

December 27, 2010 Town of Rhinebeck Town Board Meeting Minutes

Supervisor Traudt opened this meeting at 6:45 with Council members Bruce Washburn and Dan Staley present. Joe Gelb, Gina Fox and Counsel Pamela Richardson were absent.

BUSINESS BEFORE THE BOARD

4. Bruce motioned and Dan seconded to **adopt Tech Committee Electronic Usage Policy.** Dave Klipon, Tech Committee chairman explained this is the first step in setting up e-government emails and securing our informational system.

PURPOSE

- a) Provide an appropriate and ethical working environment
- b) Ensure the security of the Town of Rhinebeck information and related systems
- c) Respect intellectual property and ownership of data
- d) Maintain others' rights to privacy
- e) Ensure appropriate use of Town Systems and Electronic Communications
- f) Facilitate compliance with the New York State's Freedom Of Information Law while making it simpler and easier for people to obtain Town of Rhinebeck information in a timely manner

DEFINITIONS

Electronic Communication: Any form of alphanumeric electronic communication including but not limited to e-mails; text messages; and computer files of any kind.

Representative: Any elected official of the Town of Rhinebeck; any appointee of the Town of Rhinebeck; and/or any employee of the Town of Rhinebeck.

Town Business: Any and all matters that in any way involve the Town of Rhinebeck or could reasonably be expected to involve the Town of Rhinebeck.

Town System: Any computer system owned or leased by the Town of Rhinebeck; computing service operated for the Town of Rhinebeck; and/or electronic communication service operated for the Town of Rhinebeck.

KEY ASSUMPTIONS

- 1) The Town of Rhinebeck shall keep an archive of all Electronic Communications sent and received on Town Systems regardless of whether/when the user deletes it
- 2) Every Representative has their own userid(s) and password(s) on Town Systems for Electronic Communications
- 3) Every Representative has webmail type access to Town Systems

POLICY

The Town of Rhinebeck considers any violations of this policy to be a serious offense.

The Town of Rhinebeck reserves the right to retain, monitor, copy, and examine any and all Electronic Communications regarding or referring to Town Business that is sent by or in any way received by a Town Representative.

The Town of Rhinebeck reserves the right to retain, monitor, copy, and examine any and all other information on Town Systems.

Representatives shall be responsible for their own conduct and shall have no expectation of privacy when using Town Systems or in any Electronic Communications regarding or referring to Town Business, specifically:

- 1) Each Representative shall sign and submit this agreement to the Town of Rhinebeck within thirty (30) calendar days of their becoming a Representative
- 2) In using Town Systems, each Representatives shall:
 - a. Use said systems only for authorized purposes following established procedures
 - b. Be responsible for all activities on their assigned account(s)
 - c. Only access files and data that are their own, which are publicly available, or to which they have been given authorized access
 - d. Use only legal versions of copyrighted software
 - e. Maintain the privacy and security of their own password(s)

3) Representatives shall not:

- a. Reveal their password(s) for Town Systems to anyone else without their supervisor's explicit consent
- b. Use another Representative's password on Town Systems without that Representative's explicit consent
- c. Use an account on Town Systems assigned to another Representative without that Representative's explicit consent
- d. Use another Representative's files, system, or data on Town Systems without that Representative's explicit consent
- e. Use computer programs to decode passwords or to access control information
- f. Place a code-protected or hidden file on any Town System
- g. Attempt to circumvent or subvert system security measures

- h. Attempt to circumvent, alter or bypass any Internet filtering system
- i. Engage in any activity that might be harmful to the Town of Rhinebeck or any information stored on Town Systems, such as creating viruses, damaging files, or disrupting service
- j. Vandalize hardware or software components
- k. Download, make copies of, or use copyrighted¹ documents, software, music, images, or videos without the express written license of the copyrighted material's owner
- l. Store copyrighted¹ documents, software, music, images, or videos on Town Systems without the express written license of the copyrighted material's owner
- m. Send or access Electronic Communications containing copyrighted¹ documents, software, music, images, or videos via Town Systems without the express written license of the copyrighted material's owner
- n. Create or distribute material containing vulgar, threatening, obscene, or disrespectful language

