

VILLAGE BOARD - MEETING AGENDA

Monday, October 23, 2023 7:00pm

Location: Village Board and members of the public in person at 49 State St., Village Court. This meeting will be hybrid and therefore also available via remote location through Zoom.

Join Zoom Meeting with the login information below or dial 1-(646) 558-8656

<https://us02web.zoom.us/j/83006649654?pwd=QW9ERVhOUzFzQ3VUcThNc0JBM2dHUT09>

Meeting ID: 830 0664 9654

Passcode: 232896

WORKSHOP

Updated Drafts For Review:

- Cyber Security Citizen's Notification Policy
- Cell Phone Policy
- Peddling-Soliciting Application

Workshop Suggestion for January – Eclipse – with public and merchants invited for discussion, Q&A

ADJOURN

Next Meeting: November 6, November 20 with Dept. Heads

Citizen Information Security Breach Notification Policy
Draft for Consideration 10/23/23 VB Workshop

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 nonresidents.

New York State values the protection of private information of individuals. The Village of Brockport ("Village") 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 Village, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination (CSCIC), is 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 Village 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 Village when notifying affected persons; or
- (3) Telephone notification, provided that a log of each notification is kept by the Village when notifying affected persons; or
- (4) Substitute notice, if the Village demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, that the affected class of persons to be notified exceeds 500,000, or that the Village does not have sufficient contact information. The following constitute sufficient substitute notice:
 - (a) E-mail notice when the Village has an e-mail address for the subject persons;
 - (b) Conspicuous posting of the notice on the Village's web site page; and
 - (c) Notification to major statewide media.

G. The Village must notify CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.

H. The Village 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 Village when 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 applies to information maintained on behalf of the Village by a third party.

K. When more than 5,000 New York residents must be notified at one time, then the Village 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.

Cell Phone Policy

The Village of Brockport realizes that certain job functions require that employees are accessible when away from the office or during time outside of scheduled working hours. For this reason, the Village will provide a cell phone to select employees or include a stipend in their salary toward the use of their own cell phone for Village business.

Criteria for Assignment of Cell Phones:

Village cell phones may be assigned to employees provided that at least one of the following two (2) criteria is met. Simple convenience is not a criterion for cell phone need. It is the responsibility of the Manager or Department Head to make the above determination as to whether a Village cell phone is warranted. If the employee in question is at a job level commensurate with a Department Head, the Manager shall make the determination.

1. The job functions of the employee requires considerable time outside of their assigned work office or work area, and it is important to Village operations, that they are accessible during those times.
2. The job function of the employee requires them to be accessible outside of normal working hours.

Village Provided Cell Phones:

All cell phones provided by the Village are purchased through Verizon's government contract and include data plans. The majority of cell phones available are available at low cost with the government contract. For this reason, a \$200 maximum cost will be paid for a village provided cell phone. If an employee wants a phone of a greater expense, they will pay the difference. A protective case will be provided by the village. Cell phones may be upgraded and/or replaced as eligible on the sponsored plan.

Damage and Loss:

It will be the responsibility of the employee or volunteer to replace or repair the village issued cell phone due to negligent damage or loss while completing their job responsibilities. It will also be the responsibility of the employee or volunteer to replace or repair the village issued cell phone due to any damage or loss outside their job responsibilities.

The Village will not be liable for damage or loss of personal cell phones brought into the workplace.

Personal Cell Phone Stipends

Employees choosing to utilize their personal cell phones for business use will be provided a \$25 per month stipend, or an amount as determined by union contract. This stipend is intended to

cover the business use of the equipment and service, including data coverage. No additional reimbursement for business use (e.g., occasional roaming charges) will be made.

The stipend will be considered taxable income to be included on the Employee's W-2 statement.

It will be the Employee's responsibility to deduct the actual phone charges related to Village business as "unreimbursed employee expenses" on the proper tax form.

Upon separation from service, the stipend will be cancelled.

