Adoption of the 2026 County property tax rates

RESOLVED, that the tax rates for the amounts of Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District charges for the fiscal year beginning January 1, 2026, shall be as follows:

Westchester County

Levy	\$28,043,805
Taxable Assessed Value	145,726,013
Taxable Rate per \$1,000 Assessed Value	192.441997

Blind Brook Sewer District

Levy	\$ 7,375,735
Taxable Assessed Value	145,587,954
Taxable Rate per \$1,000 Assessed Value	50.661712

Mamaroneck Valley Sewer District

Levy	\$ 1,076,021
Taxable Assessed Value	19,970,314
Taxable Rate per \$1,000 Assessed Value	53.881026

Refuse Disposal District No. 1

Levy	\$ 3,544,113
Taxable Assessed Value	147,217,331
Taxable Rate per \$1,000 Assessed Value	24.074020

And be it further

RESOLVED, that the Council does hereby certify to the City Comptroller the above stated levies and tax rates for Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District No. 1 charges, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2026 at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums computed and determined, and, it is further

RESOLVED, that the tax warrant of Westchester County be signed by the Mayor and directed to the City Comptroller to collect the amount of said taxes with interest as provided by law and any special assessment heretofore authorized and approved.

- e) Approval of a proclamation declaring March 26, 2026 as Mayors’ Monarch Pledge Day in the City of Rye:

WHEREAS The monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, Both the western and eastern monarch populations have seen significant declines with less than one percent of the western monarch population remaining, while the eastern population has fallen by as much as ninety percent; and

WHEREAS, The City of Rye recognizes that human health ultimately depends on well-functioning ecosystems and that biodiverse regions can better support food production, healthy soil and air quality and can foster healthy connections between humans and wildlife ; and

WHEREAS, Cities, towns and counties have a critical role to play to help save the monarch butterfly, and the City of Rye is striving to become a leader; and

WHEREAS, On March 26, 2026, I Mayor Josh Nathan, signed the National Wildlife Federation’s Mayors’ Monarch Pledge and have officially committed to taking meaningful action to protect the monarch butterfly; and

WHEREAS, Every resident of the City of Rye can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, play and worship; and

NOW, THEREFORE, I Josh Nathan, by virtue of the authority vested in me as Mayor of the City of Rye, do hereby proclaim March 26, 2026 as: **Mayors’ Monarch Pledge Day** in the City of Rye and encourage all residents to participate in community activities that support and celebrate monarch conservation.

- f) Approval of a resolution supporting an Inter-Municipal Cooperative Approach with the Village of Mamaroneck, Town of Rye and the Town of Harrison for flood mitigation on and around the Mamaroneck River and Beaver Swamp Brook

**RESOLUTION SUPPORTING AN INTER-MUNICIPAL COOPERATIVE
APPROACH WITH THE VILLAGE OF MAMARONECK, TOWN OF RYE AND THE
TOWN OF HARRISON FOR FLOOD MITIGATION ON AND AROUND THE
MAMARONECK RIVER AND BEAVER SWAMP BROOK**

WHEREAS, the City of Rye experiences more and more frequent flooding events that adversely affect public safety, private property, critical infrastructure, and environmental resources; and

WHEREAS, the Mamaroneck River and the Beaver Swamp Brook traverse and hydrologically connect the Town of Harrison, The Town of Rye, the Village of Mamaroneck, and the City of Rye, such that flooding conditions and mitigation efforts in one municipality may have direct and material impacts on the others; and

WHEREAS, recent severe weather events have demonstrated the regional nature of flood risk within the Mamaroneck River watershed and the Beaver Swamp Brook corridor, underscoring the need for coordinated planning and response among affected municipalities; and

WHEREAS, an inter-municipal approach to flood mitigation can enhance the effectiveness of remedial measures through shared data, coordinated planning, identification of regionally impactful projects, and pursuit of state, federal, and other funding opportunities that may not be available to individual municipalities acting alone; and

WHEREAS, the City Council recognizes the importance of collaboration with neighboring municipalities to reduce flood risk, protect residents and businesses, and promote resilient and sustainable watershed management;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rye hereby expresses its support for and commitment to cooperate with the Village of Mamaroneck, Town of Rye, and the Town of Harrison in pursuing an inter-municipal approach to flood mitigation on and around the Mamaroneck River and the Beaver Swamp Brook; and be it further

RESOLVED, that such inter-municipal cooperation shall include, but not be limited to:

1. Sharing relevant hydrologic, engineering, environmental, and infrastructure data and other information related to flooding and flood mitigation within the shared waterways and watershed areas;
2. Collaboratively identifying, evaluating, and prioritizing flood mitigation projects and strategies that may have beneficial impacts across municipal boundaries;

3. Coordinating planning efforts, where appropriate, to ensure that proposed mitigation measures are complementary and do not adversely affect neighboring jurisdictions; and
4. Identifying, pursuing, and obtaining funding sources, including but not limited to state and federal grants and programs, necessary to implement appropriate and effective flood mitigation and remedial measures.

FURTHER RESOLVED, that the City Manager and other appropriate City officials, departments and staff are hereby authorized and directed to engage in discussions, data sharing, and cooperative planning efforts with the Village of Mamaroneck, Town of Rye and the Town of Harrison consistent with this resolution.

FURTHER RESOLVED, that this resolution is intended to express the City’s support and commitment to inter-municipal cooperation and does not, by itself, obligate the City to expend funds or enter into any binding agreement, unless and until such agreements are duly authorized by the City Council in accordance with applicable law.

On motion by Councilperson **Jensen**, seconded by Councilperson **Anderson**, it was:

RESOLVED to approve all Consent Agenda items.

Adopted by the following vote:

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

8. Items Removed from Consent Agenda
There were no items removed from Consent Agenda.
9. Appointments to Boards and Commissions
There were no appointments made.
10. [Consideration of a resolution to participate in the Long Island Sound Watershed Intermunicipal Council \(LISWIC\) and approval of an intermunicipal agreement.](#)

**CONSIDERING PARTICIPATION IN THE
LONG ISLAND SOUND WATERSHED INTERMUNICIPAL COUNCIL (LISWIC)
AND APPROVAL OF AN INTERMUNICIPAL AGREEMENT**

WHEREAS, the General Municipal Law of the State of New York, including Article 5-G and §239-n, authorizes municipalities to enter into intermunicipal agreements and to create intergovernmental

UNAPPROVED MINUTES – Regular Meeting - City Council
March 25, 2026

relations councils for the purposes of cooperative planning, research, information sharing, coordination of services, and joint action on matters of mutual concern; and

WHEREAS, the City of Rye lies wholly or partially within the Long Island Sound watershed and shares responsibility for protecting water quality, coastal and inland resources, public safety, infrastructure, and environmental resilience within that watershed; and

WHEREAS, the municipalities within the Long Island Sound watershed face shared and interrelated challenges, including but not limited to stormwater management, flooding and flood mitigation, shoreline protection, wetland and natural resource preservation, climate adaptation and resilience, water quality protection, and emergency preparedness; and

WHEREAS, the Long Island Sound Watershed Intermunicipal Council (LISWIC) has been established by participating municipalities to provide a formal structure for regional collaboration, education, coordination, advocacy, and the sharing of information, best practices, funding opportunities, and resources related to watershed protection and resilience; and

WHEREAS, membership in LISWIC will enable the City of Rye to collaborate with neighboring municipalities, counties, state and federal agencies, and other stakeholders in a coordinated and cost-effective manner, while preserving local authority over land use and municipal operations; and

WHEREAS, the governing body of the City of Rye has reviewed the proposed Intermunicipal Agreement establishing LISWIC, which sets forth the purpose, structure, governance, and administration of the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rye, that:

1. **Approval of Agreement:** The Intermunicipal Agreement establishing the Long Island Sound Watershed Intermunicipal Council (LISWIC) is hereby approved in substantially the form presented to this governing body.
2. **Authorization to Execute:** The City Manager or such other authorized municipal official, is hereby authorized and directed to execute the Intermunicipal Agreement on behalf of the City of Rye, together with any non-substantive or ministerial modifications approved by municipal counsel.
3. **Membership and Representation:** The City of Rye shall become a participating member of LISWIC and shall have two (2) representatives, and any alternates as permitted by the LISWIC bylaws, to serve on the LISWIC Board of Representatives.
4. **Purpose and Participation:** Participation in LISWIC shall be for the purpose of advancing regional cooperation related to watershed protection, flood mitigation, stormwater management, resilience planning, environmental stewardship, public education, intermunicipal coordination, and advocacy for funding and policy priorities at the county, state, and federal levels.

