

**WESTERLO TOWN BOARD
WORKSHOP MEETING
OF
TUESDAY, FEBRUARY 4, 2020**

The Town of Westerlo Town Board held a workshop meeting on February 4, 2020 at the Town Hall located at 933 County Route 401, Westerlo, NY. Supervisor Bichteman opened the workshop at 7 PM with the Pledge of Allegiance to the Flag.

Attending were: Supervisor William Bichteman Jr.
Councilwoman Amie L. Burnside
Councilman Joseph J. Boone
Councilman Matthew Kryzak
Councilman Richard Filkins

Also attending were: Planning Board Chairperson Dorothy Verch, Zoning Board Chairperson John Sefcik, Highway Superintendent Jody Ostrander and employee Salvatore Spinnato, Clerk to the Assessor Claire Marshall, Deputy Town Clerk Karla Weaver, Town Clerk Kathleen Spinnato and approximately six residents.

EMPLOYEE HANDBOOK & PROPOSED REVISIONS

Supervisor Bichteman provided the Town Board with the suggested modifications to the Employee Handbook and information technology policy (see attached). Discussion continued between the Town Board and residents. Councilman Boone suggested changing the wording to section 505 to “by the end of each month” instead of “at the end of each month”. Planning Board Chairperson Verch suggested posting a Town of Westerlo voucher to the website for employee reimbursement for mileage and other expenses.

Councilman Kryzak wondered if eliminating compensation time for all employees except the Highway department could be interpreted as discriminatory and indicated policies should be fair to all town employees. The Deputy Town Clerk expressed her opinion/concern about the compensation time being unfair and also how it was unfair that the two new employees in the Supervisor’s office were hired making similar pay to her. The Clerk to the Assessor indicated that each department head should be responsible for their employee’s compensation time, the same as the Highway Superintendent does. The Supervisor indicated he was not in favor of compensation time however indicated that the question of discrimination was a valid question and could be discussed further at future meetings. When asked, Mr. Bichteman indicated his clerk works 40 hours and he does not anticipate her having any overtime. Discussion continued regarding payroll, quickbooks and record of earned time.

PLANNING BOARD

Supervisor Bichteman encouraged the Town Board members to attend future Planning Board meetings. He mentioned that the Town Attorney had prepared a draft Planning Board policy and procedures and also advised that Comprehensive Plan consultant Chuck Voss from Barton and Loguidice can assist the attorney since he is also a consultant to the Town of Colonie Planning Board. He advised that the attorney will be working with Mr. Voss regarding improving record

keeping as well. He suggested that the Town Board authorize travel expenses for the Planning and Zoning Boards to attend the Town of Colonie Planning Board meetings and indicated they could receive credit toward their training hours if the Town Board wished. Mr. Bichteman believed attending these meetings would help the Planning Board in conducting business.

ACCEPTABLE USAGE POLICY/INFORMATION TECHNOLOGY POLICY

Mr. Bichteman mentioned that a draft policy has been created for information technology to cover computer access and control, internet and email. He indicated it also addresses the use of social media. The Highway Superintendent currently uses social media as an information only tool. Mr. Bichteman advised that there is no expectation of privacy. Discussion will continue at future meetings.

IMPLEMENTING PROTON MAIL

Mr. Bichteman provided proposed email addresses that could be used for the different departments/boards/etc. He advised that unfortunately calendars could not be shared through Proton mail.

PARK USE POLICIES

Supervisor Bichteman questioned how long in advance people should be able to make reservations for the town parks, suggesting it should be limited to a year. He also recommended that deposits be made at the time of the reservation. Discussion continued regarding what defines a special event and how deposits should be refunded. Mr. Bichteman believed that the policy should specify that park deposits will be refunded at the next regularly scheduled Town Board meeting following the event.

MEETING MINUTES

Supervisor Bichteman discussed the recording of meeting minutes. He indicated that it currently takes the staff a lot of time. Other options such as voice and video recordings were discussed.

TOWN WEBSITE SECURITY

Mr. Bichteman indicated that he has been advised that the Town website will be secured by the end of the evening.

