

## CITY OF RYE

### NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, November 29, 2017, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss litigation.*

### AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held November 8, 2017 and the Budget Workshop held November 13, 2017.
5. Issues Update/Old Business.
6. Discussion of the FY 2018 Budget.
  - Rye Free Reading Room Budget Review
  - Rye TV Budget Review
  - Police Department Budget Review
  - Fire Department Budget Review
  - Boat Basin Budget Review
  - Recreation Department Budget Review
7. Residents may be heard on matters for Council consideration that do not appear on the agenda.
8. Consideration of the proposed revisions and addition to the Rules and Regulations of the City of Rye Police Department:
  - General Order #102.5 regarding the format and definitions for written orders and bulletins
  - General Order #105.4 regarding an Exposure Control Plan
  - General Order #106.1 regarding Motor Vehicle Accident Investigation and Report procedures
  - General Order #106.2 regarding policy and procedure for investigating accidents involving fatality or serious injury
  - General Order #111.2 regarding the towing or impound of motor vehicles within the City of Rye
  - General Order #113.13 regarding notification to the next of kin for deceased or seriously injured persons
  - General Order #117.5 regarding City of Rye Police Department vehicle equipment
  - General Order #119.7 establishing policy and procedure for officers assigned to the Adopt a School Program.

9. Resolution to transfer \$20,000 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget for Best Best & Krieger LLP to represent the City in cable franchise agreement negotiations.  
Roll Call.
10. Miscellaneous communications and reports.
11. New Business.
12. Adjournment.

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, December 6, 2017 at 7:30 p.m.

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

\* Office Hours of the Mayor by appointment by emailing [jsack@ryeny.gov](mailto:jsack@ryeny.gov) or contacting the City Manager's Office at (914) 967-7404.



# CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: November 29, 2017

CONTACT: Carolyn D'Andrea, City Clerk

**AGENDA ITEM:** Draft unapproved minutes of the regular meeting of the City Council held November 8, 2017 and the Budget Workshop held November 13, 2017.

**FOR THE MEETING OF:**

November 29, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the draft minutes.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Approve the minutes of the regular meeting of the City Council held November 8, 2017 and the Budget Workshop held November 13, 2017, as attached.

***DRAFT UNAPPROVED MINUTES***  
of the Regular Meeting of the City Council of  
the City of Rye held in City Hall on  
November 8, 2017, at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor  
KIRSTIN BUCCI  
EMILY HURD  
TERRENCE McCARTNEY  
RICHARD MECCA  
DANIELLE TAGGER-EPSTEIN  
Councilmembers

ABSENT:

JULIE KILLIAN, Councilmember

The Council convened at 7:30 P.M.

1. Pledge of Allegiance.

Mayor Sack called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Mayor Sack asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. General Announcements.

Mayor Sack congratulated the newly-elected Councilmembers and Mayor of Rye, who will begin their term on January 1, 2018.

Councilman McCartney offered to help the Council candidates elected in the transition process. On the Rye Golf Club front, he announced that improvements are continuing and halfway done. The greens are still open around the construction and will remain before the weather gets too cold. The pro shop will be open until December 5, 2017. On the Recreation issues, Councilman McCartney announced that there will be a meeting on November 9, 2017 at 6:30 concerning the Stantec RFP and study of Disbrow Park. He also stated that the Annual Turkey Run will be the Saturday after Thanksgiving, on November 25, 2017. The Holiday Bonfire and Singalong will be Sunday, December 3, 2017, and Pancakes with Santa will be held December 17, 2017. Councilman McCartney also invited everyone to attend the annual Veteran's Day services on November 11, 2017 at 10:30 A.M. on the Village Green. He lastly announced that November 9, 2017 will mark the 242<sup>nd</sup> birthday of the United States Marines.

Councilwoman Tagger-Epstein discussed the leaf mulching event, held on November 3<sup>rd</sup>, which was a huge success. She also said that she recently had the opportunity to read a story for children at the Farmers Market, which also featured a lamb named Tiny Tim. On November 17, 2017 at 6:30 P.M. there will be a Green Screen film shown at the Rye Country Day School, entitled "Wasted," about wasted food. On November 18, 2017 there will be an event about landscaping at the Jay Heritage Center which she invited everyone to attend. She also stated that November 17, 2017 the Rye Lions club will be honoring Steve and Janet Myers on their great work in the community. The Lions are also celebrating 90 years of service in Rye. Councilwoman Tagger-Epstein reminded the community that the Women's Interfaith Committee's Annual Thanksgiving Event will be held November 19, 2017 at 4:00 P.M. at Rye Presbyterian Church. The Human Rights Commission plans on collaborating with the Women's Interfaith Committee in the future.

Councilwoman Hurd announced that Mistletoe Magic will be held on November 26, 2017. On behalf of the Flood advisory Commission, they are still awaiting the final report from DASNY regarding the New York Rising Project.

12. Authorization for the City Manager to enter into an Inter-municipal Agreement with Westchester County to allow the County to make certain improvements to portions of the City's sidewalks and streets as part of the County Pathway Project.

City Manager Serrano explained that this project has been ongoing for several years. He introduced Anthony Zaino, Westchester County Planning Department.

Mr. Zaino explained that the County has been working on building a safe connection between the Rye Train Station and Playland. The County has been working with DOT for seven years on this plan. In order for improvements to move forward, the County would need an easement from the City to do work on the City's right-of-way.

Mayor Sack mentioned the Traffic and Pedestrian Safety Committee in Rye and recommended that the County present before that committee once the project advances.

Councilman McCartney asked about traffic engineering and counting at the busy intersections of the pathway.

Mr. Zaino explained that the aim of the project would be to improve current conditions, replacing parts in kind. He hopes the project would begin next year.

Councilman Mecca discussed the overlapping of the project with the City's capital improvement projects.

Councilwoman Tagger-Epstein asked about the responsibility of the plantings and maintenance, and the specific species. Mr. Zaino responded that there would be a two-year plan about the plants.

Councilman McCartney made a motion, seconded by Councilman Mecca, to authorize the City Manager to enter into an Inter-municipal Agreement with Westchester County to allow the County to make certain improvements to portions of the City's sidewalks and streets as part of the County Pathway Project.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and  
Tagger-Epstein  
NAYS: None  
ABSENT: Councilwoman Killian

9. Public Hearing to amend local law Chapter 117, Landmarks Preservation, of the Rye City Code by amending Section §117-5, "Designation of Preservation Districts or Protected Sites and Structures", Subsection E, to add (10) Protected site and structures: the Milton Cemetery, Milton Road (Section 146-18, Block 4, Lot 51), the Purdy Cemetery, Milton Road (Section 146-18, Block 4, Lot 76), and Baird Square, Boston Post Road and Milton Road, as landmarks.

Jack Zahringer and Maurio Sax, Landmarks Advisory Committee, explained that the goal was to landmark Baird Square, the Purdy Cemetery and Milton Cemetery.

Mayor Sack discussed the Baird Square location and asked if it would inhibit the City from doing any improvements in the future.

Mr. Zahringer said that the most important interest would be to save the land, not necessarily the items on the land, such as the police booth.

Councilwoman Hurd felt that preservation was important and was in support of land marking these areas in Rye.

Mayor Sack made a motion, seconded by Councilwoman Hurd, to open the Public Hearing.

Specific to Baird Square, Councilman McCartney said that the Baird influence was important to Rye's history and culture.

With no other speakers, Councilwoman Hurd made a motion, seconded by Mayor Sack, to close the Public Hearing.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to amend local law Chapter 117, Landmarks Preservation, of the Rye City Code by amending Section §117-5, "Designation of Preservation Districts or Protected Sites and Structures", Subsection E, to add (10) Protected site and structures: the Milton Cemetery, Milton Road (Section 146-18, Block 4, Lot 51), the Purdy Cemetery, Milton Road (Section 146-18, Block 4, Lot 76), and Baird Square, Boston Post Road and Milton Road, as landmarks as indicated below:

Chapter 117. LANDMARKS PRESERVATION

§ 117-5. Designation of Preservation Districts or Protected Sites and Structures.

E. The designated Preservation District and Protected Sites and Structures shall be set forth in this subsection by block and lot number, street designation and, if appropriate, by local designation.

(1) Preservation District: Village Green, the Square House, the Rye Free Reading Room and City Hall, Boston Post Road, Rye, New York, also known as Block 2, Lot Nos. 29 and 31, on the current tax assessment map of the City of Rye, and formerly known as Block 42, Lot Nos. 14A, 14B, 20, 21, 22, 23 and 24. Specifically designated as protected within the district are: [Added 9-15-1982 by L.L. No. 8-1982]

(a) The Square House: the exterior and the grounds surrounding, a total of 1.88 acres. On the interior: the council room; tavern room; warming kitchen; small exhibit room; ballroom; nineteenth-century bedroom; the main entrance hall and staircase; adjoining hallways between the specified rooms and the Civil War period room in the attic, all exclusive of displays, furnishings or exhibits. All areas not specifically proposed for preservation as listed above should be deemed to be excluded.