5. **No Limitation of Local Authority:** Nothing herein shall be construed to limit or delegate the land use authority, police powers, or legislative authority of the City of Rye, except as expressly provided in the Intermunicipal Agreement or as otherwise authorized by law.

6. **Effective Date:** This resolution shall take effect immediately upon adoption.

INFORMATION

11. [Councilmember Reports](#)

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

12. [Old Business – New Business](#)

Deputy Mayor Ward requested the City Manager conduct a financial and feasibility study aimed at revisiting the Foodscrap Recycling program.

13. Upcoming Proposed Additions to the Rules and Regulations of the City of Rye Police Department

- a) Policy 331 – Death Investigation
- b) Policy 416 – Field Training
- c) Policy 417 – Air Support
- d) Policy 418 – Contacts and Temporary Detention
- e) Policy 419 – Tour Supervisors

[ADJOURNMENT](#)

On motion of Councilperson Cunningham, seconded by Councilperson Ward, and with the Council in favor, the meeting was adjourned into Executive Session II at 7:56 P.M.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Reschedule City Council Meeting originally scheduled for May 13, 2026, to May 6, 2026 at 8:00 PM

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council approve the meeting change.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Approval of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays for the Down to Earth Farmer's Market to be held weekly from April 26, 2026 – November 22, 2026.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council consider the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached 2026 Operating Plan and Site Plan.

Exhibit A
2026 Operating Plan
Down to Earth Rye Farmers Market

The Rye Chamber of Commerce (the "Chamber") agrees to act as Site Sponsor for the seasonal outdoor farmers market ("the Market") to be operated by Zeltsman Associates, Inc, dba Down to Earth Market ("Down to Earth") according to the operating plan set forth in this document. This document is an Exhibit to the Agreement dated March 15, 2018 and replaces the Exhibit A, 2025 Operating Plan.

Farmers Markets serve an important purpose by providing a community with access to farm products that are locally grown and truly fresh while creating a place for friends and neighbors to meet. Additionally, farmer's markets stimulate shopping at nearby stores by providing an attraction to people from outside the immediate community. The goals of this farmer's market are:

- To give Rye area residents and visitors a place where they can purchase fresh products from local farms and food makers and the opportunity to interact with the people who grow, raise or make the food.
- To create a relaxed and friendly setting where people can meet their neighbors in a traditional open-air market setting.

Successful farmer's markets are a partnership between the market developer and the community. Each organization has its role and responsibilities and these are outlined below:

General Conditions

Season:	April 26, 2026 – November 22, 2026
Days & hours:	Sundays, 6:30AM-3:00PM, inclusive of set-up and break down time. Market is open to the public 8:30AM-1PM.
Market Location:	The City of Rye (the "City") will make available Parking Lot 2 off Theodore Fremd Avenue, behind the Purchase Street stores, for the farmers market. The Market will set up in the tier of parking spaces that runs parallel to Elm Street, between W. Purdy Avenue and Theodore Fremd Avenue (see Exhibit B, Site Plan).
Traffic Control:	Temporary barricades will be set up on market day to prevent vehicles from entering the market area while the market is operating. Barricades may include sawhorses, traffic cones, and/or vendor or Down to Earth staff vehicles.
Storage & bathroom:	The City will permit Down to Earth to place a portable toilet unit and two storage sheds to hold market equipment, tents, signs, etc. for the length of the market season. The portable toilet unit and sheds will be locked and secured outside of market operating hours and are to be used by Down to Earth Markets personnel and vendors only.

Down to Earth Responsibilities

<p>Market management & administration:</p>	<p>Down to Earth will operate the Market according to the General Policies and Rules it has established to guide the Market's operations. Down to Earth will hire a manager to be their agent at the Market site during operating hours to make sure the General Policies and Rules are followed and the market site is kept clean and orderly.</p>
<p>Vendor selection:</p>	<p>Down to Earth will determine the vendor mix and target number of vendors to be recruited for the Market. In typical seasons, this is eighteen to twenty-five vendors. While a reasonable effort will be made to incorporate the wishes of the community, Down to Earth reserves the exclusive right to determine the vendor mix according to its best judgment and to decide how many and which vendors to invite into the Market.</p>
<p>Market activity planning:</p>	<p>Down to Earth will work with the Chamber and the community to plan and schedule special programming at the farmers market. In addition, Chamber members may reserve a free space in the market once each season to conduct an information table (no sales). Site Sponsor, City, and community input on farmers market planning is welcome, but final decisions regarding market activities and events will be made by Down to Earth.</p>
<p>Vending fees:</p>	<p>Down to Earth will, at its sole discretion, establish vending fees that it charges the market vendors. These fees will be retained by Down to Earth as compensation for running the Market.</p>
<p>Insurance:</p>	<p>Down to Earth will maintain a general business liability insurance policy naming the Rye Chamber of Commerce and the City of Rye as an additional insured. The policy limits will be \$2,000,000 per incident, \$4,000,000 aggregate and will be in effect for the market season.</p> <p>Down to Earth will assure that all vendors selling in the Market maintain general and product liability insurance policies naming Down to Earth, the Rye Chamber of Commerce and the City of Rye as additional insured. These policies will be \$1,000,000 per incident, \$2,000,000 aggregate and will be in effect for the market season.</p>
<p>Vendor permitting:</p>	<p>Market vendors will be responsible for securing any licenses or permits required by county, state or federal laws and complying with all health and safety regulations governing their products.</p>
<p>Promotion & advertising:</p>	<p>Down to Earth will develop and implement a promotion plan that incorporates the variety of media, signage and approaches that they consider best for this market.</p> <p>Down to Earth will be responsible for designing and producing all printed materials, advertisements, banners and signs promoting the Market. All materials will bear the logo, tag lines and color schemes of the Down to Earth brand identity.</p>

Clean-up & sanitation:	<p>At the end of each market day vendors will leave their areas broom clean and remove their own rubbish. The market manager will make sure the entire site is left as found.</p> <p>Down to Earth will, at its own expense, provide a portable toilet and handwashing unit for vendors to use during market hours. The unit will be placed in the Market area for the duration of the Market season. Down to Earth will engage a company to clean and service the unit weekly. The unit will be kept locked outside of Market operating hours.</p>
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Rye Chamber of Commerce and City of Rye Responsibilities

Site conditions & maintenance:	<p>The City will retain all responsibility for maintaining generally safe conditions of the market site such as patching broken pavement that could cause shoppers to fall.</p> <p>The City will provide two trash receptacles for use by the shoppers and empty it after the market closes.</p> <p>The City will install a temporary fence around the portable toilet unit at no expense to Down to Earth.</p>
Traffic control:	<p>The City will enforce parking restrictions to keep the Market area free from vehicles on Sunday mornings during the market season. Down to Earth may post temporary "No Parking Sunday, 6:30AM-2:30PM" signs in the market area.</p>
Signage:	<p>The City will permit Down to Earth to set out temporary signs at the entrances to Parking Lot 2, including A-frame signs and lawn signs, for the duration of each Market day. The City will permit Down to Earth to place an A-frame or similar sign on Purchase Street at Boston Post Road for the duration of each Market day.</p> <p>The City will hang four pole banners, provided by Down to Earth, near the Market site, at no cost to down to Earth.</p>
Promotion:	<p>The Chamber will include information about the Market in the publications, websites, and event listings that it maintains as an information service for its residents and constituents.</p> <p>The Chamber and the City will allow Down to Earth to hang posters on community bulletin boards and distribute flyers to promote the farmers market as appropriate in local businesses and municipal buildings.</p>

For Zeltsman Associates, Inc.
dba Down to Earth Market

By Dacotah Rousseau

Print Dacotah Rousseau

Date 02/05/26

For Rye Chamber of Commerce

By  Tim Cacase

Print Tim Cacase

Date 02/05/26

Exhibit B
Site Plan
Down to Earth Rye Farmers Market

This document is an Exhibit to the Agreement dated March 15, 2018 and replaces any previous Exhibit B.