ABBEY ROAD

A resident on Abbey Road had previously provided a written complaint regarding 44 Abbey Rd. She asked what the formal steps are that she needs to take to receive a response. Supervisor Bichteman responded that she would need to file a complaint in writing to the Code Enforcement Officer (CEO) stating her issue and asking the CEO how he interprets Town Law section 267-a. She should include what her interest is in the property/project, how it impacts her and that she is requesting an official decision. Mr. Bichteman indicated that if she finds the result unsatisfactory, she should do the same process again to the ZBA who will render a decision as well. He advised that a response will be made in writing.

The owner of 44 Abbey Rd. was in attendance. He mentioned the person complaining about his property had an expired building permit herself and advised of an addition and other issues the town may be unaware of such as her septic. Mr. Bichteman advised that the Town Board is really

powerless and it is a Code Enforcement issue. He indicated that the Town Board cannot override the Planning or Zoning Boards however can set procedures and guidelines and appoint/remove members.

PUBLIC COMMENT

ZBA Chairman Sefcik mentioned there is a Planning and Zoning conference in Saratoga tomorrow where many good topics will be discussed. He planned to attend with member Guy Weidman even if the town does not authorize the reimbursement at the next meeting.

A resident liked the ideas of having standards for Boards. Discussion ensued regarding ethics and a potential ethics Board.

Councilman Boone commented on the issue of overtime/compensation time in the employee handbook. He would like to see the Town Board take into consideration the input of the affected employees as they go above and beyond.

A resident reminded that at 2pm on Sunday the topic of "Fake News" will be discussed at Conkling Hall in the Town of Rensselaerville.

Councilman Filkins reminded that the Westerlo Vol. Fire Co. will be having a breakfast at Woodman's Hall on Saturday from 8am-11am.

With there being no further business to discuss, Councilman Boone made a motion to adjourn the meeting, seconded by Councilman Kryzak, motion carried by those present. Meeting adjourned at 8:44pm.

Respectfully submitted,

Kathleen Spinnato

Employee Handbook Changes Contemplated

505 Expense Reimbursement Policies

Mileage - An employee who is directed by the appropriate Department Head to use the employee's own vehicle to conduct Town business will be reimbursed at the mileage rate established by the Town Board. **All required documentation and corresponding receipts must be submitted to the Town Clerk for reimbursement.**

Change to 'All required documentation and corresponding receipts must be submitted to the Town Clerk for reimbursement at the end of each month. Receipts over 60 days old are ineligible for reimbursement.'

Add

514 Information Technology Policy and Use of Town Electronic Devices and Networks

The Town Information Technology Policy (IT Policy) applies to all Town of Westerlo employees, elected or appointed officials, contractors, agents, and any other individual authorized to use Town Electronic Devices or Networks (as defined in the IT Policy).

Town of Westerlo may, in compliance with all applicable law, monitor activity on its networks, internet, email, or Electronic Devices in order to ensure systems security and effective operation, and to protect against misuse.

All data that is created, transmitted, or stored on Town of Westerlo Electronic Devices is the property of Town of Westerlo. All data that is created, transmitted, or stored on Town Networks, internet or email is the property of Town of Westerlo. There shall be no expectation of privacy for any data or information that is created, transmitted, or stored Town Electronic Devices, networks, internet or email.

702 Overtime Pay

Eliminate compensation time for all employees other than Highway Department.

702 Overtime Pay

FLSA Non-Exempt Employees - A FLSA non-exempt employee, a Deputy Town Clerk, or the Clerk to the Town Supervisor, will be paid one and one-half times the employee's regular hourly rate of pay for all authorized time worked over eight hours in a given workday **or** forty hours in a given workweek. In the event such employee is scheduled to work a "compressed workweek", the employee will be paid one and one-half times the employee's regular hourly rate of pay for all authorized time worked over ten hours in a given workday or forty hours in a given workweek.

Change 'or' to 'and'

Not applicable to full clerks/clerical employees.

Adopt acceptable usage policy dealing with complete access and control, internet and email use.