(b) The Rye Free Reading Room:

[1] The exterior and grounds surrounding, a total of 0.26 acre. On the interior, only that portion of the 1913 building described as: in the first floor entrance vestibule: woodwork, excluding doors; in the first and second floor foyer: staircase, stairwell and landing space, including three arches; woodwork, excluding doors to north and south second floor rooms; in the first floor circulation area: woodwork, including square and circular columns and connecting beams only; in the first floor reading rooms, north and south: woodwork, including fireplace surrounds and mantels, trim above seven feet one inch (level of mantels), window trim, including sills, and fireplaces as working fireplaces.

[2] The following portions of the interior and exterior of the 1913 building shall be specifically excluded: second floor, north and south rooms; toilet rooms and adjacent hallway: furniture, including circulation desk and bookshelves: furnishings, including carpet, vases, artwork, signage and paint colors. Interior and exterior exclusions: lighting, heating ventilation and electric; alarm systems, including fire and security; wiring and devices for telecommunications, including cable television, computer, phone and similar installations.

[3] The following future possible changes are also excluded: installation of ceiling and attic fans, railing in foyer, exterior sign identifying the building, storm windows, security lights and glass doors or stoves (e.g., Stovalator) in fireplaces; waterproofing terrace.

(c) The Rye City Hall be deemed protected as to exterior.

(d) The Village Green be deemed protected as to walks, walls, millstones and landscaping.

(2) Protected site and structures: Alansten, the Jay Mansion, and the Carriage House, 210 Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 24.1, on the current Tax Assessment Map of the City of Rye. Specifically designated as protected sites and structures are: [Added 7-18-1984 by L.L. No. 10-1984]

(a) Alansten: The entire site consisting of 22.46 acres and including a viewway, a trapezoidal area located between the Jay Mansion and the southerly property line in which there shall be no construction, except for the installation of utility services, which shall have a width of 90 feet at the rear of the building and a width of 300 feet along the southerly property line, the centers of which shall be the center of the rear facade of the building and the point at which a line extending from the rear facade and perpendicular to the rear facade intersects the southerly property line, respectively. The foregoing described orientation of the viewway to the mansion may be adjusted by the Planning Commission during site plan review if it finds that said adjustment will improve the public's view of the mansion.

(b) The Jay Mansion: The entire exterior.

(c) The Carriage House: The entire exterior.

(3) Protected site and structure: the Hains-Robinson House, 556 Milton Road, also known as Sheet 153.06, Block 1, Lot 70, on the current Tax Map of the City of Rye. Specifically designated as protected is: [Added 1-16-1985 by L.L. No. 1-1985]

(a) The Hains-Robinson House: the entire exterior and the entire site, including the stone walls; the interior; the entire ground floor, which includes the original kitchen and tap room containing the ship's doors and paneling from the frigate Brandywine. Also deemed protected are the stair railings and newel posts and other Brandywine doors throughout the house.

(4) Protected site: the Jay Family Cemetery, Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 33, on the current Tax Map of the City of Rye. Specifically designated as protected is: [Added 9-17-1986 by L.L. No. 14-1986]

(a) The Jay Family Cemetery: the entire site comprising 2.85 acres shall be deemed protected, including walls, fences, stones, monuments, paths and the access road. This designation shall not interfere with or prevent additional burials or placement of headstones.

(5) Protected Site and Structure: the Timothy Knapp House, 265 Rye Beach Avenue, Rye, New York, also known as Sheet 146.19, Block 5, Lot 8, on the current Tax Map

of the City of Rye. Specifically designated as protected is: [Added 8-19-1987 by L.L. No. 9-1987]

(a) The Timothy Knapp House: the entire site and entire building including interior and exterior.

(6) Protected site and structure: the Parsons Estate, 260 Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 34, on the current Tax Map of the City of Rye. Specifically designated as protected is: [Added 6-15-1988 by L.L. No. 11-1988]

(a) The Parsons Estate: the entire site; the exterior and interior of the main residence, the exterior of the gardener's cottage and the exterior of the carriage house and stables.

(7) Protected site and structure: 235 Boston Post Road, Rye, New York, also known as Sheet 153.05, Block 1, Lot 74.1, on the Tax Map of the City of Rye. Specifically designated as protected is: [Added 10-6-2005 by L.L. No. 3-2005]

(a) The Stillman Residence: the entire site and the exterior of the main residence.

(8) Protected structure: 5 Morris Court, Rye, New York, also known as Sheet 153.05, Block 1, Lot 74.3, on the Tax Map of the City of Rye. Specifically designated as protected is: [Added 10-6-2005 by L.L. No. 3-2005]

(a) The exterior of the one-story stone garage, including the chimney. The attached greenhouse-type structure shall be deemed to be excluded.

(9) Protected site and structures: the Bird Homestead, 600 Milton Road, Rye, New York, also known as Sheet 153.6, Block 1, Lot 61, on the Tax Map of the City of Rye; the Rye Meeting House, 624 Milton Road, Rye, New York, also known as Sheet 153.6, Block 1, Lot 60, on the Tax Map of the City of Rye. Specifically designated as protected is:

(a) the Bird Homestead: the entire site and the exterior.

(b) the Rye Meeting House: the entire site and the exterior.

10) Protected site and structures: the Milton Cemetery, Milton Road, Rye, New York, also known as Sheet 146-18, Block 4, Lot 51, on the Tax Map of the City of Rye; the Purdy Cemetery, Milton Road, Rye, New York, also known as Sheet 146-18, Block 4, Lot 76, on the Tax Map of the City of Rye; Baird Square, Boston Post Road and Milton Road, Rye, New York. Specifically designated as protected is:

(a) the Milton Cemetery: the entire site; this designation shall not interfere with or prevent additional burials or placement of headstones

- (b) the Purdy Cemetery: the entire site excluding the footbridge; this designation shall not interfere with or prevent additional burials or placement of headstones
- (c) Baird Square: the entire site including the greenspace encircled by hedges, the police booth, and the event sign

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and Tagger-Epstein  
NAYS: None  
ABSENT: Councilwoman Killian

4. Draft unapproved minutes of the regular meeting of the City Council held October 18, 2017.

Councilwoman Hurd corrected the spelling of Mr. Gavlik's name in Section 9 of the minutes and recommended a general statement in which a future workshop would take place in which the Boat Basin Operating Model would be discussed.

Councilwoman Hurd made a motion, seconded by Mayor Sack, to adopt the minutes of the regular meeting of the City Council held October 18, 2017 as amended.

5. Issues Update/Old Business.

Tagger-Epstein reported that the Traffic and Pedestrian Safety Committee looked into permit parking, but said there is a State law that would require to the City to give 30% of these permits to nonresidents. She also said that the Committee was looking at some traffic issues on Osborn and Coolidge, as well as Hewlett. She advised the community to stay tuned for possible new resolutions that may come before the Council on various pedestrian safety issues.

6. Presentation of the FY 2018 Budget by the City Manager.

City Manager Serrano said that the budget is a very important process, which creates a document that is concise and transparent. He stated that the City receives an award on the budget document each year, thanks to City Comptroller Fazzino.

City Manager Serrano continued and said that the budget proposed is not able to meet the tax cap. Based on the demands the City has on the budget, it was not possible. The budget workshops will take place on November 13 and 29, 2017. He said that revenues are capped as they are, and it is important to look at how to look at revenues can offset the expenses. One of the additional expenses for 2018 is due to the hiring of three new additional firefighters. City Manager Serrano felt that the SCAR and certiorari proceedings were also a concern for the future. He said that the City has four outstanding union contracts but is hopeful to come to agreements soon. On a positive note, he said that the retirement system has stabilized. He also said that the City had also seen a

decrease in the workman's compensation insurance cost. Mr. Serrano thanked all the department heads for their efforts in helping cut \$168,000 in expenses.

City Manager Serrano then discussed a decrease in the assessment. He also discussed updating fund balance policy to protect the bond rating for the future. He suggested that capital expenses at this point could be bonded. After reviewing each major point, City Manager Serrano said that it was for these reasons that the City Council was being asked to adopt a resolution overriding the tax cap.

There was discussion over capital projects and priorities, such as the sewer system's antiquated infrastructure.

In his summation, City Manager Serrano thanked the Department heads, as well as City Comptroller Fazzino and Assistant City Manager Militana for their hard work. He thanked the City Council for the opportunity to present this budget.

Mayor Sack confirmed that the proposed tax rate increase is 6.23%. The tax cap for 2018 would be 1.84%, making the amount of which the City could exceed the tax cap \$744,000. Mayor Sack asked the City Manager to present options to show the consequences of a tax compliant budget.

City Comptroller Fazzino thanked the Mayor and Council. He presented a slide show of the proposed budget. He explained that based on the 2017 projects, the City can expect to have \$322,000 in profit. He showed slides on revenues, expenditures, salaries, and other items that account for the proposed budget.

