

**Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Tuesday, October 14, 2003 at 7:30 p.m.**

Present: F. Ray Hazlett, Mayor  
Mary E. Lowther, Deputy Mayor  
Joseph P. Frese, Trustee  
Ronald W. Daniels, Trustee  
Darlene Maple, Trustee  
Sally A. Kuzon, Administrator/Clerk-Treasurer  
Anthony Grisanti, Dept. of Public Works

Absent: J. Michael Hayes, Village Attorney

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Trustee Frese.

The Village Board recognized Irvin J. Lorch for his many years of dedicated service to the Village of Williamsville and Williamsville Fire Department.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, the minutes of the regular meeting of September 22, 2003 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to suspend the rules for public participation.

Unanimously carried.

No one from the audience addressed the Board.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to return to the regular agenda.

Unanimously carried.

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ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved at 7:45 p.m. to open a public hearing being held for the purpose of hearing all persons interested in discussing a Sabbatical Policy for Village Volunteer Committees and Board Members. (The public hearing was closed at 8:00 p.m.)

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Maple, the following resolution was adopted:

RESOLVED that Vouchers in the amount of \$ 183,635.50 covering the period September 18, 2003 – October 8, 2003 are approved as follows:

Payroll fund 9/8/03 – 9/21/03	\$ 30,468.79
Payroll fund 9/22/03 – 10/5/03	24,751.84
General Fund	60,923.70
Water Fund	41,737.67
Sewer Fund	1,411.34
Glen Park Fund	483.41
Trust & Agency Fund	23,858.75
Debt Service	0.00
Community Development	0.00
Capital Fund	0.00
<b>Grand Total</b>	<b><u>\$ 183,635.50</u></b>

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Maple, the following resolution was adopted:

RESOLVED that an Internet Acceptable Use Policy dated 10/14/03 is hereby adopted to insure proper use, security of data and exchange of information on the internet is followed by all employees or others authorized by the Village to use the internet.

**Village of Williamsville, NY  
Internet Acceptable Use Policy  
10/14/2003**

**Introduction**

**Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Tuesday, October 14, 2003 at 7:30 p.m.**

The Village of Williamsville wishes to provide its staff with the network resources needed to perform their respective job functions to the highest degree possible. Access to the Internet presents an exciting tool for research, communication and innovation.

As Village of Williamsville departments gain experience in using the Internet to provide information and services to people, applications not yet possible or even predicted will surely evolve. This information and the technology needed to bring it to employees are valuable assets, which need to be safeguarded, especially with such an open-ended opportunity as this.

Current laws, rules and regulations, and Village policies regarding the use and security of data extend to cover the exchange of information on the Internet. This Acceptable Use Policy is intended to clarify the careful use of electronically delivered information and the system, which carries it.

The Village of Williamsville's connection to the global Internet exists to facilitate its official work. The Internet facilities and services will contribute broadly to the Village's mission.

The use of Internet facilities by any employee or other person authorized by the Village must be consistent with the Acceptable Use Policy and other security policies.

### **Principles of Acceptable Use**

Village of Williamsville Internet users are required:

- To respect the privacy of other users; for example, users shall not intentionally seek information, obtain copies of, or modify files or data, belonging to other users, unless explicit permission to do so has been obtained.
- To respect the legal protection provided to programs and data by Copyright and license.
- To protect data from unauthorized use or disclosure as required by state and federal laws and agency regulations.
- To respect the integrity of computing systems; for example, users shall not use or develop programs that harass other users or infiltrate a computer or computing system and/or damage or alter the software components of a computer or computing system.
- To safeguard their accounts and passwords. Any user changes of password must follow published guidelines for good passwords. Accounts and passwords are normally assigned to single users and are not to be shared with any other person without authorization. Users are expected to report any observations of attempted security violations.