The market site is outlined in red



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Approval of a resolution authorizing a grant application to the Hudson River Valley Greenway for funding assistance for an Updated Comprehensive Plan.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council consider adopting the resolution.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached resolution.



CITY OF RYE

RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE HUDSON RIVER VALLEY GREENWAY FOR FUNDING ASSISTANCE FOR UPDATED COMPREHENSIVE PLAN

WHEREAS, the City of Rye is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for a project to update the City of Rye Comprehensive Plan; and

NOW, THEREFORE, be it resolved that the governing board of the City of Rye City Council hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as City of Rye Comprehensive Plan.

On a motion by _____ seconded by _____, the foregoing Resolution was adopted on a vote of ___ Ayes, ___ Nays and ___ Absents. The Council President declared the Resolution adopted.

City Council present were:

NAME	VOTE	AYE	NAY

CERTIFICATE OF RECORDING OFFICER

**STATE OF NEW YORK
COUNTY OF WESTCHESTER**

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the City of Rye City Council duly held on the ____ day of _____, 2026; and further that such Resolution has been fully recorded in the _____ in my office. *(Title of Record Book)*

In witness thereof, I have hereunto set my hand this ____ day of _____, 2026.

Signature of Recording Officer
(If the Applicant has an Official Seal, Impress here.)

Title of Recording Officer

<Insert Date>



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Authorization to publish a Request for Proposal for a Central Business District Design Guidelines & Zoning Standards Study.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council authorize the RFP

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached RFP

CITY OF RYE, NEW YORK

REQUEST FOR PROPOSALS

Central Business District

Design Guidelines & Zoning Standards

Issuing Department:	City of Rye Planning Department
Issue Date:	April 17, 2026
Proposals Due:	May 1, 2026 4:00 PM Eastern Time
Budget:	Not to exceed \$60,000
Project Duration:	Six (6) months from contract execution
Contact:	Christian K. Miller, City Planner cmiller@ryeny.gov 914-967-7167

1. Introduction & Background

The City of Rye, New York invites proposals from qualified planning, urban design, and zoning consultants to develop comprehensive Design Guidelines and updated Zoning Standards for the City's Central Business District (CBD). This initiative reflects the City's commitment to preserving the character of its downtown while fostering appropriate mixed-use development, improving the pedestrian experience, developing consensus regarding preferred outcomes for future underdeveloped areas and providing clear, objective standards that guide future investment.

Rye's CBD is a vibrant, walkable downtown with deep historic roots, anchored by a mixed-use commercial core along 1,500 feet of Purchase Street between Rye City Hall and the Metro-North rail station. The district features a distinctive blend of historic and notable architecture largely consisting of one- to four-story buildings having ground-floor retail and service businesses with residential or office uses above. Vacancy rates are generally low and evening activity has increased over the years because of the active restaurant life. Many of the CBD's distinctive buildings and streetscape features remain largely unchanged over the last 100 years.

The CBD's popularity and rising values have triggered increasing investment by private property owners to improve buildings with substantial modifications or demolition and construction of new buildings. These changes have generated some community concern regarding impacts this development is having on the district's existing character.

In response to these concerns, the Rye City Council formed the CBD Development Review Committee. In June 2025, the Committee completed a report for the City Council that highlights the CBD's existing physical development qualities and identifies notable or historic buildings. It provides an analysis of existing zoning regulations in the CBD and reviews recently constructed or approved buildings. The report identifies properties with additional development potential under existing zoning as well as a potential opportunity to improve buildings and properties along McCullough Place with a re-imagined coordinated development strategy to create a more desirable connection between the Rye Train Station and the Purchase Street core. The report recommends that modifications to the Zoning Code and codification of design expectations with design guidelines would help ensure proper contextual development that complements and reinforces the district's existing character.¹

This project will result in two primary work products: (1) an Illustrated Design Guidelines document suitable for use by applicants, property owners, and review boards; and (2) recommended Zoning Code amendments establishing objective design and development standards for the CBD, ready for adoption by the City Council.

2. Project Goals

The City seeks to achieve the following goals through this engagement:

- Establish clear, illustrated design standards for building facades, massing, materials, signage, and landscaping that reflect Rye's small-city downtown identity.
- Recommend modifications in CBD zoning standards to support mixed-use development with residential uses above ground-floor commercial, in keeping with existing patterns.
- Provide guidance that enables the Planning Commission, Architectural Review Board, Board of Appeals and staff to apply consistent, predictable standards during project review.
- Engage property owners, residents, business owners, and other stakeholders meaningfully in the development of the guidelines and standards.
- Preserve and enhance the character of the CBD.
- Produce zoning text that is legally defensible, objective, and ready for adoption.

¹ A copy of the June 2025 report can be found at the CBD Committee website at <https://engage.ryeny.gov/cbd-review>

3. Scope of Services

The selected consultant shall complete all tasks described below within six (6) months of contract execution. Consultants are encouraged to propose refinements to this scope that would improve project outcomes or efficiency.

Task 1 – Project Initiation & Kick-Off

- Attend a kick-off meeting with City staff, the City Planner, and relevant board representatives and community members.
- Review all existing relevant documents, including the City's Zoning Code, Comprehensive Plan and prior planning studies.
- Conduct a field survey of the CBD to assess existing conditions, building stock, land use patterns, and streetscape character.
- Prepare a Project Work Plan and schedule for City review and approval.

Task 2 – Community Engagement

The consultant shall design and facilitate a meaningful community engagement process that reflects best practices in public participation. The goal of the engagement is to capture community consensus regarding desirable qualities of the CBD that merit preservation and enhancement, identify areas of concern related to physical development and to identify preferred building design scenarios for inevitable future development. At minimum, the engagement process shall include:

- One (1) public kick-off meeting or open house to introduce the project and gather initial community input.
- Present illustrations of development potential of existing under-developed properties possible under existing zoning code requirements.
- Present illustrations of alternative development scenarios to assess community response.
- An online survey or interactive feedback tool accessible to residents, business owners, and property owners.
- Targeted outreach to key stakeholder groups, including the Chamber of Commerce, property owners, the Planning Commission, Architectural Review Board and the Board of Appeals.
- One (1) public presentation of the draft design guidelines and potential zoning standards to gather feedback prior to finalization.

The consultant shall prepare meeting materials, facilitate all public sessions, and summarize engagement findings in a brief Engagement Summary report.

Task 3 – Design Guidelines Document

The consultant shall develop a comprehensive, illustrated Design Guidelines document for the CBD. The document shall address, at minimum:

- **Building Scale, Massing & Setbacks:** Standards for building height, setbacks, and relationship to the street and adjacent properties.
- **Architectural Character & Facade Design:** Standards for facade composition, rhythm, proportion, transparency, and compatibility with historic building patterns.
- **Materials & Colors:** Guidance on preferred and discouraged materials, and a palette appropriate to Rye's historic downtown context.
- **Ground-Floor Activation:** Standards for storefront design, transparency, entrances, and uses that support pedestrian activity.
- **Upper-Floor Residential:** Guidance for the design of residential uses above ground-floor commercial, including window patterns, balconies, and roof treatment.
- **Signage:** Standards for commercial signage types, size, placement, materials, and lighting.
- **Lighting:** Guidance on exterior lighting fixtures, placement, and illumination levels.
- **Landscaping & Street Furniture:** Standards for planters, street trees, benches, and other elements within the public realm adjacent to private property.
- **Parking & Service Areas:** Standards for the design and screening of surface parking, loading areas, refuse and recyclables and mechanical equipment.

The Design Guidelines document shall be formatted for public use, include high-quality photographs, illustrations, and diagrams, and be provided in both print-ready PDF and accessible digital formats.

Task 4 – Zoning Standards (Draft Code Amendments)

The consultant shall review and assess existing zoning code requirements and recommend (as necessary) potential amendments to the City of Rye Zoning Code that would be support of the findings identified in the community engagement process. Amendments shall be objective, legally defensible, and consistent with applicable New York State law. The draft amendments shall address, at minimum:

- Permitted uses, special uses, and prohibited uses within the CBD.
- Dimensional standards including minimum and maximum lot coverage, setbacks, building height, and floor area ratio.
- Mixed-use requirements establishing minimum ground-floor commercial use and conditions for residential uses above.