Councilman Mecca asked about how the City receives sales tax. City Comptroller Fazzino explained that this is done through the County and State. The City would have to petition the State to raise its own sales tax. If the City collects its own sales tax, it would not be eligible for this portioned sales tax throughout the County and State.

City Comptroller Fazzino discussed proposed expenditures. He explained that there was money in fund balance for capital expenditures. Mr. Fazzino also discussed retirement expenses and Public Safety expenditures.

There was discussion about 2018 proposed revenues. Councilwoman Tagger-Epstein asked for an analysis of Building Department revenues.

City Clerk D'Andrea explained the projected loss in revenue for parking permits.

City Comptroller Fazzino discussed options to balance the 2018 budget, with a tax levy of \$744,443.

There was discussion over calculating the levy increase, taxable assessed value, a summary of the property tax levy.

Councilman Mecca said that the taxable value appears to have gone down between 2017 and 2018. He asked when the City could expect the 120 Old Post Road to site to have an impact. City Comptroller Fazzino responded that it would be 2018.

Councilwoman Bucci raised the issue of the contingency account.

Mayor Sack confirmed that a shadow budget would be presented at the next meeting, showing the services and items forfeited with a tax-compliant budget.

7. Consideration to set a Public Hearing on the 2018 Budget for December 6, 2017.

Mayor Sack made a motion, seconded by Councilman McCartney, to set a Public Hearing on the 2018 Budget for December 6, 2017.

8. Consideration to set a Public Hearing to adopt a Local Law to override the State enacted tax levy limitation for December 6, 2017.

Mayor Sack made a motion, seconded by Councilman McCartney, to set a Public Hearing to adopt a Local Law to override the State enacted tax levy limitation for December 6, 2017.

10. Continuation of the Public Hearing to amend the Rye City Code: (a) local law Chapter 133, "Noise", by amending Section §133-4, "Points and method for measuring intensity of sound" to regulate placement and noise of telecommunication devices; (b) local law Chapter 167, "Streets and Sidewalks", to add a new 196, "Wireless Telecommunications Facilities", by amending Sections §196-3 through §196-8, §196-14, §196-17, §196-18, and §196-22 to regulate wireless facilities and structures regarding size, visual impact and permit process.

Corporation Counsel Wilson said that the local law amendment proposals are set into three separate laws. After hearing received public comment on all of these items, the drafts are before the Council.

Callie, Erickson, 190 Locust Avenue, said that that the law does not take some resident comments into account. She referenced Mr. Kilroy's comments.

Mayor Sack, made a motion, seconded by Councilwoman Hurd, to adjourn the matter to 2018.

11. Residents may be heard on matters for Council consideration that do not appear on the agenda.

There was nothing discussed under this agenda item.

13. Resolution to transfer \$40,000 from the Contingency account to the City Manager Consultant line to fund the United Hospital Starwood Rye Park Study.

Roll Call.

City Manager Serrano explained that this goes back to the SEQRA process on the Starwood project in Port Chester. The Rye Park neighborhood has concerns about traffic issues.

There was discussion about moving forward with the transfer, as the work has already been done. There will also be a report provided to the City based on the study.

Councilwoman Hurd raised the issue of traffic patterns near Playland Parkway.

Councilman McCartney made a motion, seconded by Mayor Sack, to transfer \$40,000 from the Contingency account to the City Manager Consultant line to fund the United Hospital Starwood Rye Park Study.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and  
Tagger-Epstein  
NAYS: None  
ABSENT: Councilwoman Killian

14. Resolution to transfer \$36,800 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget to retain CBG Communications, Inc. to complete a technical review and evaluation of the cable systems as part of the cable franchise renewal process.

Roll Call.

Corporation Counsel Wilson said that a budget transfer was being requested for the Buske Group, who is completing a needs assessment report to prepare for franchise negotiations. Councilwoman Bucci explained the process and stated her support for spending this money now, as it will result in a much larger return later.

Councilman McCartney made a motion, seconded by Councilwoman Bucci, to transfer \$36,800 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget to retain CBG Communications, Inc. to complete a technical review and evaluation of the cable systems as part of the cable franchise renewal process.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and  
Tagger-Epstein  
NAYS: None  
ABSENT: Councilwoman Killian

15. Two appointments to the Boat Basin Commission, by the Council, for three-year terms expiring January 1, 2021.

Mayor Sack, with Council approval, appointed George Sczcerba and Robert November for a three year term to the Boat Basin Commission, expiring January 1, 2021.

16. Consideration of the proposed revisions to the Rules and Regulations of the City of Rye Police Department:

- General Order #103.8 regarding the use of mobile notebook computers
- General Order #104.3 regarding the regulations for City of Rye Police Department uniforms
- General Order #110.1 regarding the handling, movement and treatment of persons in lawful physical custody
- General Order #115.4 regarding qualifications for police personnel as instructors
- General Order #117.09 regarding the deployment of All Terrain Vehicles (ATVs)
- General Order #117.1 regarding fiscal responsibility of the Police Department
- General Order #118.1 regarding responsibility for Police Department records
- General Order #118.5 regarding policy and procedure for complying with Court ordered sealing of records
- General Order #118.7 regarding compliance with NYS Freedom of Information (FOIL) Law
- General Order #119.1 regarding community relations

City Manager Serrano explained that Commissioner Corcoran has been updating and documenting all policies to protect the City and its officers.

Councilman Mecca made a motion, seconded by Councilman McCartney to approve the following provisions to the Rules and Regulations of the City of Rye Police Department:

- General Order #103.8 regarding the use of mobile notebook computers
- General Order #104.3 regarding the regulations for City of Rye Police Department uniforms
- General Order #110.1 regarding the handling, movement and treatment of persons in lawful physical custody
- General Order #115.4 regarding qualifications for police personnel as instructors
- General Order #117.09 regarding the deployment of All Terrain Vehicles (ATVs)
- General Order #117.1 regarding fiscal responsibility of the Police Department
- General Order #118.1 regarding responsibility for Police Department records
- General Order #118.5 regarding policy and procedure for complying with Court ordered sealing of records

- General Order #118.7 regarding compliance with NYS Freedom of Information (FOIL) Law
- General Order #119.1 regarding community relations

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and  
Tagger-Epstein  
NAYS: None  
ABSENT: Councilwoman Killian

17. Miscellaneous communications and reports.

There was nothing discussed under this agenda item.

18. New Business.

Councilman Mecca asked for an update on the street lights changeover from the sodium lights to LED lights. He also asked that the City recognize longstanding employees for their service.

19. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilwoman Tagger-Epstein, to adjourn the regular meeting of the City Council at 9:28 P.M.

Respectfully submitted,

Carolyn D'Andrea  
City Clerk

***DRAFT UNAPPROVED MINUTES*** of the  
Special Meeting of the City Council of the City of  
Rye held in City Hall on November 13, 2017 at 7:30  
P.M.

PRESENT:

KIRSTIN BUCCI  
EMILY HURD  
JULIE KILLIAN  
TERRENCE McCARTNEY  
RICHARD MECCA  
DANIELLE TAGGER-EPSTEIN  
Councilmembers

ABSENT:

JOSEPH A. SACK, Mayor  
DANIELLE TAGGER-EPSTEIN, Councilmember

1. Pledge of Allegiance.

Deputy Mayor Killian called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Deputy Mayor Killian asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. Discussion of the FY 2018 Budget:

● *Rye Golf Club Budget Review*

Jim Buonaiuto, Rye Golf Club Manager, gave an overview of the Rye Golf Club operations. He explained that the Golf Club has consistently run at an operational surplus under an enterprise fund. He felt that 2017 had been a successful year financially, along with its success in capital improvements. He is hopeful to continue improving the Club with capital improvements in the future. He stated that there are no major revenue increases proposed, but an increase in the fee from Lessings to use the Whitby Castle facility is likely. He thanked his staff and the City for helping make the Golf Club a success.

Mr. Buonaiuto explained that there would not be an increase in fulltime positions for 2018 proposed other than what was budgeted for in 2017.

There was discussion over capital costs for the future and revenue sources.

- *Public Works Department Budget Review / Building and Vehicle Fund Review*

Ryan Coyne, DPW Superintendent and City Engineer, explained that the DPW oversees sanitation, City-owned properties, fleet management, sewer and drain utility maintenance, streetlight maintenance, signs and road markings in town, and recycling, among others.

Mr. Coyne focused on sanitation and recycling for City residents. He explained that for 2018, he is excited to have a new website and app specific to DPW schedules and issues for residents' use. This would allow residents to view their sanitation schedules and receive alerts on important issues.

Mr. Coyne proposed the purchase of six new garbage trucks in hopes that service levels would remain the same. There was lengthy discussion about a possible hybrid system of automated trucks with standardized trucks. Mr. Coyne explained that after studying conditions, automated trucks may not work for this community in terms of cost savings. He said that the number of employees are at a minimum for current service levels.