702 Overtime Pay

Compensatory time off – **At the discretion of the employee's Department Head and in lieu of overtime pay, an employee may request and be granted compensatory time off for overtime hours worked between November 1 and April 15.** Compensatory time may accrue to a maximum of 75 hours off and may be taken with consent of the Highway Superintendent commencing April 16. Compensatory time accrued and unused by October 31 will be forfeited.

Change to 'At the discretion of the Highway Superintendent and in lieu of overtime pay, Highway Department employee's may request and be granted compensatory time off for overtime hours worked between November 1 and April 15.'

704 Pay Period and Check Distribution

Payroll Period - The payroll period will begin on Sunday at 12:01 a.m. and end seven calendar days later on Saturday at 12:00 midnight. An employee's paycheck will be based on the amount earned during the preceding payroll period. Certain employees may be paid monthly, quarterly, or annually as established by the Town Board.

Handbook Definition Workweek- Sunday to Saturday

Current Policy- Monday to Sunday

Town of Westerlo Information Technology Policy

Applicability

This Information Technology Policy applies to all Town of Westerlo employees, elected or appointed officials, contractors, agents, and any other individual authorized to use Town Electronic Devices or Networks (hereafter referred to as 'individuals'). This Policy covers:

- The security and use of all Town of Westerlo equipment, including computers, laptops, mobile devices, information storage devices (such as USB memory sticks, or CDs/DVDs), telephones (mobile or land lines), and other Town owned information technology equipment (hereinafter "Electronic Devices").
- The use of Town email, internet, voice and mobile networks, and IT and information communications facilities operated by Town of Westerlo or on its behalf (hereinafter "Town Networks").
- To all information, in whatever form, relating to Town of Westerlo business activities, and to all information handled by Town of Westerlo relating to other organizations with whom it deals.

Computer Access Control- Individual's Responsibility

Access to the Town of Westerlo IT systems is controlled by the use of individual user credentials (User ID), passwords and/or tokens. All User IDs and passwords are to be uniquely assigned to named individuals and consequently, individuals are accountable for all actions on the Town of Westerlo IT systems.

Individuals Must Not:

- Allow anyone else to use their user ID/token and password on any Town of Westerlo IT system.

- Leave their user accounts logged in at an unattended and unlocked computer.
- Use someone else's user ID and password to access Town of Westerlo IT systems.
- Leave their password unprotected (for example, writing it down).
- Perform any unauthorized changes to Town of Westerlo IT systems or information.
- Attempt to access data that they are not authorized to use or access.
- Exceed the limits of their authorization or specific business need to interrogate the system or data.
- Connect any Non-Town of Westerlo authorized device to the Town of Westerlo network or IT systems.
- Store Town of Westerlo data on any non-authorized Town of Westerlo equipment.
- Give or transfer Town of Westerlo data or software to any person or organization outside Town of Westerlo without the authority of Town of Westerlo.

Line managers must ensure that individuals are given clear direction on the extent and limits of their authority with regard to IT systems and data.

Internet and Email Conditions of Use

Use of Town of Westerlo internet and email is intended for Town business. Personal use of Town email is not authorized. Personal use of Town internet is permitted where such use does not affect the individual's business performance, is not detrimental to Town of Westerlo in any way, not in breach of any term and condition of employment and does not place the individual or Town of Westerlo in breach of statutory or other legal obligations.

All individuals are accountable for their actions on the internet and email systems.

Individuals Must Not:

- Use the internet or email for the purposes of harassment or abuse.
- Use profanity, obscenities, or derogatory remarks in communications.
- Access, download, send or receive any data (including images), which Town of Westerlo considers offensive in any way, including sexually explicit, discriminatory, defamatory or libelous material.
- Use the internet or email to make personal gains or conduct a personal business.
- Use the internet or email to gamble.
- Use the email systems in a way that could affect its reliability or effectiveness, for example distributing chain letters or spam.
- Place any information on the Internet that relates to Town of Westerlo, alter any information about it, or express any opinion about Town of Westerlo, unless they are specifically authorized to do this.
- Send unprotected sensitive or confidential information externally.
- Forward Town of Westerlo mail to personal Non-Town of Westerlo email accounts (for example, a personal Hotmail account).
- Make official commitments through the internet or email on behalf of Town of Westerlo unless authorized to do so.
- Download copyrighted material such as music media (MP3) files, film and video files (not an exhaustive list) without appropriate approval.