- Objective design standards for building facades, materials, and streetscape interface that can be applied during site plan and architectural review
- Parking standards, including any reductions or alternatives appropriate to a walkable CBD context.

The consultant shall coordinate with City staff and the City Attorney throughout the drafting process to ensure all amendments are legally sound and properly formatted for adoption. The consultant shall present draft amendments to the Planning Commission and/or City Council as requested by staff.

Task 5 – Final Deliverables & Adoption Support

- Finalize the Design Guidelines document incorporating all public and board feedback.
- Finalize the draft Zoning Code amendments and prepare a SEQRA Environmental Assessment Form (EAF) as required.
- Attend up to two (2) public hearings or board meetings to present final work products and respond to questions.
- Submit all final deliverables in the formats specified in Section 4.

4. Deliverables

The following deliverables are required upon project completion:

- Illustrated Design Guidelines Document — print-ready PDF and editable source file (InDesign or equivalent).
- Draft Zoning Code Amendments — Microsoft Word format, formatted for legislative adoption.
- Community Engagement Summary Report — PDF summarizing outreach activities and public input received.
- SEQRA Environmental Assessment Form (EAF) — completed short or full form as determined with City staff.
- All GIS data, base maps, and graphics produced during the project.
- Project files and working documents provided to the City upon project completion.

5. Proposal Requirements

Proposals must be submitted as a single PDF document and shall include the following sections in the order listed below. All pages shall be consecutively numbered.

5.1 Cover Letter

A brief cover letter signed by an authorized representative of the firm, confirming the firm's interest, availability, and ability to complete the project within the budget and timeline specified.

5.2 Firm Qualifications & Relevant Experience

A description of the firm's qualifications, organizational structure, and relevant experience. Include a minimum of three (3) comparable project examples involving downtown design guidelines and/or zoning standards for historic or mixed-use commercial districts in communities of comparable scale to Rye. For each example, provide:

- Project name and location
- Scope of services and deliverables
- Client name and contact information (for reference purposes)
- Year completed

5.3 Key Personnel

Identify all key personnel who will be assigned to this project. For each person, provide a brief resume, their role in this project, and their relevant qualifications. Identify the Project Manager who will serve as the primary point of contact for the City. Subcontractors or subconsultants shall be identified and their qualifications described.

5.4 Technical Approach & Work Plan

A detailed description of the consultant's approach to each task in the Scope of Services, including:

- Methodology for community engagement and stakeholder outreach
- Approach to historic character analysis and design standards development
- Approach to zoning code drafting and coordination with the City Attorney
- Any proposed modifications to the Scope that would improve project outcomes

5.5 Project Schedule

A detailed project schedule identifying major milestones, deliverables, and key decision points. The schedule shall demonstrate that all work can be completed within six (6) months of contract execution.

5.6 Fee Proposal

A detailed fee proposal organized by task, including:

- Hours and hourly rates by task and personnel classification
- Reimbursable expenses, if any
- A not-to-exceed total fee

The City's budget for this engagement is not to exceed \$60,000, inclusive of all fees and expenses. Proposals exceeding this amount will not be considered.

6. Evaluation Criteria

Proposals will be evaluated by a review committee comprising City staff and Planning Commission representatives. Proposals will be scored according to the following criteria: wa

Evaluation Criterion	Max Points
Relevant experience with downtown design guidelines and zoning standards for historic/mixed-use districts	30
Quality and clarity of proposed technical approach and work plan	25
Community engagement methodology and demonstrated ability to facilitate meaningful public participation	20
Qualifications and experience of key personnel assigned to the project	15
Cost-effectiveness and clarity of fee proposal	10
TOTAL	100

The City reserves the right to conduct interviews with short-listed firms prior to final selection. The City also reserves the right to reject any or all proposals, to waive informalities, and to negotiate the final scope and fee with the top-ranked firm.

7. Submission Instructions

Proposals must be submitted electronically as a single PDF document via email to:

Christian K. Miller, City Planner
 City of Rye Planning Development

cmiller@ryeny.gov

Subject Line: CBD Design Guidelines & Zoning Standards RFP

Proposals must be received no later than 4:00 PM Eastern Time on **May1, 2026**. Late submissions will not be accepted. The City is not responsible for technical difficulties in transmission.

Files exceeding 20 MB should be submitted via a shared link (Google Drive, Dropbox, or equivalent). Do not submit proposals by postal mail unless prior arrangements have been made with the contact above.

8. Project Timeline

The following schedule governs this procurement and the anticipated project timeline:

Milestone	Target Date
RFP Issued	April 17, 2026
Proposals Due	May 1, 2026
Interviews (if conducted)	May 4-15, 2026
Consultant Selection	May 15-29, 2026
Contract Execution	June 1, 2026
Project Completion	Six (6) months from contract execution

9. Questions & Addenda

Questions regarding this RFP must be submitted in writing to the contact listed in Section 7 no later than May 1, 2026. Responses to all questions received will be issued as a written addendum and distributed to all firms that have provided contact information to the City. Verbal responses shall not be binding.

10. Terms & Conditions

10.1 Right to Reject

The City of Rye reserves the right to reject any or all proposals, to waive technical deficiencies, and to accept the proposal deemed most advantageous to the City. This RFP does not constitute a contract or commitment to contract.

10.2 Costs of Proposal Preparation

All costs associated with the preparation and submission of a proposal shall be borne by the proposing firm. The City shall not be liable for any such costs.

10.3 Conflict of Interest

Proposers must disclose any actual or potential conflicts of interest, including prior work for property owners within the CBD study area. The City reserves the right to disqualify proposals where a conflict of interest exists.

10.4 Equal Opportunity

The City of Rye is an Equal Opportunity Employer and encourages proposals from Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), and Service-Disabled Veteran-Owned Businesses (SDVOBs). Proposers are encouraged to identify any such certifications held by the firm or its subconsultants.

10.5 Public Records

All proposals submitted in response to this RFP are subject to disclosure under the New York State Freedom of Information Law (FOIL) following the completion of the procurement process.

City of Rye, New York | Planning Department

1051 Boston Post Road, Rye, NY 10580

April 17, 2026



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Appointments to Boards and Commissions.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council approve the appointment.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Approval of a resolution supporting an Inter-Municipal Cooperative Approach between the Village of Rye Brook, the Town of Harrison, and the City of Rye concerning the Blind Brook, Flood Mitigation and Storm Resilience.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council consider adopting the resolution.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached resolution.



CITY OF RYE

RESOLUTION SUPPORTING AN INTER-MUNICIPAL COOPERATIVE APPROACH BETWEEN THE VILLAGE OF RYE BROOK, THE TOWN OF HARRISON, AND THE CITY OF RYE CONCERNING THE BLIND BROOK, FLOOD MITIGATION, AND STORM RESILIENCE

WHEREAS, the City of Rye experiences more and more frequent flooding events that adversely affect public safety, private property, critical infrastructure, and environmental resources; and

WHEREAS, Blind Brook traverses and hydrologically connects the Village of Rye Brook, the Town of Harrison, and the City of Rye, such that flooding conditions and mitigation efforts in one municipality may have direct and material impacts on the other; and

WHEREAS, recent severe weather events have demonstrated the regional nature of flood risk within the Blind Brook watershed and corridor, underscoring the need for coordinated planning and response among affected municipalities; and

WHEREAS, an inter-municipal approach to flood mitigation can enhance the effectiveness of remedial measures through shared data, coordinated planning, identification of regionally impactful projects, and pursuit of state, federal, and other funding opportunities that may not be available to individual municipalities acting alone; and

WHEREAS, the City Council recognizes the importance of collaboration with neighboring municipalities to reduce flood risk, protect residents and businesses, and promote resilient and sustainable watershed management;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rye hereby expresses its support for and commitment to cooperate with the Village of Rye Brook and the Town of Harrison in pursuing an inter-municipal approach to flood mitigation on and around the Blind Brook; and be it further

RESOLVED, that such inter-municipal cooperation shall include, but not be limited to:

1. Sharing relevant hydrologic, engineering, environmental, and infrastructure data and other information related to flooding and flood mitigation within the shared waterways and watershed areas;
2. Collaboratively identifying, evaluating, and prioritizing flood mitigation projects and strategies that may have beneficial impacts across municipal boundaries;

3. Coordinating planning efforts, where appropriate, to ensure that proposed mitigation measures are complementary and do not adversely affect neighboring jurisdictions; and
4. Identifying, pursuing, and obtaining funding sources, including but not limited to state and federal grants and programs, necessary to implement appropriate and effective flood mitigation and remedial measures.