There was discussion about lack of garage space and preserving the DPW vehicles. There was also discussion over a possible updated City-wide services survey. Mr. Coyne thanked his staff for their hard work.

- *Capital Projects Update*

Christian Miller, City Planner, provided an overview of the capital improvement proposals in the 2018 budget. He discussed funding and prioritizing capital projects, as well as annual programs, such as traffic safety and street resurfacing. These yearly items usually are paid for by fund balance. There was discussion over sewer maintenance for aged infrastructure, specifically on Locust Avenue. Mr. Miller also discussed pedestrian safety projects and priorities within the City, such as the area near Rye High School.

The Council discussed shifting priorities of capital issues, such as pedestrian safety and areas of need. City Planner Miller brought up the Theodore Fremd/ Purdy/ Purchase Street intersection traffic and pedestrian safety improvements. There was also discussion over parking within the downtown and planning for an increase of volume and expanding availability.

City Planner Miller also discussed long-term planning with regarding to SSES and implementation issues with regard to the sewer system, and improvements to Gagliardo Park. He also discussed updating and improving City Hall as a long-term goal.

City Engineer Coyne discussed funding for vehicle replacement for DPW. He stated that there was a plan for purchasing vehicles in alternating years to provide for service levels on a consistent basis. He discussed electric vehicles and charging stations within the budget. There was discussion about bonding for one-time issues instead of annual operations.

City Planner Miller updated the Council on the City Court potential project. A final design and cost estimate would be available in the coming months. Construction would not happen until later in 2018.

4. Adjournment.

There being no further issues to discuss, Councilman Mecca made a motion at 9:33 P.M., seconded by Councilwoman Hurd and unanimously carried, to adjourn the Special Meeting of the City Council.

Respectfully submitted,

Carolyn D'Andrea  
City Clerk



# CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: November 29, 2017

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Issues Update/Old Business

**FOR THE MEETING OF:**

November 29, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That an update be provided on outstanding issues or Old Business.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager's Office

DATE: November 29, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Discussion of the FY 2018 Budget:

- Rye Free Reading Room Budget Review
- Rye TV Budget Review
- Police Department Budget Review
- Fire Department Budget Review
- Boat Basin Budget Review
- Recreation Department Budget Review

**FOR THE MEETING OF:**

November 29, 2017

**RYE CITY CODE,**

CHAPTER  
SECTION

**RECOMMENDATION:**

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

A presentation will be made on the proposed 2018 Budgets for the following:

- Rye Free Reading Room Budget Review
- Rye TV Budget Review
- Police Department Budget Review
- Fire Department Budget Review
- Boat Basin Budget Review
- Recreation Department Budget Review



# CITY COUNCIL AGENDA

NO. 8 DEPT.: Police DATE: November 29, 2017  
CONTACT: Michael C. Corcoran, Jr., Commissioner of Public Safety

**AGENDA ITEM:** Consideration of the proposed revisions and addition to the Rules and Regulations of the City of Rye Police Department: General Order #102.5, General Order #105.4, General Order #106.1, General Order #106.2, General Order #111.2, General Order #113.13, General Order #117.5, and General Order #119.7.

**FOR THE MEETING OF:**

November 29, 2017

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** Approval of a revision to seven (7) General Orders and the addition of one (1) General Order.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:  
Enhancement of the operational effectiveness of the Department.

**BACKGROUND:**

- General Order #102.5 regarding the format and definitions for written orders and bulletins
- General Order #105.4 regarding an Exposure Control Plan
- General Order #106.1 regarding Motor Vehicle Accident Investigation and Report procedures
- General Order #106.2 regarding policy and procedure for investigating accidents involving fatality or serious injury
- General Order #111.2 regarding the towing or impound of motor vehicles within the City of Rye
- General Order #113.13 regarding notification to the next of kin for deceased or seriously injured persons
- General Order #117.5 regarding City of Rye Police Department vehicle equipment
- General Order #119.7 establishing policy and procedure for officers assigned to the Adopt-a-School Program.

The General Orders have been provided to the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

## CITY OF RYE POLICE DEPARTMENT

General Order #102.5	New [ ]      Revised [ x ] Supersedes: 102.5 issued 7/29/98
Subject: Written Orders and Bulletins	
Date Issued	Date Effective
Page 1 of 5	
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety	

PURPOSE:

The purpose of this General Order is to identify issuing authorities and to establish a format and definitions for written orders and bulletins and to provide for proper preparation, indexing and distribution so that all personnel are kept informed of new and revised policy and procedures.

POLICY:

The Commissioner of Public Safety, by authority of the City Council and City Manager has been given the authority to issue, modify or approve agency written directives. To accomplish this, it is the policy of the City of Rye that the City Council review and vote on the adoption and or modification of all General Orders. All other department directives shall be administered by the Commissioner of Public Safety and or his/her designee. The department will provide for its members a well-designed, current and correctly implemented written directive system. This system will provide members a clear understanding of the constraints under which they should operate and what is expected of them.

I. DEFINITIONS:

A. GENERAL ORDERS: General orders are issued to announce adoption or revision of policy and to direct new procedures. The following are proper subjects of general orders:

1. Institution of permanent procedures, rules, polices and manuals related thereto.
2. Permanent changes in organization.
3. Installation of permanent programs which affect more than one unit subordinate to the issuing authority (e.g. communications unit, identification unit).

4. Permanent personnel policies and procedures including recruiting, hiring, training and promotion policies but not including changes of status, such as transfers, promotion of individuals, etc.

B. **COMMUNICATION ORDERS**: Communication orders are issued to announce policies or specify procedures concerning a specific circumstance or event, or policy or procedure which is of a temporary or self-canceling nature, or involving only specific segments of activities. The following are examples of proper subject matter for communication orders:

1. Specific instructions to accomplish a particular objective. Once accomplished, there will be no need for continuing instructions.

**EXAMPLE:**

- a. Renumbering or assignment of police vehicles.
  - b. Assignment of working hours for specific assignments.
2. Temporary procedures designed to cover a special occurrence or event which is of a temporary or short termed nature.

**EXAMPLE:**

- a. Instruction for the use and deployment of manpower to a particular public gathering such as a parade route; including the assignment of individual duties.
3. Directives to a specific assignment, division or unit which does not influence the operations of others and for which no organizational change is needed.

**EXAMPLE:**

- a. Maintenance of departmental owned firearms inventory lists.
- b. Special evaluation of personnel in a particular unit.

C. **PERSONNEL ORDERS**: personnel orders announce the following:

1. The appointment of new personnel.
2. The assignment or transfer of members from one unit to another.
3. The promotion or demotion of personnel.
4. Suspension, dismissal and restoration to duty.

5. Separation of service by resignation or retirement.
6. Assignment of and special instructions for personnel in training programs.

D. **BULLETINS**: Bulletins may be issued for the following purposes:

1. To disseminate information or instructions which do not warrant a formal order.
2. To direct the actions of subordinates in specific situations or circumstances under a level of command not authorized to issue general or special orders. Such direction shall not deviate from or conflict with established policies and procedures as documented by higher authority.
3. To explain or emphasize portions of previously issued orders.
4. To inform members of actions or policies of other agencies.

- E. **PowerDMS**: (Document Management Solution) is a complete solution for paperless distribution, organization and maintenance of written directives. With easy to use electronic distribution, directives can be efficiently published, signed or revised. PowerDMS is the department's official electronic data management system.

II. **ISSUING AUTHORITIES**:

- A. **GENERAL ORDERS** - General orders are issued only by the following levels of command:
1. General orders are issued by the Commissioner to announce organizational wide policies and procedures.
  2. General orders may be issued, when necessary during the absence of the Commissioner, by the Patrol Commander.
- B. **COMMUNICATION ORDERS** - Communication orders may be issued by the Commissioner or Patrol Commander. The Detective Commander may issue communication orders only when pertaining to members of his/her command. It is his/her responsibility to insure that his/her orders do not conflict with those of a higher level of command.
- C. **PERSONNEL ORDERS** - Personnel orders are prepared only as directed by the Commissioner and in his absence, when required, by his/her designee.

- D. BULLETINS - Bulletins will be issued as directed by the Commissioner. The Patrol Commander, and Detective Commander will have authority to issue bulletins.

III. PREPARATION OF WRITTEN ORDERS:

- A. Orders issued at any level of command shall not conflict with established policy and procedures as directed by higher authority.
- B. The command staff may be provided to draft copies of proposed written directives prior to their implementation in final form by the Commissioner of Public Safety.
- C. Whenever applicable, all orders and bulletins shall carry notations directing attention to other published documents which are related. An order or bulletin which rescinds or supersedes other orders or bulletins, or rules, etc., will carry the identifying notations (order number, rule number, etc.) necessary to connect them.
- D. Prior to implementation of proposed directives, a copy shall be sent to the Command Staff for his/her review.

