

A Worksession of the Town Board of the Town of Williamson, County of Wayne and State of New York was held in the Town Court Room at 7:00 PM on March 14, 2006. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Charles R. Monsees
Councilman Gary Orbaker
Councilman Anthony Verno
ABSENT: None

The Board reviewed bills for payment.

The Regular Meeting of the Town Board of the Town of Williamson was held in the Town Court Room following the worksession and was called to order at 7:30 PM on March 14, 2006 by Supervisor Hoffman with the Pledge of Allegiance. The following were

PRESENT: Supervisor James D. Hoffman
Councilman G. Elliott Warren
Councilman Charles R. Monsees
Councilman Gary Orbaker
Councilman Anthony Verno
ABSENT: None

Ryan Noble, Darwin Kaplin, Tom Saleppi, Bob Jamieson, Andrew Cantwell, Tyler Palmer, Jessica Hepler, Dustin Shoemaker, David Woods, Megan Shay, Emily Gimbel, Melissa Deville, Marcus Wight, Gary Kephart, Samantha Knataitis, Emily Gentile, Josh Buerman, Jen Hoffman, Sean McElhinny, Kaitlyn Derue, Scott Hackett, Sean Bigelow, Tabitha Davis, Amanda Deneef, Josh Deneef, Ron Acciari, Pamela Rogers; Sun & Record and the undersigned Deputy Town Clerk were also present.

Public Comment: No one wished to comment.

Supervisor Hoffman made a motion, seconded by Councilman Orbaker, to accept and/or file the letters and other forms of communication.

Letter from NYS Office of Real Property Services – Residential Assessment Ratio
Letter from Mr. Vince Palmer – Traffic Safety Concerns on Route 104
Conference Reports – Peters, Hoffman

The motion was carried.

Supervisor Hoffman made a motion, seconded by Councilman Warren, to accept the Consent Agenda containing the following items:

- a. previous minutes: February 28, 2006
- b. presentation of Town Clerk's report Tax Receiver's report
- c. to authorize the Town Clerk to advertise in the Sun & Record issue of March 16, 2006 for bids for the 2006 Williamson Spring Clean-Up. Bids will be received by the Town Clerk until 11:00 a.m., Friday, April 7th, 2006 at which time the bids will be publicly opened and read. Bid specifications will be available in the Town Clerk's office.
- d. to hold Spring Clean-up Days from Thursday, May 11th, 2006 through Saturday, May 13th, 2006. The hours on May 11th and May 12th are 9:00 a.m. until 7:00 p.m.. The hours on Saturday, May 13th are from 9:00 a.m. until 3:00 p.m. at the Williamson landfill site on Pound Road. The Clerk of the Board is to advertise Clean-up Days in The Sun & Record issues of April 13th and April 27th, 2006 and the Sodus-Williamson Pennysaver issues of April 20th and May 5th, 2006.
- e. to authorize the Town Clerk to order printed post cards to be used as permits for the Williamson Spring Clean-up. The cards will give charges for tires and appliance being brought to the landfill. The Town Clerk will be able to mark the appropriate spaces signifying what the person has paid, such as \$30.00 for refrigerators, freezers, dehumidifiers and air conditioners or \$4.00 for car/pickup tires up to 750 x 20, \$8.00 for larger truck tires, and \$13.00 for tractor tires. The post cards will also be marked to show how many trips have been made, up to a maximum of three trips.

f. pay the Library bills as audited by the Library Board of Trustees:

vouchers 53-71, total \$ 9,344.52

g. accept the Town Supervisor's report for December

The motion was carried.

Councilman Verno gave us an update on the Water Quality on Hamilton Street. Mike Schraffon, Labella Associates PE, will be at the next Town Board meeting to give an update on the situation.

Councilman Warren presented the following Resolution and moved its adoption. It was seconded by Councilman Orbaker.