FURTHER RESOLVED, that the City Manager and other appropriate City officials, departments and staff are hereby authorized and directed to engage in discussions, data sharing, and cooperative planning efforts with the Village of Rye Brook and the Town of Harrison consistent with this resolution.

FURTHER RESOLVED, that this resolution is intended to express the City's support and commitment to inter-municipal cooperation and does not, by itself, obligate the City to expend funds or enter into any binding agreement, unless and until such agreements are duly authorized by the City Council in accordance with applicable law.

On the motion of Councilperson _____, seconded by _____, the foregoing was adopted by the following vote:

AYES: _____

NAYS: _____

ABSENT: _____



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

AGENDA ITEM: Authorization for the City Manager to execute an agreement with Sport Tech Acrylics for renovations to the Pickleball Courts at Rye Recreation Park.

FOR THE MEETING OF:

April 15, 2026

RECOMMENDATION: That the Council consider the following resolution:

RESOLVED the City Manager is authorized to execute an agreement with Sport Tech Acrylics for Pickleball Court renovations with funding from the Rye Rec operating budget, reserve accounts or the Capex Reserve Fund.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached memo from the Rye Recreation Superintendent.

Erin Mantz
Recreation Superintendent
Rye, New York 10580



CITY OF RYE

Tel: (914) 967-2535
Fax: (914) 967-5521
E-mail: recreation@ryeny.gov
<http://www.ryeny.gov>

Recreation Department

Memorandum

To: Brian Shea, City Manager
From: Erin Mantz, Recreation Superintendent
Date: 4/7/2026
Re: Pickleball Court Repair

The Recreation Department, in coordination with the Recreation Commission, respectfully submits this memo to recommend funding in the amount of **\$130,000** for the installation of an overlay system on the City's pickleball courts at Recreation Park.

Over the past three years, the condition of the existing pickleball courts has significantly deteriorated. The playing surface is currently peeling and separating, creating loose and unstable conditions that pose a safety concern for users. At this time, the courts are no longer considered safe for play. It is important to note that the current pickleball courts are utilizing a 20+ year-old tennis court surface, which is well beyond its intended lifespan.

In an effort to extend the life of the courts, the Department has performed seasonal spot repairs over the past two years. These temporary fixes, funded through the annual operating budget each spring, have proven ineffective and short-lived. Despite these efforts, the underlying issues continue to worsen.

After consulting with multiple contractors and reviewing several proposals, the Recreation Department and Recreation Commission have determined that a full overlay system is the most responsible and cost-effective long-term solution. While lower-cost repair options are available, they offer limited or no warranty protection and do not address the root cause of the surface failure. As such, these alternatives are not considered a prudent investment of public funds or in the best interest of the community.

The recommended overlay system includes a 5-year warranty and is expected to provide a useful lifespan of approximately 8–10 years, offering both durability and value. This approach ensures a safe, high-quality playing surface for residents while reducing the need for continued short-term repairs.



Given the current unsafe conditions and the growing popularity and demand for pickleball within the community, we strongly recommend approval of this funding request.

Thank you for your consideration.





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 331 – Death Investigation
- Policy 416 – Field Training
- Policy 417 – Air Support
- Policy 418 – Contacts and Temporary Detentions
- Policy 419 – Tour Supervisors

FOR THE MEETING OF:

April 15, 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



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: 03/25/2026
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 331 – Death Investigation

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Policy 416 – Field Training

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures and operations of the Rye Police Department.

Policy 417 – Air Support

The use of air support can be invaluable in certain situations. This policy specifies where the use of air support may be requested and the responsibilities for making a request.

Policy 418 – Contacts and Temporary Detentions

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews and pat-down searches, and the taking and disposition of photographs.

Policy 419 – Tour Supervisors

This policy provides guidelines for the designation of a Tour Supervisor and, as needed, an acting Tour Supervisor for each shift.

Death Investigation

331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

The term "deceased person", for reporting purposes shall include any human being, including a fetus of more than twenty-four weeks, that lacks any vital signs and is ultimately pronounced dead by a medical doctor, nurse, paramedic, physician assistant, or Medical Examiner Investigator.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

331.2 POLICY

It is the policy of the Rye Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

331.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

The assigned member shall:

- (a) The scene should be secured from unauthorized personnel.
- (b) The deceased person should be covered with a waterproof covering if publicly exposed.
- (c) Efforts should be made to screen areas from public view.
- (d) If the death is of a suspicious nature, obtain names of witnesses and detain at the scene.
- (e) Record identification of the deceased. If not possible, record an accurate description of the body and clothing.
- (f) Safeguard the body and effects until instructions are received from the Tour Supervisor.

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Detective Division Commander as necessary. The Tour Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

331.3.1 REPORTING

All incidents involving a death shall be documented on the appropriate form.

Death Investigation

331.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death unless they are also Medical Examiners, Deputy Medical Examiners, or appointed Medical Examiner investigators. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner be notified in any of the following cases (County Law § 671; County Law § 673):

- (a) Violent death, whether by criminal violence, suicide, or casualty
- (b) Death caused by unlawful act or criminal neglect
- (c) Death occurring in a suspicious, unusual, or unexplained manner
- (d) Death while unattended by a physician or where no physician is able to certify the cause of death
- (e) Death, whether natural or unnatural, of a person confined to a correctional facility or other public institution other than a hospital, infirmary, or nursing home

331.3.3 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death. An officer at the scene shall witness the search and, at the request of the Medical Examiner, sign the property forms listing the items found on the body. The Medical Examiner will retain the property and forms. The Medical Examiner does not take or retain evidence.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.

Death Investigation

- (f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

331.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Detective Division shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Tour Supervisor or Detective Division supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide. When appropriate or necessary the Tour Supervisor shall contact the New York State Police or local Bureau of Criminal Investigation for assistance.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

331.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is promptly notified of all pertinent information.

331.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report. The investigating officer shall enter a description of the unidentified body into the eJusticeNY Integrated Justice Portal.

331.5 HOSPICE DEATH

The hospice patient's nurse is not required to notify this department when a hospice patient expires. If, however, a hospice nurse calls and states there are suspicious circumstances involved in the death, members will follow other sections in this order. If a hospice nurse requests an officer to respond in a normal hospice death, the officer will respond and take an incident report. The hospice nurse will provide his/her ID card. All of his/her information will be taken in order to fill out the person reporting section. If the officer feels the death is not of a suspicious nature, they will request the Desk Officer call the Medical Examiner's office.

331.6 D.O.A. - NO FAMILY MEMBERS AVAILABLE

When the department is notified of a DOA, and no family members are available to handle funeral arrangements and qualify with the Surrogate's Court, all assets in the decedent's residence (cash, jewelry, keys, etc.) are to be secured by the officer in charge and inventoried. If an original will is recovered among the deceased's effects, the attorney who prepared this document should be

Death Investigation

notified immediately. If the attorney or the named executor refuses or neglects to proceed or cannot be located, the Detectives will take custody of the valuables and notify the office of Public Administrator. The premises are to be secured by the officer in charge. If the matter called in by Detectives is a Public Administrator's case, an Estate Investigator will respond to sign for and take possession of the personal property. A copy of the police report will be provided to the Estate Investigator along with all pertinent information concerning the case. Under no circumstances are assets to be released to non-family members (in-laws/relatives by marriage or second cousins).

331.7 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification shall be made consistent with the Municipal Police Training Council In-Person Death Notifications Model Policy. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

331.7.1 STATE REQUIREMENTS

Death notifications should be made within 24 hours following the identification of the deceased person. Any delay past 24 hours should be documented, and reasonable steps should be taken to make the death notification as soon as practicable thereafter (Executive Law § 840).

The next of kin should be provided with information about programs and support services available to them (Executive Law § 840).