IV. DISTRIBUTION AND RETENTION OF WRITTEN ORDERS AND BULLETINS:

- A. General Orders will be issued to all members and retained in an electronic database accessible to all members. They will acknowledge receipt and date/sign for acquisition of general orders. Documentation of receipt will be tracked electronically through the department's document management system. (PowerDMS)
- B. All personnel will receive general orders electronically through the department's document management system and will be held responsible for knowledge of and compliance with the contents of such orders. The document management system will track receipt of all department orders.
  - 1. Communication Orders, personnel orders, and bulletins will be distributed only to units affected. Copies of all written orders and bulletins will be saved and stored in the department's document management system.
  - 2. Communication Orders, personnel orders, and bulletins when they have served their purpose, need not be retained by individual officers.
- C. Distribution will be noted on each order.
- D. All Employees will check their account in the department's document management system (DMS) each work day.

- E. Each supervisor/division commander will ensure that employees under their command are aware of any directive/orders or revisions and have completed and signed off on all documents within a reasonable time period. No member shall have unsigned documents in DMS for longer than 30 days unless they are on an excused absence.

V. INDEXING AND GENERAL FORMAT:

- A. Orders and bulletins shall be numbered consecutively with a suffix consisting of the last two digits of the year issued.
- B. All written orders and bulletins shall conform to the format of this order as clearly as possible. All orders and bulletins will also indicate their effective date.

VI. EFFECTIVE DATE:

- A. All orders must have an effective date within a reasonable time of issuance of such order.

VII. CANCELLATIONS:

- A. All general orders, communication orders and bulletins which are not self-canceling shall be reviewed one year after original date of issuance by the Commissioner to determine if:
  - 1. They should be canceled.
  - 2. They should be incorporated into a manual.
  - 3. They should be revised.
  - 4. They should be continued in their present form.
- B. Cancellation and incorporation into other manuals shall be effected by a Communication Order.
- C. Review of orders and bulletins shall be conducted one year after issuance.

VIII. REVIEW:

- A. All written directive will undergo a review at least once every five years from the issuance of the order. Command Staff will review the directives and make recommendations to the Commissioner of Public Safety to cancel, modify or no change required.
  - 1. Complete department form - General Order Review Log

**CITY OF RYE POLICE DEPARTMENT**

General Order # 105.4	New [ ]	Revised [X]
Supersedes: 105.4 issued 9/25/13		
Subject: Exposure Control Plan		Page 1 of 9
Date Issued XXXX	Date Effective XXXX	
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

PURPOSE

- To provide safeguards to protect employees of the City of Rye Police Department against health hazards from blood, airborne pathogens, and other potentially infectious materials (OPIM), and to reduce the risk of exposure.
- To ensure departmental compliance with applicable OSHA standards.
- To identify tasks and corresponding job classifications defined to be at risk for exposure, identify the procedures for evaluating circumstances involving an exposure incident and provide a schedule for implementation.

POLICY

The City of Rye Police Department is committed to providing a safe and healthful work environment for the entire staff. In pursuit of this goal, the following ECP is provided to eliminate or minimize occupational exposure through:

- Determination of employee exposure
- Implementation of various methods of exposure control
- Housekeeping
- Hepatitis B vaccination
- Post-exposure evaluation and follow up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents

This General Order is a key document in assisting this department in implementing and ensuring compliance with the standard, thereby protecting all employees. All reports and recordkeeping prescribed by this order will be completed in conjunction with General Order 116.7 Line of Duty Injury.

## DEFINITIONS

### **Other Potentially Infectious Materials -**

- Bodily fluids, namely: semen, vaginal secretions, cerebrospinal fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
- Any unfixed tissue or organ (other than intact skin) from a human (living or dead).
- Cell or tissue cultures containing HIV, organ cultures, and HIV or HBV containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

**Significant Exposure** - whenever blood, airborne pathogens or OPIM come into contact with skin surface areas that are cut, or have abrasions or open sores or have been penetrated by a sharp object. Also when the above fluids and pathogens come into contact with mucous membranes, such as the eyes or mouth, or there is prolonged contact or massive exposure.

**Personal Protective Equipment (PPE)** - specialized clothing or equipment worn by an employee for protection against a hazard.

**Blood** - human blood, human blood components, and products made from human blood.

**DICO** - designated infection control officer, who is a licensed or certified medical professional.

## PROCEDURE

### A. Determination of Employee Exposure

1. **Category 1** - the job classifications for the City of Rye Police Department in which all employees have occupational exposure include:
  - a. Sworn Law Enforcement
  - b. Seasonal Bay Constables
2. **Category 2** - The job classifications in which occupational exposure may occur for some employees are:
  - a. Civilian employees - shared work space with sworn personnel and work area is in general proximity of prisoner holding areas.

### B. Implementation of Various Methods of Exposure Control

1. Universal Precautions will be used in all work activities with any potential for exposure to blood or OPIM.
2. Engineering and work practice controls will be used to eliminate or minimize employee exposure. Where

occupational exposure remains after institution of these controls, PPE will be used. Engineering controls will be examined and maintained or replaced on a regular schedule to ensure their effectiveness.

3. Employees who have occupational exposure will receive yearly training where the ECP will be reviewed.
4. Readily accessible handwashing facilities are provided to employees.
5. Employees will be provided appropriate PPE and trained in their use. The PPE employed by this agency includes, but is not limited to: Nitrile gloves (EMS Cabinet), N95 Respirators (EMS Cabinet), Protective eye wear (Department Armory), and Isolation kits (EMS Cabinet). Employees using PPE will observe the following precautions:
  - a. Wash hands after removing gloves or other PPE as soon as possible.
  - b. Remove PPE after it becomes contaminated and before leaving the work area.
  - c. Used PPE that are exposed to blood or OPIM may be disposed of in a red bio-hazard bag (EMS Cabinet). The bag will be sealed and the DICO or Port Chester Rye Brook EMS contacted to coordinate disposal.
  - d. Used PPE that is not exposed to blood or OPIM may be disposed of in any non-regulated waste container.
  - e. Wear appropriate gloves when it is reasonably anticipated that there may be hand contact with blood or OPIM and when handling or touching contaminated items or surfaces. Replace gloves if they become torn, punctured or contaminated, or if their ability to function as a barrier is compromised.
  - f. Disposable gloves will never be reused.
  - g. Wear appropriate face and eye protection when blood or OPIM pose a hazard to the eyes, nose or mouth.
6. The red bio-hazard bags found in the EMS Cabinet will be utilized for contaminated or potentially contaminated items.
7. Contaminated clothing articles will be removed as soon as possible and handled in such a way as to avoid further exposure, then placed in a red bio-hazard bag and brought to a department authorized cleaning service or will be given to the DICO for disposal.
8. Contaminated sharps are discarded immediately, or as soon as possible, in containers that are closable, puncture-resistant, leak proof on sides and bottoms, and appropriately labeled or color-coded. Port Chester Rye Brook EMS will be contacted for disposal.

Note: sharps disposal containers are available in the EMS Cabinet.

C. Housekeeping

1. The facility will be cleaned and decontaminated regularly and as needed in the event of a gross contamination.
2. All equipment and working surfaces will be cleaned and decontaminated after contact with blood or OPIM.
3. Any potentially contaminated glassware will be picked up using mechanical means, such as brush and dustpan.
4. Regulated waste is disposed of in accordance with applicable federal, state and local regulations.

D. Hepatitis B Vaccination

1. The DICO will provide training to employees on hepatitis B vaccinations, addressing safety, benefits, efficacy, methods of administration and availability.
2. The hepatitis B vaccination series is available at no cost after initial employee training and within 10 days of initial assignment to all employees identified in the exposure determination section of this plan.
3. Vaccination is encouraged unless documentation exists that the employee has previously received the series, antibody testing reveals that the employee is immune or medical evaluation shows that the vaccination is contraindicated.
4. If an employee declines the vaccination, the employee must sign a declination form. Employees who decline may request and obtain the vaccination at a later date at no cost. Documentation of a refusal will be kept on file.

E. Post-Exposure Evaluation and Follow Up

1. Whenever an officer is exposed to a suspected blood or airborne pathogens, whether it is a minor or **significant exposure**, the Tour Supervisor will be notified and an aided report will be filed containing only basic information regarding the incident that led to the exposure. A PERMA report with necessary information will be filed as well.
2. A supplemental report will be submitted as soon as possible (not to exceed 24 hours) containing the circumstances of the exposure, what the employee was exposed to, route of exposure, area of exposure, and length or concentration of exposure. The supplemental report will also detail the names of other individuals present (especially the source individual, if known), as well as any treatment the officer received, and by whom. A copy of these reports will be forwarded to this department's DICO.
3. Should **significant exposure** occur, the Tour Supervisor or Desk Officer will ensure that the affected officer goes to the emergency room for evaluation and treatment as soon as

possible. The DICO will then be contacted and all proper paperwork filed.

