

Public Hearing & Regular Meeting of the Town Board
August 14, 2024 7:00 P.M.
Town of Windsor Town Hall
124 Main Streets, Windsor, NY 13865

MEETING CALLED TO ORDER: by Supervisor Mark Odell, at 7:00 P.M.

PLEDGE OF ALLEGIANCE: was recited.

ROLL CALL by Town Clerk Elizabeth Pfister:
Supervisor Mark Odell: Present
Deputy Supervisor Daniel Colwell: Present
Councilman Gary M. Hupman: Present
Councilman Timothy Harting: Present
Councilman Daniel R. Price: Present
Code Enforcement Officer Richard Osbourne: Present
Highway Superintendent Michael Kithcart: Present
Attorney Mark Spinner: Present

Also, present were: Scott B. Clarke, Dodd Road; Khristine Breeding, Route 79; Carolyn Price, White Birch Lake Road; Miria Florance, Main Street; Gary Shedd, White Birch Lake Road; LeWayne Colwell, Route 79; Heather Noyd, Academy Street; David Brown, Ostrander Road; Fred & Fran Barrett, Blatchley Road

PUBLIC HEARING: Supervisor Odell opened the Public Hearing for Local Law #2 of 2024 “Local Law to Exceed the Tax Cap” at 7:01 P.M. there were no public comments, the hearing was closed at 7:02 P.M.

PUBLIC COMMENTS:
Scott Clarke, Dodd Road – Steward of the “Pettus Hill Preserve” since May 2019, 105-acre parcel at the top of Abbey Road which is one of 6 sights owned by the Waterman Conservation Education Center (WCEC). Mr. Charles “Chuck” Pettus was a black man employed by I.B.M. that put the land into a conservancy for use by the public. Scott encouraged people to come and utilize the park sharing that when first opened there was 1 ridge trail, now there are 4 maintained trails, the parking lot has been redone and a chain link fence has been added. There are regular hikes happening at the preserve as well as many groups that visit the park annually to hike. Currently WCEC is attempting to update Mr. Pettus’ biography and is reaching out to the public for input. If anyone has a story or details about Mr. Charles Pettus to share please go to www.watermancenter.org or call 607-625-2221 or contact Scott Clarke. Scott also commended Town Historian, Rita Saunders with the fabulous job she has done organizing the history room.

APPROVAL OF MINUTES:
Motion By: Councilman Hupman Sec. By: Councilman Harting
Motion to approve the minutes of the July 10, 2024 Regular Meeting as submitted.

Vote of the Board:
Supervisor Odell - Aye
Deputy Supervisor Colwell - Aye
Councilman Hupman - Aye
Councilman Harting - Aye
Councilman Price - Aye

<u>Motion Passed</u>	
<u>FINANCIAL REPORT:</u>	
Motion By: Deputy Supervisor Colwell	Sec. By: Councilman Hupman
Motion to approve August 2024 Bills for Payment.	
A Fund Voucher # 287-313, 315-316, 318-336	\$ 83,357.79
B Fund Voucher # 286, 314, 317, 319	\$ 11,891.07
DB Fund Voucher # 183-220	\$ 157,865.19
H Fund Voucher # 39-43	\$ 378,985.17
SS3 Fund Voucher# 54-63	\$ 6,697.32
TA Fund Voucher# 12-14	\$ 5,828.33
Total:	\$ 644,624.87

Vote of the Board:
Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye
Councilman Hupman - Aye
Councilman Harting - Aye
Councilman Price - Aye
Motion Passed

The Board was given the July 2024 Financials, there was no discussion

TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Amend the Sewer District 2024 Budget for Repair Cost of (2) Submersible Pumps to Reflect
Federal ARPA Revenue and Expenditures
RESOLUTION #25-2024

PRESENT: **Supervisor Mark Odell**
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilman Timothy Harting
 Councilman Daniel R. Price

At a Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of August, 2024, the following resolution was:

Offered By: Councilman Hupman
Second By: Councilman Harting

WHEREAS, \$8,170.00 in expenses will be incurred to repair - 5RHP / S&L MOTOR / 215VPZ FRAME / SPEC 071910W33361 / Serial# F0908116506, per K&J Electric Quote #5724 at a cost of \$5,680.00, 20RHP / BALDOR MOTOR / 256T FRAME / M# 096793Y58361 / SER# Z0706070219 per K&J Electric Quote # 5745 at a cost of \$2,490.00 and