331.7.2 IN-PERSON DEATH NOTIFICATION PROCEDURES

Definitions

- (a) Decedent - The person(s) that has/have died and is the subject of the in-person death notification.
- (b) Family Assistance Center (FAC) - A family assistance center (FAC) is a secure facility established following a mass casualty incident to provide information to next of kin about missing or unaccounted persons and the deceased, and to provide services for victims and their loved ones.
- (c) Next of Kin (NOK) - The closest relative of the decedent (e.g., spouse, parents, siblings, significant others, and children).
- (d) Notification Team - A team of two people, at least one of whom is a uniformed LEO who has experience in delivering in-person death notifications and has received training in the same. The second member may be an additional LEO, victim advocate, chaplain, social worker or other individual deemed an appropriate team member. The team is responsible for ensuring both a timely positive identification has been made of the decedent and notification of the death to the appropriate family member(s) is made in addition to any necessary follow-up support.

Death Investigation

Planning the in-person death notification

- (a) Gather and verify essential information using a secure means of communication (i.e., landlines, cell phones) to guard against the premature release of information to unauthorized persons.
 1. Identification of decedent – Positive identification of the decedent must be made before conducting the in-person death notification to ensure there is no unnecessary trauma towards the affected NOK and others who may be mistakenly contacted. In addition, the NOK will often inquire about law enforcement's certainty of the decedent's identification. The following are Identifiers to ensure the decedent has been positively identified which may include but not be limited to:
 - (a) Fingerprints, DNA, and dental records
 - (b) Identification documents or other items found on the decedent
 - (c) Identification by witnesses
 2. Identify details of decedent – details and circumstances of the death must be known to deliver a proper death notification statement which may include but not be limited to:
 - (a) Location of death
 - (b) When death occurred
 - (c) Other details such as:
 1. Was it a result of criminal act?
 2. Was an arrest made or suspect identified?
 3. Current location of the decedent
 3. Identify decedent's legal NOK
 - (a) Identify the closest NOK with respect to relationship of the decedent and physical location of the NOK to deliver the notification. Identification of NOK should be conducted as quickly as possible beginning with spouse or domestic partner, and if necessary, followed by adult child, parent, adult sibling, and other relatives until an appropriate NOK is identified.
 - (b) Identify, when reasonably possible given time limitations, any special or unique circumstances that may impact the delivery of the notification and affect the NOK who will be receiving the notification. This may include ascertaining whether survivors are older adults, have a disability, visually impaired, hard of hearing, have medical concerns, and/or existence of language barriers.
 - (c) Do not release to the media or other outside resources the name of the decedent until the NOK is notified. If media has already obtained information related to the death, they should be asked to withhold the information until after the notification has been completed.

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(b) Notification Team

1. Team member structure

(a) Two members will comprise the team with at least one member being a law enforcement officer experienced in delivering death notifications, whenever feasible and practicable.

1. One member will be the primary contact to deliver the notification.
2. The second member will provide support and monitor the NOK and surroundings.

(b) Consider the following characteristics of effective team members that will aid in supporting the family during a difficult time.

1. Strong listening skills
2. Empathy
3. Compassion
4. Thoroughness
5. Professional demeanor

(c) Consideration should be given to:

1. Utilizing a uniform versus plain clothes officer.
2. Uniform officer may be utilized to prevent confusion in allowing entry into a home.
3. In some instances, a plain clothes officer may be utilized to remove intimidating feeling or heightened anxieties a uniformed officer may create.
4. Utilizing an investigator who may have the most facts about the case to deliver the notification.
5. Utilizing two vehicles to deliver the notification to ensure one notifier stays with the NOK during instances such as when:
 - (a) A NOK in shock may need to be taken to the hospital; or
 - (b) Transportation is necessary to bring other family, friends, and support to the location.

(d) Depending on the situation, a civilian who can provide necessary support to the NOK, including support after the notification is made, may also be of assistance. This may include civilians such as a:

1. Victim advocate
2. Medical Examiner
3. Coroner
4. Clergy person

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5. Grief counselor, or
6. Close friend of single survivor.

Preparing the notification

- (a) Notification team will:
 1. Assign pre-planned roles that includes one team member conducting the actual notification and the other serving a support role monitoring the situation.
 2. Verify and confirm information gathered about decedent and NOK and tailor the notification, as necessary.
 - (a) Pre-determine the level of detail about the specific cause of death to be provided to the NOK.
 - (b) Careful consideration must be made regarding releasing certain details if the death is part of a criminal investigation.
 - (c) Prepare to explain to the NOK why certain details are being withheld at the time of the notification to reduce additional frustration or grief.
 3. Identify any resources that will assist in tailoring the delivery of the notification giving attention to any known special considerations (See Special Considerations)
 4. Discuss reactions Notification Team members may have about the decedent's death to better prepare for a calm and impartial delivery of the notification without imposing personal thoughts or religious beliefs onto the NOK.
 5. Prepare in advance responses to how the NOK may react (e.g., shock, fear, anger, confusion, extreme distress, adverse physical or medical reaction).
 6. Rehearse delivering the notification to ensure a clear and compassionate delivery.

When NOK is located out of state or otherwise an impractical distance

- (a) Communicate with local law enforcement in the vicinity of the NOK so that they can make the in-person notification.
- (b) Provide necessary information to the local police department including but not limited to:
 1. The full name, date of birth, and other identifiers of the decedent.
 2. The full name and address of the NOK to be notified.
 3. A synopsis of the circumstances surrounding the decedent's death.
 4. The name, address, and telephone number of the location where the decedent is located.
 5. Contact information of the investigating officer and their police department.
- (c) Consideration may be given to providing the local police department with any guidance in delivering the notification consistent with this policy.

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- (d) Verify with the notifying agency that the notification has been made.
- (e) Referring Notification Team members shall be available to answer additional questions the family may have for the local police department making the notification.
- (f) Contact the proper foreign embassy when the decedent and their family is not a resident of the United States.
- (g) Follow the guidelines within this policy to conduct an in-person death notification on behalf of an outside requesting agency. This will require obtaining the necessary information from the requesting agency to ensure a properly planned and delivered notification is made.

Delivering the Death Notification

- (a) The death notification shall always be made in person to the decedent's NOK within twenty-four hours following the identification of the decedent. If the closest NOK is unavailable or there is reason to believe there will be considerable delay in conducting an in-person death notification within such timeframe, the following steps shall be taken:
 - 1. Document the failure or delay.
 - 2. Notify a supervisor.
 - 3. Evaluate time elapsed and the need to notify the next closest NOK.
 - 4. Conduct the notification as soon as practicable.
- (b) Personal items of the decedent shall not be delivered to the NOK at the time of the death notification.

Introduction of Notification Team to NOK

- (a) Verify accuracy of the location upon arrival.
- (b) Identify Notification Team by name, rank, and department affiliation to the NOK and produce credentials. If wearing a hat, take it off.
- (c) Ask to speak to the immediate NOK by name and verify identity. For example, ask "Are you Dave and Mary Smith?" Confirm the relationship to the decedent.
 - 1. If immediate NOK identified during planning stage is not the first contact with the Notification Team, request the individual to provide whereabouts of NOK without providing explanations at that time.
 - 2. If NOK is to be notified at a place of business, see Special Considerations section, Workplace/business notifications Section.
- (d) Ask permission to enter the residence or, in the case of a workplace/business or other location, move to a place of privacy.
- (e) Consult with the immediate NOK to determine if other members of the family who may be present are to be brought together for the notification.

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1. Ask to speak with the NOK away from young children if present, unless the NOK has requested their presence while a notification is being delivered (see Special Considerations Section).

(f) Encourage all parties to sit down. notification Team should sit as well.

Making the Notification

- (a) Use plain language with warmth and compassion avoiding police jargon and gruesome details.
- (b) Be sure to use the decedent's name and avoid such terms as "remains", "corpse" or "the body".
- (c) Begin the notification with a preparatory statement. "I am sorry to have to tell you this," or "I have some very bad news to tell you."
- (d) Immediately follow up with the actual notification spoken plainly with compassion, but without confusing terms or euphemisms such as "passed away" or "no longer with us" to avoid creating confusion or false hope. Examples that are appropriate to use:
 1. "Your son, John, was in a car crash and he has died," or
 2. "Your wife, Mary, has had a heart attack at work and has died."