4. Following the medical evaluation, a copy of the health care professional's written opinion will be obtained and provided to the employee within 15 days of completion of the evaluation. It will be limited to whether the employee requires the hepatitis vaccine and whether the vaccine was administered.

F. Procedures for Evaluation of an Exposure Incident

1. The DICO will review the circumstances of all exposure incidents to determine:
  - a. The engineering controls in use at the time.
  - b. Work practices followed.
  - c. Protective equipment or clothing that was used.
  - d. Employees training.
2. Any time skin is broken from a contaminated sharp the incident must be logged in the Sharps Injury Log.

G. Training

All employees who have occupational exposure to bloodborne pathogens receive initial and annual training which covers, at minimum:

1. A copy and explanation of the OSHA bloodborne pathogen standard.
2. An explanation of our ECP and how to obtain a copy.
3. An explanation of methods to recognize tasks and other activities that may involve exposure to blood and OPIM, including what constitutes an exposure incident.
4. An explanation of the use and limitations of engineering controls, work practices and PPE.
5. An explanation of the types, uses, location, removal, handling, decontamination and disposal of PPE.
6. An explanation of the basis for PPE selection.
7. Information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine will be offered free of charge.
8. Information on the appropriate actions to take and persons to contact in an emergency involving blood or OPIM.
9. An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the

incident and the medical follow-up that will be made available.

10. Information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident.
11. An explanation of the signs and labels and/or color coding required by the standard and used at this facility.
12. An opportunity for interactive questions and answers with the person conducting the training session.

#### H. Recordkeeping

1. Training records will include: the dates of training, the contents or a summary, the names and qualifications of persons conducting the training and the names and job titles of all persons attending the session. These will be kept on file for at least three years.
2. Medical records are maintained for each employee with occupational exposure in accordance with 29 CFR 1910.1020, "Access to Employee Exposure and Medical Records".
3. An exposure incident is evaluated to determine if the case meets OSHA's Recordkeeping Requirements (29 CFR 1904). This determination and the recording activities are done by the DICO.
4. In addition to the 1904 Recordkeeping Requirements, all percutaneous injuries from contaminated sharps are also recorded in a Sharps Injury Log. All incidences must include at least the date of injury, type of device used, department or work area where the incident occurred and explanation of how the incident occurred. This log will be reviewed and maintained as per OSHA requirements.

#### I. Tuberculosis Infection Control Plan

1. Transmission of Tuberculosis (TB) is a recognized risk in the Emergency Medical Service field. Workers are protected under the OSHA general duty clause. The City of Rye Police Department has voluntarily implemented a tuberculosis infection control plan to minimize risk to the employees.
2. TB is spread through the air by a bacterium called Mycobacterium Tuberculosis. Persons with active TB produce airborne particles when they speak, cough, sneeze, laugh or sing. Normal air currents keep these particles airborne and can spread them throughout a room or building. TB infection begins in the lungs, but can spread throughout the body. The likelihood of infection depends on the concentration of TB particles in the air, the length of exposure and the use of PPE (respirator). Within 2-10 weeks of infection the immune system usually limits the spread. Individuals may be infected, but not actively

contagious unless they have symptoms of active TB. Exposure to TB should be identified as soon as possible to eliminate the infection before it progresses. The risk of TB transmission is greatest from persons with undiagnosed or untreated TB disease. Workers who have repeated, prolonged contact with this population are most at risk for TB infection. Multiple drug resistant TB (MDR-TB) is resistant to antibiotics normally used to combat the disease. If a worker is infected with MDR-TB the worker's infection can be just as drug resistant as the source's. MDR-TB can be fatal and the number of cases is expected to rise. Signs and symptoms of TB include:

- a. Persistent cough for 2 weeks or more.
  - b. Weight loss or loss of appetite.
  - c. Weakness or fatigue.
  - d. Night sweats and/or fever.
  - e. Coughing up blood (hemoptysis).
3. The Center for Disease Control and Prevention (CDC) has determined that work in a healthcare setting (including EMS and first responders) puts employees at risk for TB infection. Law enforcement also has an increased risk due to interaction with underserved populations. The 2005 CDC guidelines for preventing the transmission of TB detail how to conduct a risk assessment. Based on those criteria our agency falls into the "low risk" category. The following classifications are considered "at risk" for exposure: Sworn Law Enforcement and Bay Constables. The following classifications are considered "not at risk" for exposure: Civilian Employees. OSHA and the CDC has identified the following as significant risks for TB exposure:
- a. Any EMS advanced respiratory intervention.
  - b. Repeated, prolonged indoor contact with a high risk population.
  - c. Direct, indoor contact with individuals who have suspected or confirmed active TB (inside a closed vehicle is considered indoors).
4. None of following methods, alone or in combination, can completely eliminate the risk of contracting TB. However, an effective TB Infection Control Program can drastically reduce the risk of infection.
- a. Early identification and isolation. Individuals with suspected or confirmed active TB should be identified as quickly as possible. Direct indoor contact with the individual should be minimized by employees, other civilians and parties in custody.
  - b. Individuals with suspected or confirmed active TB should be fitted with a surgical mask. If the individual requires medical attention, airway management and oxygen delivery should not supersede infection control.
  - c. Ultraviolet irradiation devices are present in holding areas as a control measure in this facility.

- d. N95 respirators will be provided to employees as respiratory PPE. These respirators will be provided in different sizes to accommodate physical differences between employees. They will be located in the EMS cabinet and in department issued medical bags. The respirators will be worn when entering an enclosed space with individuals known or suspected to have active TB. Due to air filtering wearing a respirator will cause breathing to become slightly more difficult. **Do not wear more than one respirator at a time.**
5. Upon issuing respirators the City of Rye Police Department is required to implement an on-going Respiratory Protection Program in compliance with OSHA standard 29 CFR 1910.134.
  - a. All workers classified "at risk" for occupational exposure to TB will receive training on the hazards and control of TB at the time of hire or at the time of assignment to an "at risk" position.
6. All "at risk" employees will be tested for exposure to TB upon hire and annually thereafter (unless there is documentation of a previous positive test). Employees will additionally be tested immediately after an exposure occurs with a follow up test 12 weeks following the initial.
7. Workers with a positive skin test will be referred to a medical professional for further evaluation. If TB infection is diagnosed, preventative medication will be provided at no cost to the employee. Employees with symptoms of active TB infection will be referred to a medical professional regardless of skin test results. Workers with infectious pulmonary or laryngeal TB may not return to work until adequate treatment is completed, cough is resolved and a physician certifies the employee is no longer infectious.
8. Employees with documented immunosuppressed conditions may request a transfer to a position which does not involve exposure to TB, but such position may or may not exist and such transfer may or may not be possible. Consideration of request for transfer will be undertaken in light of applicable federal and state laws, including the Americans with Disabilities Act of 1990.
9. Cleaning and Disinfection:
  - a. After transporting a patient with known or suspected TB the doors and windows will be left open for several minutes so air may circulate freely. This should reduce or eliminate the infectious airborne particles, however the CDC and OSHA have no data that demonstrates how effective that may be. The Department of Public Works will be contacted to coordinate the decontamination of the vehicle.

- b. If a party with active or suspected TB is secured in headquarters the Department of Public Works will be contacted to coordinate the decontamination of that immediate area.
- c. Standard precautions will be followed when dealing with a party with known or suspected TB. All equipment that comes in contact will be disinfected using normal procedures.

10. Recordkeeping

- a. Records of skin testing, medical evaluations, and treatment are considered worker medical records. Records of TB exposure incidents will be maintained in a confidential, limited access file (separate from personnel records) for the duration of employment plus thirty years.
- b. Positive skin tests in pre-hire tests, at time of hire, or within two weeks of beginning work are not recorded on the OSHA 300 log. Otherwise, positive skin tests, confirmed TB infections, and active TB disease will all be recorded on the OSHA 300 log unless there is clear documentation that exposure occurred outside of work-related activities.
- c. If TB infection progresses to TB disease during employment/membership or within five years after leaving the department, the 300 log will be updated to reflect the change.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 106.1		New [ ]	Revised [X]
Supersedes: 106.1 issued 7/10/00			
Subject: Motor Vehicle Accident Investigation and Report Procedures			
Date Issued XXXX	Date Effective XXXX	Page 1 of 4	
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety			

PURPOSE

To ensure that motor vehicle accidents, which occur in the City of Rye, are properly investigated and documented.

POLICY

Members of the City of Rye Police Department will respond to all motor vehicle accident scenes they are called to. Officers will consider the circumstances involved in the crash, the nature and extent of the damage, and the requests of the individuals involved when determining what action will be taken.

DEFINITIONS

A motor vehicle accident (MVA) is any incident in which injury and/or property damage is caused, unintentionally, by the movement of a motor vehicle.