### **Unacceptable Use**

It is not acceptable to use Village of Williamsville Internet facilities:

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- For activities unrelated to an employee's official assignment, job responsibilities or the mission of the Village;
- For any illegal purpose;
- To transmit threatening, obscene or harassing materials or correspondence;
- For unauthorized distribution of Village of Williamsville data and information;
- To interfere with or disrupt network users, services or equipment;
- For private purposes such as marketing or business transactions;
- For solicitation for religious and political cause;
- For unauthorized not-for-profit business activities;
- For private advertising of products or services; and
- For any activity meant to foster personal gain.

**Agency Rights**

Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 251 et seq.), notice is hereby given that there are NO facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and user access requests, and will monitor messages as necessary to assure efficient performance and appropriate use. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

The Village reserves the right to log network use and monitor file server space utilization by users and assumes no responsibility or liability for files deleted due to violation of file server space allotments.

The Village reserves the right to remove a user account from the network.

The Village will not be responsible for any damages. This includes the loss of data resulting from delays, non-deliveries, or service interruptions caused by negligence, errors or omissions. Use of any information obtained is at the user's risk. Any computer connected to a network should have anti-virus software installed and running. The Village of Williamsville makes no warranties, either expressed or implied, with regard to software obtained from this system.

The Village reserves the right to change its policies and rules at any time, and makes no warranties (expressed or implied) with respect to Internet service, and it specifically assumes no responsibilities for:

- The content of any advice or information received by a user outside the Village of Williamsville or any costs or charges incurred as a result of seeking or accepting such advice;

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- Any costs, liabilities or damages caused by the way the user chooses to use his/her Village Internet access;
- Any consequences of services interruptions or changes even if these disruptions arise from circumstances under the control of the Village. The Village's Internet services are provided on an as is, as available basis.

**Enforcement and Violations**

This policy is intended to be illustrative of the range of acceptable and unacceptable uses of the Internet facilities and is not necessarily exhaustive. Questions about specific uses related to security issues not enumerated in this policy statement and reports of specific unacceptable uses should be directed to the Computer Services Manager. Other questions about appropriate uses should be directed to your supervisor.

This Office of Computer Services will review alleged violations of the Internet Acceptable Use Policy on a case-by-case-basis. Clear violations of the policy, which are not promptly remedied, will result in termination of Internet services for the person(s) at fault, and referral for disciplinary actions as appropriate.

I the undersigned hereby understand and accept the policies set forth in this document.

User Name: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)

User name: \_\_\_\_\_  
(printed)

Witness: \_\_\_\_\_ Date: \_\_\_\_\_  
(department head)

10/14/2003

Unanimously carried.

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ON MOTION by Mayor Hazlett, seconded by Trustee Maple, the following resolution was adopted:

RESOLVED that the following E-mail Policy dated 10/14/03 is hereby adopted for all Village employees and or others authorized to use the system, to insure proper e-mailing procedures while conducting Village business functions.

**Village of Williamsville, NY  
E-mail Policy  
10/14/2003**

**Purpose and Goals**

The purpose of this policy is to insure that the Village of Williamsville's e-mail systems support the Village's business functions to their full capability. It may be used by Village department heads to guide the development of program unit policies and practices that support the department's business functions. Some roles and responsibilities of managers, technical staff, and users are stated as prototypes for developing policies for individual program areas.

**Access to E-mail Services**

E-mail will be provided to all staff, resources permitting, who need access to perform their jobs or participate fully in the work of their program unit. Individual employees will be provided access to e-mail based on existing program unit procedures that are consistent with the Village's overarching goal of broad access.

Unused e-mail addresses are a factor in the detriment of system resources, and as such, should be removed. The timeframe for keeping e-mail accounts active when not being accessed will be determined by e-mail administrators and program managers. E-mail accounts must be deleted when employees are no longer employed by the Village.

**Appropriate Use**

E-mail services, like other means of communication, are to be used solely to support Village business. Use of e-mail for illegal, disruptive, unethical or unprofessional activities is prohibited. The use of e-mail should also comply with existing program unit policies and business needs.