Post notification

- (a) Be prepared for unexpected responses from NOK survivors such as fainting, hysteria, and possible verbal or physical assault. Additional assistance may be needed from victim assistance providers, emergency medical technicians, or others to help calm these situations.
- (b) Let the NOK show emotion allowing NOK sufficient time to regain composure following delivery of the notification.
- (c) The NOK may have questions; be sure to answer honestly and compassionately.
 1. If you don't know the answer, say so and offer to get back to them with the information.
 2. If you know that there are additional steps for the NOK (e.g., identifying the decedent, law enforcement interview, etc.) then advise them.
- (d) The Notification Team shall avoid:
 1. Enhancing guilt - "If only you had or had not".
 2. Comparing victimization - no one's pain or grief is worse than another's.
 3. Imposing religious beliefs - do not try to persuade them to your convictions.
 4. Talking family members out of their grief, such as:
 - (a) You have to be strong and keep going on.
 - (b) You're not the only one suffering.
 - (c) Your anguish won't bring them back.

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- (d) You have to get on with your life.
- 5. Making false promise - do not make a promise you cannot deliver, especially regarding any criminal justice system outcomes.
- (e) Helpful remarks that do not discount their feelings include:
 - 1. Im am so sorry.
 - 2. It's harder than people think.
 - 3. This must be painful for you.
 - 4. Tell me more about him/her.
 - 5. Go ahead and grieve.
- (f) Inform the NOK survivor of any chance to view the decedent's body and/or necessary visual identification. Arrangements for the viewing or visual identification of the decedent by NOK may be made by the Notification Team, including transportation to and from the hospital or morgue.
- (g) If an autopsy is required, the Notification Team should be able to explain the reason and provide a general non-graphic explanation of the procedure.
- (h) Do not leave the NOK, especially a lone survivor unattended, unless you are reasonably confident they have adequate personal control and/or support to take care of themselves and those whom they may be responsible for.
 - 1. Gauging the need for support/assistance shall include but not be limited to:
 - (a) The emotional reaction and physical condition of the NOK to include:
 - 1. Awareness of the officer'(s) presence.
 - 2. Grasp of the place, time, and reality of the death.
 - 3. Progressive ability to express themselves is demonstrated.
 - (b) The availability of a support system including friends, family, close neighbors, access to clergy, means of transportation, other adults in the home, etc.
 - (c) Care for infants or small children, persons with disabilities, and older persons or the infirmed.
 - 1. Support can be established by:
 - (a) Asking if you can call anyone for them such as relatives, friends, and clergy that can provide support and offer to wait for them to arrive.
 - (b) Being prepared and willing to provide transportation for individuals to bring them to the NOK.
- (i) Ask NOK if you can follow up in twenty-four hours and be sure to follow through.
- (j) Leave name and contact information of Notification Team members for NOK to call should any further questions arise.

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- (k) Provide information regarding the availability of services and programs available through the NYS Office of Victim Services if the incident prompting the death notification was a crime.

Follow Up

- (a) Within twenty-four hours contact the NOK if permission to do so was provided by NOK.
- (b) Answer any additional questions or provide any further clarification, including any information on the release of the decedent to the funeral home or the release of the decedent's personal items (i.e., how to obtain them, timeframe, etc.).
- (c) Team members may consider providing a referral list of professionals and community resources to the NOK where appropriate.

Upon conclusion of the notification, the Notification Team should meet to debrief events of the notification to include reflecting on emotions/feelings and to deconstruct the actual delivery notification.

- (a) The process of delivering such traumatic news can leave the Notification Team members frustrated, disappointed, and emotionally upset.
- (b) These feelings are normal and often best addressed in a formal manner using proper resources, such as:
 - 1. Trained law enforcement peers.
 - 2. Trained law enforcement chaplain(s).
 - 3. Culturally competent mental health counselors/clinicians.
- (c) [Every Crime Victim Matters - A Guide to Crime Victims' Compensation in New York State](#)

Special Considerations

- (a) Children
 - 1. Death notifications shall not be made directly to a child unless the NOK has requested a child should be present while a notification is being delivered.
 - 2. Death notifications to a child should be delivered by a person the child trusts.
 - (a) Members of the Notification Team can aid in delivering the notification to a child, if requested by the NOK.
 - (b) If assistance is requested, use age-appropriate language while sitting at the same level as the child.
- (b) Persons with disabilities or older adults
 - 1. Notification Team members should be familiar with general effective communication techniques when interacting with people with disabilities or older adults. For persons who are deaf or hard of hearing, be prepared to communicate via writing, speech (lip) reading or American Sign Language. It is the choice of the person as to what mode of communication should be utilized, not the officer.

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2. If the person has an intellectual disability, the officer should use plain English/simple language. They may need to rephrase their statement.
 3. Consider having a family member or support staff person who knows the individual well accompany the officer. Receive direction on how to best speak to the person and what the response may entail.
- (c) Language barriers
1. Utilize local language services if there is an existence of a language barrier that will impede the delivery of the notification.
 2. Never use a child to translate the death notification to the NOK.
- (d) Social media can pose a challenge to the death notification process as the NOK could already be aware of their loved one's death. In this instance, it is important to explain to the family that it takes time to ensure accurate information is gathered before an official notification can be made.
- (e) Mass casualty events
1. Coordination in managing the death notifications among responding law enforcement agencies and the local coroner/medical examiner's office is essential and treated as a priority. Where multiple law enforcement agencies are involved, the lead agency in managing the death notification process must be clearly designated to include the responsibility of the establishment, implementation, and any necessary oversight of a Family Assistance Center.
 2. Determination will be made with law enforcement partners if a private area within a family assistance center should be used to make the death notifications, where practicable.
 3. Notifications should be done as quickly as possible following positive victim identification. NOK are frequently aware from social media, television coverage, and communications from survivors and witnesses that their loved ones are potential casualties.
 - (a) When practicable, designate one Notification Team per family, with as many Notification Teams as necessary based on the circumstances.
 - (b) If appropriate, make notifications on a rolling basis to each family as the identity of each victim becomes verified rather than delivering the notifications only after all victims have been identified.
 4. Once the notification is delivered, you may have to explain the investigative and identification process to the NOK, particularly if it may result in a delay in releasing the body of the decedent. Make sure that the NOK knows where to obtain follow-up information on when and how the decedent will be released.
 5. Alert NOK that there may be a press conference or other public release of information by authorities and that the family may want to think through how to respond to or avoid press inquiries whether by phone, electronic communication or at their homes.

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(f) Workplace/business notifications

1. Locate the NOK's manager or supervisor upon arrival at the workplace/business requesting to meet with the employee regarding a family emergency. Do not divulge additional information.
2. Request the manager or supervisor to provide a private room.
3. [Mass Fatality Family Assistance Operations: Recommended Strategies for Local and State Agencies](#)
4. Follow best practices procedures outlined in In-Person Death Notification Procedures Section for delivering an in-person death notification.
5. Offer to notify the manager or supervisor regarding the notification, if preferred by NOK. Allow the NOK to determine what information is to be shared with their manager or supervisor.

(g) Criminal investigations

1. If there is an ongoing criminal investigation it is important to explain to the family members that they may be contacted to assist with the investigation.
2. When the subject or perpetrator is deceased, the same process applies when making the death notification.
3. It is suggested practice to use separate notification teams for the victim and perpetrator for death notifications. For example, a murder suicide situation or DWI crash where the drunk driver and the victim are both deceased.
4. As in any notification, avoid adding personal opinions during the notification especially if the victim and perpetrator are from the same family.

(h) Training

1. Law enforcement personnel who are assigned responsibilities associated with delivering an in-person death notification to NOK will receive training on the procedures to do so prior to conducting a notification. Periodic retraining is recommended at a frequency of every three years.
2. Training on delivering in-person death notifications will include agency procedures on the following areas to include but not be limited to:
 - (a) Planning the in-person death notification
 1. Identification of the decedent
 2. Collection of accurate information regarding the decedent
 3. Identification of the decedent's NOK
 - (b) Assembling death notification team
 1. Preparing for delivery of in-person death notification
 2. Delivering the in-person death notification
 3. Conducting post notification and follow-up

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4. Addressing special circumstances

Field Training

416.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures and operations of the Rye Police Department. The policy addresses the administration of field training and the selection, supervision, training and responsibilities of the Field Training Officer (FTO).

416.2 POLICY

It is the policy of the Rye Police Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs. In addition to FTO training, officer trainees must successfully complete a standard period of probation commencing on the date of appointment.