PROCEDURE

A. General Procedures

1. Upon arrival at any motor vehicle accident, officers will safeguard the scene and care for the injured.
2. EMS, the fire department and/or duty tow will be requested as needed.
3. All drivers will be interviewed and the identification and statements of witnesses will be obtained if appropriate.
4. Documentation will be completed and reviewed as necessary.

5. Officers will advise the respective individuals if they decide to make any report regarding the accident they have ten days to submit the forms.
6. Enforcement action will be taken, if necessary, when traffic violations have occurred.

B. Property Damage Only

1. Less than \$1,000

- a. A property damage only MVA only requires members to assist in the exchange of information between drivers (drivers license, insurance and registration).
- b. Registration information to be contained in the CAD ticket.

2. \$1,001 or More

- a. MVAs involving property damage of \$1,001 or more, members will provide MV104 paperwork and assist in the exchange of information between drivers **or** complete a MV104a or TRACS report.

C. Parked Vehicles, Other Property and Domestic Animal Injury

MVAs involving parked vehicles, other property and injury of domestic animals will require officers to locate the owner and, if any party involves requests a report, complete a MV104a or TRACS report.

D. Personal Injury Accidents

MVAs involving personal injury will require members to complete a MV104a or TRACS report.

E. Fatal and Serious Injury Accidents

Refer to G.O. 106.2.

F. Fire Hazards

When an officer is called to the scene of an MVA where the potential for a fire is readily apparent, the fire department will be notified and requested to respond.

G. Hit and Run Accidents

1. Desk Officer
  - a. Record reporting individual's pedigree information, the approximate time of the MVA, description of the vehicle and driver that left the scene and the direction of travel.
  - b. Dispatch units to respond and broadcast pertinent information.
  - c. Notify other police jurisdictions as appropriate (police radio, phone, hotline, eJustice).
2. Investigating Member
  - a. Take written statements.
  - b. Search for, collect and preserve evidence (paint scrapings, broken auto parts, video, etc.).
  - c. Request a detective, when appropriate.
  - d. Provide a case file with all statements and relevant investigatory documentation to the Detective Division for follow up investigation.

NOTE: for any Hit and Run MVA involving serious injury or death refer to G.O. 106.2.

H. Driving While Intoxicated or Impairment Due to Drugs

When an officer suspects that the ability of a driver involved in a MVA has been impaired by alcohol or drugs they will follow department procedures concerning impairment related offenses. See G.O. 109.8.

I. Accidents Involving Hazardous Materials

1. Whenever a MVA involves a vehicle transporting hazardous material, the responding officer(s) will take all necessary steps to ensure the safety of all persons on or near the scene. Initial responders will attempt to remain upwind from the suspected hazardous material and can utilize the D.O.T. Emergency Response Guide (found on Department in-car computers) in making a preliminary assessment of the situation.
2. If practical, the driver of the vehicle will be interviewed to determine the nature of the material.

3. 60 Control will be contacted for fire department dispatch.

J. Accidents Involving a Police or City Owned Vehicle

1. All MVAs involving Department or City owned vehicles will require an uninvolved member to complete a MV104a or TRACS report.
2. All MVAs involving Department personnel, while in emergency operation, will require members to complete a MV104L.
3. Accidents involving city vehicles will be photographed.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 106.2	New [ ]	Revised [X]
Supersedes: 106.2 issued 11/1/96		
Subject: Fatal and Serious Injury Motor Vehicle Accidents		
Date Issued XXXX	Date Effective XXXX	Page 1 of 2
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

PURPOSE

To establish policy and procedure for investigating accidents when they involve fatality or serious injury.

POLICY

It is the policy of the City of Rye Police Department to have traffic accidents involving serious physical injury and fatalities investigated by the Detective Division and/or an accident investigation technician (AIT). The department does not perform such services in support of civil litigation, however, these services are performed in support of criminal prosecution as necessary and appropriate.

PROCEDURE

**When any member believes a MVA may involve a fatality or serious physical injury he/she will immediately call for EMS if they have not already been dispatched.**

A. Desk Officer

1. Record reporting individual's pedigree information and immediately dispatch EMS along with necessary units. Note arrival time for all responding agencies as they call themselves on scene.
2. Notify the Tour Supervisor, who will respond to the scene.
3. Notify the Patrol and Detective Commander.
4. Call for an Accident Investigation Unit as directed.

5. Make notifications to any agencies necessary (Medical Examiner, District Attorney, utility companies, Public Works).

B. Investigating Members

1. Will record all information necessary for the filing of a MV104a report with special emphasis on obtaining the following:

- a. Posted speed limit.
- b. Roadway surface type.
- c. Number of lanes on the roadway.
- d. Roadway flow (one way, two way, divided highway, etc.).
- e. EMS notification time, arrival to scene and hospital times.
- f. Initial point of impact of the vehicles.
- g. Name and address of all involved.
- h. Vehicle model.
- i. Estimated speed of each vehicle.

NOTE: an AIT may be required to obtain some of this information.

2. When it has been determined by the Tour Supervisor that an AIT is required he/she will notify the Desk Officer for a call out.
3. Upon consultation with an AIT a determination will be made as to who will file the MV104a.
4. Prior to the AIT's arrival, patrol officers will treat the accident location as a crime scene and:
  - a. Close the roadway.
  - b. Safeguard evidence.
  - c. Identify and detain witnesses at the scene, if possible.
  - d. Screen ALL DRIVERS for alcohol/impairment.
  - e. Obtain statements from all witnesses as soon as possible (if a detective is available he/she will assume this responsibility).
  - f. Complete all required reports.
5. If the accident involves drugs or alcohol see G.O. 109.8.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 111.2	New [ ]	Revised [X]
Supersedes: 111.2 issued 7/10/00		
Subject: Vehicle Towing, Impound, and Release Procedures		
Date Issued XXXX	Date Effective XXXX	Page 1 of 4
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

PURPOSE

To establish policy and procedures for The City of Rye Police Department regarding the towing or impound of motor vehicles within the City of Rye.

POLICY

Only department authorized tow trucks will be utilized for police initiated tows and impounds. They will be dispatched according to the rotation list. All vehicles impounded will receive a tow number and a tow inventory form will be completed. If the vehicle is locked, it will be noted on the tow inventory form.

PROCEDURE

A. Illegally Parked, Abandoned, Unregistered, Etc.

1. The requesting officer must specify the reason for the tow and any special criteria to the Desk Officer (i.e., All Wheel Drive vehicle, Heavy Duty vehicle, etc.).
2. The towing of a motor vehicle is authorized under the following circumstances:
  - a. When any vehicle is involved in an accident and disabled.
  - b. When any vehicle is parked or abandoned on any highway within the city during a snowstorm, flood, fire, or other public emergency which affects that portion of the public highway.
  - c. When any vehicle is parked or abandoned on any highway within the City where such vehicle constitutes an

obstruction to traffic, or where stopping, standing, or parking is prohibited or blocking any driveway.

- d. When any vehicle is found parked on any highway or other public property in the city and such vehicle is unregistered.
- e. When vehicle is found in violation of City Code Article IV, Section 191.22 Removal of Vehicles Authorized or 191.25 Parking During Emergencies Prohibited.

NOTE: if appropriate, a parking violation summons will be issued.

- 3. A recovered stolen vehicle will be towed for safekeeping. The registered owner is to be contacted within a reasonable amount of time. A call for service of "Property Recovered" will be generated, a recovered property form will be completed, and all required entries made in eJustice. The owner will be contacted and advised of the vehicle location, condition, etc.

NOTE: Check for special instructions from the entering agency (i.e., hold for prints).

- 4. If the Desk Officer or Tour Supervisor on duty are unable to contact the owner an email will be sent to the Patrol Commander and Detective Commander with the information and detailing the attempts to contact.

B. Abandoned Vehicle Towing Procedure, Private Property

Unless the vehicle is stolen or has been used in a crime, it will be up to the property owner to remove the vehicle in accordance with NYS VTL 1224.1 sub D. The property owner will file a report with the City of Rye Police Department and the vehicle owner's information (name, address, etc.) will be given to the property owner for the purpose of notification. The Desk Officer will enter the vehicle into the eJustice system.

C. Criminal Investigation/Vehicle and Traffic Law Impounds

1. Criminal Investigation

- a. A vehicle may be impounded if it is considered physical evidence relevant to a criminal investigation.
- b. Impounded vehicle will be inventoried. The inventory will include the trunk, glove box, under the hood, and

any/all containers. A vehicle inventory form will be completed. Officers are to comply with all applicable laws regarding search and seizure.

- c. Vehicle will be towed to the Department of Public Works and secured in the Police Impound Yard.