WHEREAS: Interest in having a community center in Williamson has been expressed, informally to members of the Williamson School District Board of Education and the Williamson Town Board, for several years, and

WHEREAS: The Williamson School District Board of Education and the Williamson Town Board do recognize the benefit of increased recreation opportunities for children, adults and senior citizens in our community, and

WHEREAS: In response to public interest, on January 30, 2006 a public meeting was held at the Williamson Middle School, where sufficient interest was established to move forward with research and exploration of possible options for a Community Center,

NOW, THEREFORE, BE IT RESOLVED: The Williamson School District Board of Education and the Williamson Town Board do hereby appoint a Community Center Committee to explore the various options for having a community center in Williamson. The committee shall also attempt to measure the level of public support for the various options developed. The Community Center Committee is a citizen committee. It is advisory only for which the spending of public monies is not authorized. It shall consist of three person – Dr. Andrew Doniger, Chairperson; Michael Collins, Williamson School District Board Member; and Elliott Warren, Town Board Member. The committee is authorized to add additional members and to create a structure appropriate to fulfill the committee's mission. This committee shall appear separately before each Board at least semi-annually to formally update the Boards on its progress.

BE IT FURTHER RESOLVED: The stipulations herein shall remain in effect until December 31, 2007. At that time, the Williamson School District Board of Education and the Williamson Town Board shall jointly evaluate the accomplishments of the committee with consideration for continuance of the Community Center Committee the following year by resolution.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Hoffman
Councilman Warren
Councilman Monsees
Councilman Orbaker
Councilman Verno

NAYES: None

The Resolution was declared adopted.

Councilman Warren made a motion, seconded by Councilman Orbaker, to authorize the Apple Blossom Committee to contact the State Police and/or Sheriff's Dept. regarding the closing of roads at the appropriate and necessary times during the Apple Blossom Festival. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Account Clerk to attend Basic Accounting School and Advanced Accounting School. The Basic class will be for 2½ days from April 25 – 27, 2006. The Advanced Class will be for 2½ days from Oct. 4 – 6, 2006. Both classes will be held in Canandaigua, New York. The registration cost for each class is \$80.00, with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Assessor to attend a certification course. The course will be held on March 31, 2006 at the Ramada Limited in Batavia, New York. The registration fee is \$95.00, with all other necessary and actual expenses to be a Town charge. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Warren, to not appoint a replacement for Don Bain, former Town Justice. One will be elected through the Election process for 2006. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Town Supervisor to sign an agreement with Newport Alliance for administrative services for drug testing which is required by law. The agreement shall commence as of March 15, 2006 for one year as per agreement. The motion was carried.

Councilman Monsees presented the following Resolution and moved its adoption. It was seconded by Councilman Verno.

WHEREAS: Every local government must locally adopt its own Notification Policy regarding the protection of State residents from unauthorized access to their *private information* stored in electronic format and maintained by local government,

NOW, THEREFORE, BE IT RESOLVED: That the Town of Williamson adopts the following Cyber Security – Citizens’ Notification Policy:

- A. This policy is consistent with the State Technology Law, § 208 as added by Chapters 442 and 491 of the Laws of 2005. This policy requires notification to affected New York residents and non-residents. New York State values the protection of *private information* of individuals. The Town of Williamson is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual’s *private information* in compliance with the Information Security Breach and Notification Act and this policy.
- B. The town, after consulting with the State’s Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, must notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of the individual’s *private information* through unauthorized disclosure.
- C. A compromise of *private information* means the unauthorized acquisition of unencrypted computerized *data* with *private information*.
- D. If encrypted *data* is compromised along with the corresponding encryption key, the *data* is considered unencrypted and thus falls under the notification requirements.
- E. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.
- F. The town will notify the affected individual directly by one of the following methods:
 1. Written notice;
 2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the town that notifies affected persons in such form;
 3. Telephone notification, provided that a log of each notification is kept by the town that notifies affected persons; or
 4. Substitute notice, if the town demonstrates to the state Attorney General that the cost of providing notice would exceed \$250,000 or that the affected class of persons to be notified exceeds 5,000 or the town does not have sufficient contact information. The following constitute sufficient substitute notice:
 - a. E-mail notice when the town has an e-mail address for the subject persons;
 - b. Conspicuous posting of the notice on the town’s web site page, if the town maintains one; and
 - c. Notification to major statewide media.
- G. The town must notify, CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.
- H. The Town must notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.
- I. Regardless of the method by which notice is provided, the notice must include contact information for the town making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of *personal information* and *private information* were, or are reasonably believed to have been, so acquired.
- J. This policy also applied to *information* maintained on behalf of the town by a *third party*.
- K. When more than 5,000 New York residents must be notified at one time, then town must notify the *consumer reporting agencies* as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