Lateral transfer trainees shall complete a minimum of a 12 month probationary period. All other trainees shall complete a minimum of an 18 month probationary period.

416.3 FIELD TRAINING

The Department shall establish minimum standards for field training, which should be of sufficient duration to prepare officer trainees for law enforcement duties and be a minimum of 160 hours for recruit officers with no prior experience, in compliance with Municipal Police Training Council requirements. The field training is designed to prepare trainees for a patrol assignment and ensure they acquire the skills needed to operate in a safe, productive and professional manner, in accordance with the general law enforcement duties of this department. A field training guide shall be used to identify the specific performance criteria the trainee shall be trained and evaluated under by the FTOs.

To the extent practicable, field training should include procedures for:

- (a) Issuance of training materials to each trainee at the beginning of his/her field training.
- (b) Daily, weekly and monthly evaluation and documentation of the trainee's performance.
- (c) A multiphase structure that includes:
 1. A formal evaluation progress report completed by the FTOs involved with the trainee and submitted to the Patrol Lieutenant and FTO coordinator.
 2. Assignment of the trainee to a variety of shifts and geographical areas.
 3. Assignment of the trainee to a rotation of FTOs in order to provide for an objective evaluation of the trainee's performance.
- (d) The trainee's confidential evaluation of his/her assigned FTOs and the field training process.
- (e) Retention of all field training documentation in the officer trainee's training file including:

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1. All performance evaluations.
2. A certificate of completion certifying that the trainee has successfully completed the required number of field training hours.

416.4 FTO COORDINATOR

The Commissioner of Public Safety shall delegate certain responsibilities to an FTO coordinator. The coordinator shall be appointed by and directly responsible to the Patrol Division Commander or the authorized designee.

The FTO coordinator may appoint a senior FTO or other designee to assist in the coordination of FTOs and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintaining and ensuring FTO and trainee performance evaluations are completed.
- (d) Maintaining, updating and issuing department training materials to each FTO and trainee.
- (e) Developing ongoing training for FTOs.
- (f) Mentoring and supervising individual FTO performance.
- (g) Monitoring the overall performance of field training.
- (h) Keeping the Tour Supervisor informed through monthly evaluation reports about the trainees' progress.
- (i) Maintaining a liaison with FTO coordinators from other law enforcement agencies.
- (j) Maintaining a liaison with police academy staff on recruit officer performance during academy attendance.
- (k) Performing other activities as may be directed by the Patrol Division Commander.

The FTO coordinator will be required to successfully complete a training course approved by this department that is applicable to supervision of field training within one year of appointment to this position.

416.5 FTO SELECTION, TRAINING AND RESPONSIBILITIES

416.5.1 SELECTION PROCESS

The selection of an FTO will be at the discretion of the Commissioner of Public Safety or the authorized designee. Selection will be based on the officer's:

- (a) Desire to be an FTO.

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- (b) Experience, which shall include a minimum of four years of patrol experience, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Possession of, or ability to obtain, department-approved certification.

An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct or poor performance.

416.5.2 TRAINING

An officer selected as an FTO shall successfully complete the Police Field Training Officer Course required by the MPTC, prior to being assigned as an FTO.

416.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations and objectives of the FTO position. FTOs should refer to their training materials or the FTO coordinator regarding specific questions related to FTO or field training.

416.5.4 RESPONSIBILITIES

The responsibilities of the FTO include but are not limited to:

- (a) Issuing the assigned trainee field training materials in accordance with the Training Policy.
 - 1. The FTO shall ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
 - 2. The FTO shall sign off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of the assigned trainee.
- (b) Observing the trainee's daily interaction with the public.
- (c) Completing and reviewing daily performance evaluations with the trainee.
- (d) Completing and submitting a written evaluation on the performance of the assigned trainee to the FTO coordinator on a daily basis.
- (e) Completing a detailed weekly performance evaluation of the assigned trainee at the end of each week.
- (f) Completing a monthly evaluation report of the assigned trainee at the end of each month.
- (g) Providing the shift supervisor with a verbal synopsis of the trainee's activities at the end of each day or during any unusual occurrence needing guidance or clarification.

416.5.5 FTO COMPENSATION

FTOs will be compensated with one hour of time owed for each tour that they are assigned a trainee.

Air Support

417.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

417.2 POLICY

It is the policy of the Rye Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

417.3 REQUEST FOR AIR SUPPORT

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support may be made.

417.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) When the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a suspected fleeing suspect.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Vehicle pursuits.
- (e) Pre-planned events or actions that require air support.
- (f) Due to a request under an existing mutual aid agreement.
- (g) When the Tour Supervisor or equivalent authority determines a reasonable need exists.

417.3.2 ALLIED AGENCY REQUEST

After consideration and approval of the request for air support, the Tour Supervisor or the authorized designee will call the closest agency having available and suitable air support and will apprise that agency of the specific details of the incident prompting the request.

Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary. For purposes of this policy, consensual encounters include level 1 (request for information) and level 2 (common law right of inquiry) contacts.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be at hand and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

418.2 POLICY

The Rye Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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418.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct a FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Rye Police Department to strengthen community involvement, community awareness and problem identification.

418.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

418.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk (CPL § 140.50). The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

418.4.1 CONSENSUAL PAT-DOWNS

Asking for consent to conduct a pat-down search can elevate an encounter to a level 2 common-law right to inquire encounter. Officers should have a founded suspicion that the person is involved in criminal activity before asking for consent.

418.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

418.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

418.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

418.5.3 DISPOSITION OF PHOTOGRAPHS

The Detective Commander must be notified when photographs are taken on any department phone or camera. All photographs shall be retained in accordance with the established records retention schedule.

418.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

Contacts and Temporary Detentions

418.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Tour Supervisors

419.1 PURPOSE AND SCOPE

This policy provides guidelines for the designation of a Tour Supervisor and, as needed, an acting Tour Supervisor for each shift.

419.2 POLICY

Each shift will be directed by a Tour Supervisor capable of making decisions and managing in a manner consistent with the mission of the Rye Police Department. To accomplish this, a Sergeant shall be designated as the Tour Supervisor for each shift. When no Sergeant is available the senior member assigned to the Patrol Division will be the acting Tour Supervisor.

419.3 DESIGNATION AS ACTING TOUR SUPERVISOR

With prior authorization from the Patrol Division Commander, generally when a Sergeant is unavailable for duty as Tour Supervisor, a qualified lower-ranking member shall be designated as acting Tour Supervisor in accordance with the terms of applicable collective bargaining agreements and the Temporary Supervisors subsection of the Supervision Staffing Levels Policy.

419.4 TOUR SUPERVISOR RESPONSIBILITIES

The Tour Supervisor shall have overall responsibility and accountability for the operation of this department on an assigned shift. Duties may include, but are not limited to:

- (a) Ensuring sufficient members are on-duty to accomplish the mission of the Rye Police Department.
- (b) Providing oversight of major crime scenes, tactical situations or disasters.
- (c) Establishing service-level priorities.
- (d) Providing job-related training and guidance to subordinates.
- (e) Acquiring outside resources or providing assistance to other agencies, when applicable.
- (f) Handling service inquiries or complaints from the public.
- (g) Managing risk exposure.
- (h) Ensuring the security of all department facilities.
- (i) Ensuring the proper equipment and vehicles are available for member use.
- (j) Representing the Department at community functions.
- (k) Serving as a temporary Division Commander when so designated.

Tour Supervisors

419.5 PRESENCE OF EQUAL RANK

Command is exercised by virtue of office or special assignment of officers who are eligible by law to exercise command. Subject to direction from higher command, a commanding officer has direct control over all members and employees within their command.

When two Sergeants are assigned to perform duty on a particular tour as the result of an overlap in the duty schedule, the senior Sergeant will be designated the Tour Supervisor and will be in command of that tour. If more than one Sergeant is assigned to a tour for reasons other than an overlap in the schedule, i.e., "drop down" day, training assignment, or other duties, the Sergeant assigned to the squad normally scheduled to work during that tour will be designated the Tour Supervisor, and will be in command of activities during that tour.

If more than one sergeant is present at the scene of an incident, the sergeant designated as the Tour Supervisor shall be in command unless relieved by a higher-ranking member.