Cell Phone Use While Driving or Operating Equipment:

Personnel are required to comply with all State and local laws regarding the use of wireless phones while driving. This policy applies to both the use of Village issued cell phones or personal cell phones in Village owned vehicles/equipment and use of Village issued cell phones in personal vehicles/ equipment. Because of the inherent risk of operating a cell phone while driving or operating machinery, the Village has implemented a zero-use policy. Personnel shall not make or receive phone calls or text messages or access the internet or other electronic files while driving or operating machinery. Any violation of the policy will subject personnel to disciplinary action.

Extended Absence or Illness:

Personnel who will be unable to perform their regular job duties for an extended amount of time due to illness, disability or other extended absence will be required to turn in their cell phone to their department head or supervisor and/or will have their stipend discontinued.

VILLAGE OF BROCKPORT
PEDDLING-SOLICITING APPLICATION
Brockport Village Code Chapter 16 – Peddling and Soliciting

Date scheduled on Village Board agenda: _____ **Note:** *Applicant must attend Village Board meeting*

APPLICATION FEE

Village Date Stamp and Fee Amount

BACKGROUND CHECK FEE

Village Date Stamp and Fee Amount

INDIVIUAL - list ALL individuals peddling-soliciting with this application (make copies for additional individuals)

Name: _____		Social Security Number: _____	
Phone Number: _____			
Permanent Address: _____ _____		Temporary Address: _____ _____	
Date of Birth: _____	Height: _____	Weight: _____	Eye Color: _____ Hair Color: _____
Driver's License #: _____ <i>(Attach copy of License)</i>		Vehicle License Plate #: _____	
Year _____	Make _____	Model _____	Color _____ State of Registry _____

Name: _____		Social Security Number: _____	
Phone Number: _____			
Permanent Address: _____ _____		Temporary Address: _____ _____	
Date of Birth: _____	Height: _____	Weight: _____	Eye Color: _____ Hair Color: _____
Driver's License #: _____ <i>(Attach copy of License)</i>		Vehicle License Plate #: _____	
Year _____	Make _____	Model _____	Color _____ State of Registry _____

BUSINESS/COMPANY/ORGANIZATION

Business or Organizational Name: _____

Direct Manager Name: _____

Address: _____

Telephone Number: _____ Email: _____

PRODUCT

Date of Operation: From: _____ to _____

Time of Day From: _____ to _____

Description of items being hawked, peddled or for which orders are being solicited: _____

(Attach a sample)

REFERENCES for each individual peddling-soliciting with this application (make copies for additional individuals)

The Applicant must provide two-character references and a passport-sized photograph taken within 2 months preceding the application.

Character Reference Name: _____ Phone: _____

Character Reference Name: _____ Phone: _____

(Attach Photos)

The Applicant must provide two-character references and a passport-sized photograph taken within 2 months preceding the application.

Character Reference Name: _____ Phone: _____

Character Reference Name: _____ Phone: _____

(Attach Photos)

Mobile food units (if applicable): Must attach State and County Health Department compliance certificate(s).

Date: _____

APPLICANT SIGNATURE

Date: _____

APPLICANT SIGNATURE

BACKGROUND CHECK – for each individual peddling-soliciting with this application.

Applicant agrees to allow the Village to conduct a national criminal background check utilizing Clear Checks (clearchecks.com) for a cost of \$39.99, to be paid by the applicant to the Village, and agrees to a local county background check to be completed by the Brockport Police Department at no additional cost.

Applicant Signature

Applicant Email

*Clear Checks will email you directly to input your information for the background search.

Applicant agrees to allow the Village to conduct a national criminal background check utilizing Clear Checks (clearchecks.com) for a cost of \$39.99, to be paid by the applicant to the Village, and agrees to a local county background check to be completed by the Brockport Police Department at no additional cost.

Applicant Signature

Applicant Email

*Clear Checks will email you directly to input your information for the background search.