Definitions

Consumer Reporting Agency: Any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. The state attorney general is responsible for compiling a list of consumer reporting agencies and furnishing the list upon request to the municipality.

Data: Any *information* created, stored (in temporary or permanent form), filed, produced or reproduced, regardless of the form or media. *Data* may include, but is not limited to personally identifying *information*, reports, files, folders, memoranda, statements, examinations, transcripts, images, communications, electronic or hard copy.

Information: The representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by human or automated means.

Personal Information: Any *information* concerning a natural person which, because of name, number, personal mark or other identifier, can be used to identify such natural person.

Private information: *Personal information* in combination with any one or more of the following *data* elements, when either the *personal information* or the *data* element is not encrypted or encrypted with an encryption key that has also been acquired:

1. social security number; or
 2. driver's license number or non-driver identification card number; or
 3. account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account
- "*Private information*" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

Third Party: Any non-municipal employee such as a contractor, vendor, consultant, intern, other municipality etc.

Roll call vote on the Resolution was as follows:

AYES: Councilman Warren
Councilman Monsees
Councilman Orbaker
Councilman Verno
Supervisor Hoffman

NAYES: None

The Resolution was declared adopted.

Councilman Monsees made a motion, seconded by Councilman Verno, to authorize the Assessing Clerk, Paula Datthyn, to attend an Assessment Administration Course to be taken on-line and to complete the exam for the course to be held in Batavia, New York at the Genesee County office on June 30, 2006. All necessary and actual expenses are to be a town charge. The motion was carried.

Councilman Orbaker made a motion, seconded by Councilman Warren, to renew the operating permit to Van's Mobile Home Park. The permit is renewable annually upon inspection and approval by the Building Inspector, which has been received. The motion was carried.

Public Comment: No one wished to comment.

Supervisor Hoffman made a comment in reference to an add that was run in the paper. The County Board of Supervisors is looking into changing the Board to a Board of Legislature, instead of Board of Supervisors, as it is now. Discussion ensued. Questions and comments were heard.

Supervisor Hoffman made a motion, seconded by Councilman Verno, to pay the following bills as audited:

<u>Account:</u>	<u>Voucher No.:</u>	<u>Totals:</u>
General Fund	90 through 124	\$ 27,495.58
Youth	7	
Highway Fund	60 through 78	\$ 22,983.67
Water Fund	56 through 72	\$ 26,773.84
Sewer Fund	30 through 43	\$ 13,569.48

Lighting District	3	\$ 2,840.76
Capital H-16	131	\$ 129.21
Total:		\$ 103,137.06

The motion was carried.

Councilman Verno made a motion, seconded by Councilman Orbaker, to enter into Executive Session for discussion regarding a personnel matter at 8:15 PM. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Orbaker, to return to Open Session at 9:00 PM. The motion was carried.

Councilman Monsees made a motion, seconded by Councilman Verno, to adjourn the meeting at 9:01 PM. The motion was carried.

Respectfully Submitted,

Paula A. Dolan
Deputy Town Clerk