- o. Access, create, or distribute harassing, pornographic, obscene, racist, sexually explicit or threatening material, imagery or language
 - p. Use Town Systems for personal entertainment or game playing
 - q. Use Town Systems to discuss or promote an event that a reasonable person could misinterpret to be an event that is sponsored by the Town or in some way sanctioned by the Town when it is not (e.g. where someone reserves Town Hall and conducts their own event) with anyone except other Representatives or Independent Contractors working for the town. If the Representative chooses to promote or in any way discuss such an event by Electronic Communications using other systems, they shall e-mail an electronic copy of each such Electronic Communication to their own e-mail account on Town Systems within two (2) calendar days of when they first accessed the Electronic Communication or sent it. Said electronic copy shall be in the original form and full entirety.
- 4) Representatives shall use only Town Systems for accessing or sending any Electronic Communications related to Town Business.

Any Representative accessing or sending an Electronic Communication related to Town Business via any other means shall e-mail an electronic copy of each such Electronic Communication to their own e-mail account on Town Systems within two (2) calendar days of when they first accessed or sent it. Said electronic copy shall be in the original form and full entirety.

All Representatives composing on a computer, faxing, or printing and distributing any material possibly relating to Town Business shall e-mail an electronic copy of each such Electronic Communication to their own e-mail account on Town Systems within two (2) calendar days of when they first faxed or distributed it. Said electronic copy shall be in the original form and full entirety.

All Electronic Communication by a Representative regarding an event that a reasonable person could misinterpret to be a Town sponsored event or an event that is in some way sanctioned by the Town when it is not (e.g. where someone

¹ Representatives should consider i) that all documents, software, music, and videos not produced directly by a Representative is copyrighted material and ii) that any use of this material may obligate the user at their own expense and/or the Town of Rhinebeck to purchase an expensive license and/or make substantial royalty payments.

reserves a Town facility and conducts their own event) is considered Town Business. All Representatives shall use Town Systems for all Electronic Communications discussing or promoting such an event with other Representatives and independent contractors working for the Town of Rhinebeck. Representatives shall not use Town Systems for Electronic Communications discussing or promoting such an event with anyone else. If a Representative chooses to promote or in any way discuss such an event by Electronic Communications using other systems, they shall e-mail an electronic copy of each such Electronic Communication to their own e-mail account on Town Systems within two (2) calendar days of when each such Electronic Communication is first accessed or sent. Said electronic copy shall be in the original form and full entirety.

All Electronic Communications by a Representative regarding a proposed law, a proposed resolution, or a proposed action by the Town Board is considered Town Business. A Representative shall not include any statements of fact (e.g. Whereas clauses) in any such proposed law, resolution, or other action material distributed to the public before the Town Board takes a formal position on the proposed law, resolution, or other action because a proposed Whereas clause may look like a formal Town position and be easily mistaken as a fact when in reality it is simply one person's opinion until the Town Board approves it.

- 5) All system logs and similar mechanisms of Town Systems are considered Town Business. System logs typically include the date and time that each Representative logged in, retrieved or sent e-mail, created or modified or erased each electronic file, the date and time each representative logged out or similarly ended their session, and other tracking information related to a Representative's use of Town Systems.

In response to any valid request for such information under the Freedom of Information Law, the Town shall provide all information in system logs and similar mechanisms describing:

- a. All dates and times that any Representatives logged in to or otherwise accessed a Town System.
- b. All dates and times that any Representatives retrieved or sent Electronic Communications.
- c. All dates and times that any Representatives created or modified or erased each electronic file.
- d. All IP addresses, MAC addresses, and date/time information for any and all machines logging into or otherwise accessing a Town System.
- e. All dates and times that any Representatives logged out or similarly ended their use of a Town System.

I have read the Town of Rhinebeck's Electronic Systems Acceptable Use Policy above and hereby agree to fully comply.

Name

Signature

Date Signed

Motion carried 3-0