- In any way infringe any copyright, database rights, trademarks or other intellectual property.
- Download any software from the internet without prior approval of the IT Department.
- Connect Town of Westerlo devices to the internet using non-standard connections.

Clear Desk and Clear Screen Policy

In order to reduce the risk of unauthorized access or loss of information, Town of Westerlo enforces a clear desk and screen policy as follows:

- Personal or confidential business information must be protected using security features provided (for example, secure print on printers).
- Computers must be logged off/locked or protected with a screen locking mechanism controlled by a password when unattended.
- Care must be taken to not leave confidential material on printers or photocopiers.
- All business-related printed matter must be disposed of using confidential waste bins or shredders.

Working Off-Site

Town laptops and mobile devices may be used off-site under the following conditions:

- The individual is solely responsible for all damage or loss to the device under the individual's possession or custody incurred while used off-site.
- The individual must sign a written acknowledgment and receipt for Town electronic devices to be removed from Town property. Such receipt will include the Town's Remote Working Policy and will remain on file with the Town until the device is returned.

Mobile Storage Devices

Mobile devices such as memory sticks, CDs, DVDs and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data. Only Town of Westerlo authorized mobile storage devices with encryption enabled must be used, when transferring sensitive or confidential data.

Software

Individuals must use only software that is authorized by Town of Westerlo on Town of Westerlo computers. Authorized software must be used in accordance with the software suppliers licensing agreements. All software on Town of Westerlo computers must be approved and installed by the Town of Westerlo IT department. Individuals may not store files such as music, video, photographs or games on Town of Westerlo IT equipment.

Viruses

The IT department has implemented centralized, automated virus detection and virus software updates within the Town of Westerlo. All PCs have antivirus software installed to detect and remove any virus automatically. Individuals may not remove or disable anti-virus software, or

remove virus-infected files or clean up an infection, other than by the use of approved Town of Westerlo anti-virus software and procedures.

Telephony (Voice) Equipment Conditions of Use

Use of Town of Westerlo voice equipment is intended for business use. Individuals must not use Town of Westerlo voice facilities for sending or receiving private communications on personal matters, except in exceptional circumstances. All non-urgent personal communications should be made at an individual's own expense using alternative means of communications.

Individuals Must Not:

- Use Town of Westerlo voice for conducting private business.
- Make hoax or threatening calls to internal or external destinations.
- Accept reverse charge calls from domestic or international operators, unless it is for business use.

Actions upon Termination of Contract

All Town of Westerlo Electronic Devices must be returned to Town of Westerlo at termination of contract.

All Town of Westerlo data or intellectual property developed or gained during the period of employment remains the property of Town of Westerlo and must not be retained beyond termination or reused for any other purpose.

Privacy, Monitoring, and Reporting

All data that is created, transmitted, or stored on Town of Westerlo Electronic Devices is the property of Town of Westerlo. All data that is created, transmitted, or stored on Town networks, internet or email is the property of Town of Westerlo. There shall be no expectation of privacy for any data or information that is created, transmitted, or stored Town Electronic Devices, networks, internet or email.

Town of Westerlo may, in compliance with all applicable law, monitor activity on its networks, internet, email, or Electronic Devices in order to ensure systems security and effective operation, and to protect against misuse.

All breaches of information security policies will be investigated. Where investigations reveal misconduct, disciplinary action may follow in line with Town of Westerlo disciplinary procedures.

Individuals must report suspected breaches of the Town Security Policy without delay to management, the IT department, or Town Supervisor.

Effective Date

This Information Technology Policy is effective as of February ____, 2020 by resolution of the Town Board.

Kathleen Spinnato, Town Clerk