**Access and Security**

Each e-mail user is responsible for his/her own account. Users must take all reasonable precautions, including changing passwords, to prevent use of the account by unauthorized individuals. Office of Computer Services staff will not routinely monitor e-mail, and will take reasonable safeguards to protect the privacy of e-mail on its internal networks. No one can guarantee the privacy or security of an e-mail message sent or received via the Internet.

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It is prohibited for a user to access another user's e-mail without their permission. This infraction may be prosecutable under the Electronic Communication Privacy Act. Program managers and technical staff may need to access an employee's e-mail under the following circumstances:

- conducting the normal course of business
- resolving mail delivery problems
- investigating possible misuse of e-mail
- E-mail messages sent or received in conjunction with Village business:
- May be releasable to the public under the Freedom of Information Law.
- May require special measures to comply with the Personal Privacy Protection Law.
- Are subject to discovery proceedings in legal actions.

If an e-mail message is received whose content is clearly illegal, the recipient reserves the right to report the message to the appropriate department head.

**Management and Retention of Records**

E-mail created in the normal course of official business and retained as evidence of official policies, actions, decisions or transactions are records. These records are subject to records management requirements under the NYS Arts and Cultural Affairs Law, SED Information Management policy, and possibly specific program requirements.

Records communicated using e-mail need to be identified, managed, protected, and retained as long as they are needed to meet operational, legal, audit, research or other requirements. Such records needed to support program functions will be retained, managed, and accessible in record-keeping or filing system in accordance with program unit policy or practice. Records may not be destroyed without a Records Disposition Authorization approved by SARA.

E-mail systems should not be used for long-term retention of information. Users should remove copies of records and personal communications from their e-mail system in a timely fashion. E-mail administrators have the right to remove any information retained in an e-mail system more than 90 days. If information in an e-mail message needs to be kept longer than 90 days or is a matter of policy or business, it should be transferred from the e-mail system to some other storage system (e.g. paper, local hard drive).

I the undersigned hereby understand and accept the policies set forth in this document.

User Name: \_\_\_\_\_ Date: \_\_\_\_\_

(signature)

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User name: \_\_\_\_\_

(printed)

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

(Department Head)

10/14/2003

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that O'Brien & Gere Engineers, Inc. are hereby released as Engineer of Record for the Village of Williamsville effective 10/14/03.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that R & D Engineers, Inc. are hereby appointed Engineer of Record for the Village of Williamsville effective 10/14/03.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that the following Fire Department equipment is declared surplus property:

One (1) 1984 American LaFrance Class A Pumper – Engine #6

Unanimously carried.

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ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, the following resolution was adopted:

RESOLVED that the following fire fighting equipment is hereby declared surplus property:

(see attached)

Unanimously carried.

ON MOTION by Trustee Lowther, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that Eleanor Master of 235 South Forest Rd. is hereby appointed to the Meeting House Management Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Maple, the following resolution was adopted:

RESOLVED that the Mayor is authorized to sign Contract No. 11 Infrastructure Improvement 2003 Change Order No. 1, in the amount of \$75,000 for additional paving on Oakgrove Dr. between Hirschfield Dr. and Garrison Rd.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Lowther, the following resolution was adopted:

RESOLVED that Susan Garfalo of 16 Franklin St. is hereby appointed to the Beautification Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Daniels, the following resolution was adopted:

RESOLVED that Marietta Brown of 59 Mill St. is hereby appointed to the Beautification Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

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ON MOTION by Trustee Maple, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that Friday, October 31, 2003 is hereby designated "Trick or Treat" night in the Village of Williamsville.

Unanimously carried.

ON MOTION by Trustee Maple, seconded by Trustee Lowther, the following resolution was adopted:

RESOLVED that Marietta Brown of 59 Mill St. is hereby appointed to the Environmental Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

ON MOTION by Trustee Maple, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that Victor Pacquet of 43 Howard Ave. is hereby appointed Chairperson of the Traffic & Safety Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

ON MOTION by Trustee Maple, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that Charles Akers of 170 S. Cayuga Rd. is hereby appointed to the Environmental Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Maple, the meeting was adjourned at 8:45 p.m.

Sally A. Kuzon  
Administrator/Clerk-Treasurer