

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on October 15, 2003 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor  
FRANKLIN J. CHU  
CAROLYN CUNNINGHAM  
ROBERT S. CYPHER  
ROBERT H. HUTCHINGS  
ROSAMOND LARR  
DOUGLAS McR. McKEAN  
Councilmen

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

Announcements

Mayor Otis reported that the commuter parking renewals had been mailed on October 3, 2003 and anyone who had not received the mailing should call the Clerk's Office. He said the deadline for submitting completed applications was Friday, November 7 at 5 P.M. The Clerk confirmed that there will be no extensions and no exceptions.

Mayor Otis congratulated the Rye High School football team on their great victory over long-time rival, Harrison and wished the team well as they go forward.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

There were no residents in the audience wishing to be heard.

4. Presentation by Rye Historical Society of their plans for celebrating Rye's Centennial in 2004

Eugene McGuire, President of the Rye Historical Society, reported on plans for celebrating Rye's Centennial in 2004 which marks the 100<sup>th</sup> anniversary of the incorporation of Rye as a village. The Society has taken the role of coordinating the celebration that will include participation by many community organizations. There will be several exhibits, the major one being at the Square House entitled "Small Town, Big People: Rye Residents Who Changed the Face of Rye, 1904-2004." The Society has received a grant to hire Kenneth Jackson, Columbia Professor, author and President of the New York Historical Society, as a consultant. Professor Jackson will also be the lead off speaker for the planned lecture series that will be co-sponsored by the Rye Free Reading Room. There will be a time capsule created by school children; an oral history program focusing on interviews with all former mayors; a photography exhibit at the Rye Arts Center; educational programming for children; and a centennial quilt. The return of the Festival 'Round the Green in September will have a centennial theme.

5. Consideration of a request by the Rye Historical Society for permission to depict the City Seal and city buildings in a "Centennial Quilt"

Trish Parsons, head of the Quilt Committee for the Historical Society's centennial programs, described the quilt being planned as a 60' X 60' wall hanging depicting several prominent Rye buildings with the City Seal in the middle and local flowers around the edge. She said the Society would be selling raffle tickets until September when the winner would be selected as part of the "centennial" Festival 'Round the Green. She asked for permission to use the seal and images of some City-owned buildings.

Mayor Otis made a motion, seconded by Councilman Hutchings and unanimously carried, to grant permission for the Rye Historical Society to use the City seal and images of City-owned buildings in the centennial quilt.

6. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #102.3, "Authority and Command"

The City Manager reported that review and revision of Rules and Regulations of the City of Rye Police Department is a result of a standard review process as well as preparation for accreditation review. He said the Police Benevolent Association has had a chance to review the changes and he recommends the Council adopt the changes to the Department General Orders requested in Agenda Items 6-11.

Councilwoman Larr said she had several questions concerning the documents and asked that the following issues be resolved before the drafts are put into final form:

- GO #103.7 (page 2 of 4) – Training (2)(g.) – is "documentation" eliminated?
- GO #109.4 – references to "United Hospital" should be changed to "New York/United Hospital Medical Center."

- GO #109.4 (page 8 of 17) – (1)(b.) - is there a time limit for how long police should wait for parents to arrive prior to questioning?
- GO #109.4 (page 10 of 17) – (2)(b.) - clarify who cannot be incarcerated together.
- GO #115.6 – renumber Definition list.

The City Manager agreed to work with the Police Commissioner to see that the comments were incorporated into the final copy. The Corporation Counsel advised the Council that it was acceptable to approve the Rules and Regulations as amended and with one motion for all agenda items.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #102.3 “Authority and Command”, be amended to clarify the policy regarding the order and rank at the scene of a police incident.

7. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #103.5, “Police Baton and Utility Knife”

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #103.5 “Police Baton and Utility Knife”, be amended to identify the batons authorized for use and to establish guidelines for training.

8. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #103.7, “Use of Oleoresin Capsicum Aerosol”

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #103.7 "Use of Oleoresin Capsicum Aerosol", be amended to include a requirement that refresher training in the use of OC Spray be conducted annually in conjunction with annual firearms training.

9. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #109.4, "Juvenile Operations"

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #109.4 "Juvenile Operations", be amended to change nomenclature involving the title of the Detective Division Commanding Officer.

10. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #115.6, "Specialized Training"

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #115.6 "Specialized Training", be amended by revising the list of specialized functions within the Department to conform to the designations currently in use.

11. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #116.1, "Recruitment, Selection, and Appointment"

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Rules and Regulations of the City of Rye Police Department, General Order #115.6 “Specialized Training”, be amended to reflect current policy and legal requirements as follows:

- The term of the probationary period for newly appointed Police Officers is amended to conform with current Civil Service Requirements;
- The policy for recording candidate interview responses is amended to reflect the current practice;
- The oath of office may be administered by the City Clerk.

12. Miscellaneous communications and reports

Mayor Otis congratulated the Police Department for receiving the Community Traffic Safety Program Gold Award for excellence in traffic safety and the Pedestrian Safety Commendation for seventeen years without a pedestrian fatality. He commended the Traffic and Transportation Committee and Sergeant Craig, the Department’s Traffic Sergeant, in particular for this excellent achievement.

Councilwoman Cunningham mentioned a suggestion from NYCOM that cities should contact the State comptroller to see if the pension costs could be “smoothed” out. Mayor Otis said the benefits of “smoothing” might not help the City of Rye as much as other municipalities, but asked the City Manager to contact the State Comptroller to see if anything can be done about the large increase in pension costs. The Mayor said, as of now, Rye’s increase is \$800,000, but to put it in perspective, New Rochelle’s will be about \$4 million.

Councilwoman Larr commented on a letter commending Boat Basin Superintendent Peter Fox for his excellent work preparing for Hurricane Isabel. Councilman Cypher concurred, saying Pete does excellent work all the time, but the storm preparation was particularly good.

13. Old Business

Councilwoman Larr asked about the progress on implementing the recommendations submitted at the July 16, 2003 Council Meeting to achieve the goals of the Enhanced Environmental Protection Resolution adopted by the Council on December 2, 2002, including review of the City Code, developing a recognition program, and defining staff rolls.

Councilwoman Cunningham asked if a policy was being considered regarding Police overtime for events such as the Rye Merchants Association street-closing request. Councilwoman Larr asked if there is any new information about the Westchester Triathlon event that caused some concern to residents; marked up the streets, etc. The City Manager reported he had met with all parties individually and was meeting again with everyone involved in November and that cleaning up the streets was a priority. He said at the moment there is not a policy regarding police overtime but the staff is looking into developing one.

14. New Business

There was no new business to come before the Council.

15. Draft unapproved minutes of the regular meeting of the City Council held October 1, 2003

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to adopt the minutes of the regular meeting of the City Council held on October 1, 2003.

16. Adjournment

There is no further business to discuss, Councilman Hutchings made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 8:35 P.M.

Respectfully submitted,

Susan A. Morison  
City Clerk