2. Vehicle and Traffic Laws

- a. Vehicles will be impounded pursuant to any vehicle stop where the driver is not fully licensed and authorized to operate the vehicle.
- b. Vehicles will be impounded as mandated by Westchester County Code 698.101.a for any VTL 1192 arrest under the following circumstances:
  - i. The operator is the sole occupant.
  - ii. There is no occupant licensed and authorized to operate the vehicle in a sober state.
  - iii. The registered owner is not available to grant permission for any sober driver to operate the vehicle.
  - iv. If the charge constitutes a Felony the vehicle must be impounded. Follow the guidelines set forth under 'Criminal Investigation' section in this General Order.
- c. Vehicle will be impounded for any Vehicle and Traffic Law offense where the operator is taken into custody.
- d. Vehicles will be inventoried, an inventory form will be completed and all eJustice entries made.

D. Police Impound Yard

- 1. Vehicles secured in the Police Impound Yard will be placed for ease of access. Vehicles that are disabled or have no keys will be placed further to the back so as not to block the main portion of the driveway.
- 2. Impounded vehicles will have only the ignition key/key fob removed and will be stored in the key safe located at the Police Impound Yard. The held key/key fob will have a numbered tag affixed.
- 3. Impounded vehicles will be non-permanently marked with the case number, tow company, safe key number and any

other pertinent information provided that such will not compromise an ongoing investigation.

E. Confiscated Plates and Drivers Licenses

1. Confiscated plates will be placed in the confiscated plate box. A confiscated documents form will be completed. This form, along with a copy of the eJustice printout, will be filed with regular paperwork and not attached to the plate.
2. When a drivers license is confiscated it will be attached to a completed confiscated documents form and submitted with regular paperwork.

F. Disposition and Release of Impounded Vehicles

1. Disposition of impounded vehicles will be in accordance with existing laws, i.e., Rye City Code, NYS Vehicle and Traffic Law, Westchester County Code, etc.
2. Prior to notifying the tow yard to release a vehicle the Desk officer must ensure that the person claiming the vehicle meets the following requirements:
  - a. Present valid proof of ownership or lawful authority to operate the motor vehicle (i.e., signed and notarized letter from the owner).
  - b. Possess a valid drivers license for that class vehicle.
  - c. Possess proof of valid insurance for that vehicle.
  - d. The person claiming the vehicle must not be in violation of any Vehicle and Traffic Law section 1192 and otherwise be able to operate the vehicle in a safe manner.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 113.13	New [ ]      Revised [X] Supersedes: 113.13 issued 11/1/96	
Subject: Notification of Next of Kin		
Date Issued XXXX	Date Effective XXXX	Page 1 of 2
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

PURPOSE

To establish departmental procedure in making notifications and ensure the prompt notification of next of kin in all cases where the deceased or seriously injured persons are handled by police personnel or this department is requested by another police agency to make notification.

PROCEDURE

1. Every effort will be made to locate and notify the nearest relative as soon as possible by uniformed patrol.
2. If next of kin is alone at the time of notification, a close friend, clergy or neighbor will be sought to stay with that person.
3. All notifications will be made with a minimum of two officers. If conditions permit, it will be the Tour Supervisor and an additional officer.
4. Extreme tact and a direct approach will be exercised by the officer when making notification.
5. Be reassuring and understanding.
6. Offer any assistance possible.
7. If relatives reside within this department's jurisdiction, notification will be made in person by members of the department.
8. Relatives residing outside this department's jurisdiction will be notified by the police agency in that jurisdiction.

9. Telephone notification will be utilized only when all other methods are not feasible, and only when approved by the Tour Supervisor.
10. No release of names will be made to the news media until prior notifications have been made.
11. An aided report will be completed containing name, address, relationship, date, time, notifying officer and any other pertinent information.
12. When being requested by another agency to make notifications, or when asking another agency to make notification for our department, eJustice will be used for confirmation of validity of the request.

This general order is to be used in conjunction with all relevant existing departmental orders, rules and regulations.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 117.5	New [ ]      Revised [X] Supersedes: 117.5 issued 6/25/03	
Subject: Department Vehicle Equipment		
Date Issued XXXX	Date Effective XXXX	Page 1 of 1
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

POLICY

It is the policy of the City of Rye Police Department that all police vehicles being utilized will carry, at minimum, certain standard equipment.

PROCEDURE

Patrol Vehicles

- |                                |                         |
|--------------------------------|-------------------------|
| 1. Active shooter response kit | 7. Gloves               |
| 2. AED                         | 8. Oxygen/first aid bag |
| 3. Blanket                     | 9. Police radio         |
| 4. Fire extinguisher           | 10. Police tape         |
| 5. Flares - minimum of 12      | 11. Trauma response bag |
| 6. Flashlight                  | 12. Window tool         |
|                                | 13. Zip ties            |

Tour Supervisor Vehicle (in addition to patrol)

- |                                    |                               |
|------------------------------------|-------------------------------|
| 1. Binoculars                      | 5. Gloves                     |
| 2. Bio-hazard bag/sharps container | 6. Long gun with extra rounds |
| 3. Eye & ear protection            | 7. Portable bullhorn          |
| 4. Evidence bags                   | 8. Rope                       |

Detective Vehicles

- |                               |                 |
|-------------------------------|-----------------|
| 1. Blanket                    | 7. Flashlight   |
| 2. Crime scene collection kit | 8. Police radio |
| 3. Evidence bags              | 9. Police tape  |
| 4. Fire extinguisher          | 10. Window tool |
| 5. First aid bag              | 11. Zip ties    |
| 6. Flares - minimum of 12     |                 |

Optional

Special Weapons see G.O. 103.6.

**CITY OF RYE POLICE DEPARTMENT**

General Order # 119.7	New <input checked="" type="checkbox"/>	Revised <input type="checkbox"/>
Supersedes:		
Subject: Adopt A School Program		
Date Issued XXXX	Date Effective XXXX	Page 1 of 3
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

PURPOSE

To establish policy and procedure for officers assigned to the Adopt a School Program.

POLICY

It is the policy of the City of Rye Police Department that the Commissioner of Public Safety will select members of the department to utilize in the Adopt a School Program. Chosen officers will make routine visits, receive training, attend events and provide additional services to the community in order to grow the program and better youth relations.

PROCEDURE

A. Routine Visitation

1. Officers selected for the program will make school visitation during their regular tour of duty for the purpose of:
  - a. Building positive relationships with the faculty, staff, students and parents.
  - b. Providing a visible police presence on school property.
  - c. Encouraging the mutually beneficial exchange of information and concerns between the officer and his/her adopted school.
  - d. Proving a positive police officer role model, thereby dispelling negative police stereotypes.

- e. Reassuring children about their safety and discussing methods the children may use to avoid potentially hazardous situations.
  - f. Providing insight on the function of police officers and encourage students to consider law enforcement as a possible career.
  - g. Contributing to the positive development of the youth of the community.
- 2. A call for service will be generated for any routine visit, but a narrative need not be entered.
  - 3. While on a school visit, officers will remain prepared to respond to emergency calls for service.

B. Presentations and Events

- 1. All presentations and events that do not coincide with an Adopt a School officer's regular tour of duty will require prior approval of the Commissioner or his/her designee.
- 2. All presentations and events that take place during an Adopt a School officer's regular tour of duty, but would diminish his/her ability to respond to an emergency situation will require the approval of the Patrol Commander.
- 3. Any request for the services of an Adopt a School officer must be made through the Patrol Commander.
- 4. Use of departmental property will require the prior approval of the Commissioner or his/her designee.
- 5. Any modification to the uniform regularly worn for service will require the prior approval of the Patrol Commander.
- 6. A call for service will be generated for any presentation given or event attended. A brief entry in the comments section will reflect the nature of the call.

C. Training and Development

- 1. Officers selected for the Adopt a School Program will receive formal training to better their ability to serve the community.

2. Officers will meet semi-annually with the Commissioner of Public Safety to discuss the program.
3. Officers are encouraged to help each other develop the program.
4. Adopt a School officers should be cognizant of calls that have involved their assigned schools and students who attend those schools.



# CITY COUNCIL AGENDA

NO. 9

DEPT.: City Manager

DATE: November 29, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Resolution to transfer \$20,000 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget for Best Best & Krieger LLP to represent the City in cable franchise agreement negotiations.

**FOR THE MEETING OF:**  
November 29, 2017

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

WHEREAS, City staff has determined that the amounts required to represent the City in cable franchise agreement negotiations was not anticipated and was not provided for in the adopted 2017 budget by \$20,000, and;

WHEREAS, the Cable TV Unassigned Fund balance has enough funds to be appropriated for Best Best & Krieger LLP to represent the City in cable franchise agreement negotiations, now, therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer \$20,000 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget for Best Best & Krieger LLP to represent the City in cable franchise agreement negotiations.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The franchise agreements between the City of Rye and Verizon and Altice (Cablevision) expire in December, 2017 and February, 2018. The City Council authorized the firm of Best, Best & Krieger LLP to represent the City in the cable franchise agreement negotiations with Cablevision and Verizon for an amount not to exceed \$20,000 at the September 13, 2017 City Council meeting. The Council is asked to appropriate the Cable TV funds for Best Best & Krieger LLP.