WHEREAS, Federal ARPA funds held on deposit in the townwide general fund bank account will need to be transferred to the “Sewer District” SS3 fund to pay for the repairs as required by accounting bulletin guidance issued by the New York State Comptroller’s Office;

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustments be made, to cover the cost of this outlay in the “Sewer District” SS3 fund budget;

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
SS3-201	CASH-SAVINGS	\$8,170.00	
SS3-5031	INTERFUND TRANSFER		\$8,170.00
	RECEIVE ARPA FUNDS HELD IN GENERAL FUND		
A9901.9	INTERFUND TRANSFER	\$8,170.00	
A201	CASH-SAVINGS		\$8,170.00
A688	OTHER LIABILITIES - ARPA	\$8,170.00	
A4089	OTHER AID FROM ARPA		\$8,170.00
	REVENUE RECOGNITION FOR ARPA PUMP REPAIR		
	BUDGET JOURNAL ENTRIES:		
SS3-5031	INTERFUND TRANSFER	\$8,170.00	
SS3-8130.2	SEWER EQUIPMENT, REPAIRS		\$8,170.00
	ARPA EXPENDITURE MOTION 4/12/2023		
A4089	OTHER FEDERAL AID, ARPA	\$8,170.00	
A9901.9	INTERFUND TRANSFER		\$8,170.00

BE IT FURTHER RESOLVED that this resolution take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, Clerk of the Town of Windsor, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Town Board of the Town of Windsor, Broome County, New York on the 14th day of August, 2024. Said resolution was adopted by the following vote:

Supervisor Mark Odell	Voted - Aye
Deputy Supervisor Daniel Colwell	Voted – Aye
Councilman Gary Hupman	Voted - Aye
Councilman Timothy Harting	Voted - Aye
Councilman Daniel R. Price	Voted – Aye

Motion Approved
Resolution Adopted: August 14, 2024

[Town Seal]

Elizabeth Pfister, Town Clerk
Town of Windsor

TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Amend the General “A” Fund 2024 Budget to Reflect 2023 Expenditures for Broome County
Animal Shelter Fees
RESOLUTION # 26-2024

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilman Timothy Harting
Councilman Daniel R. Price

At a Regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of August, 2024, the following resolution was:

Offered By: Deputy Supervisor Colwell
Second By: Councilman Harting

WHEREAS, the Broome County Animal Shelter did not bill 3rd & 4th quarter 2023 expenses until April 2024. These funds rolled into fund balance at the end of 2023; therefore, a budget amendment needs to be completed to cover current year expenses.

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustment in the A fund to cover the 2024 animal shelter fees.

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
A909	FUND BALANCE: UNRESERVED	\$5,100.00	
A3510.2	CONTROL OF DOGS – DOG SHELTER		\$5,100.00
	PRIOR YEAR (2023) EXPENSE		

BE IT FURTHER RESOLVED that this resolution take effect immediately.

CERTIFICATION

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Supervisor Mark Odell	Voted - Aye
Deputy Supervisor Daniel Colwell	Voted – Aye
Councilman Gary Hupman	Voted - Aye
Councilman Timothy Harting	Voted - Aye
Councilman Daniel R. Price	Voted – Aye

Motion Approved
Resolution Adopted: August 14, 2024

[Town Seal]

Elizabeth Pfister, Town Clerk
Town of Windsor

COMMITTEE REPORTS:
YOUTH & RECREATION:

Heather Noyd, WYSR President and Mirra Florance, WYSR Vice President gave an update on Windsor Youth Sports and Recreation program heading into their 8th year. They continue to offer 10 league sports for ages 4-12, Fall sports has the highest enrollment numbers they have ever had this year. Spring sports had a great season and they are excited that some long-awaited updates to the girls’ softball field including lights, announcer’s booth and looking to update the dugouts next spring. Look ahead to the winter sports season they will be revamping the basketball program based on feedback from the parents. Supervisor Odell asked if the A.E.D.’s the Town purchased had ever been received, Heather Noyd said after a long wait they finally arrived. Deputy Supervisor Colwell asked if the program accepted kids living outside of Windsor and they said other than football they do, the football program has too many enrolled to accept any outside kids. Councilman Harting asked if the softball field updates were paid for with grant money, it was confirmed that yes, they were which was a huge help.

ASSESSOR:

The Board received the Assessor's July 2024 report.

DOG CONTROL:

The Board received letter from DCO Bronson about the Town sponsored rabies clinic, the Clerk shared that everything went very smooth. Councilman Harting pointed out that DCO Bronson and the veterinarian, Ellen Johnson gave up their time and regular fees to do this and it looks like the community appreciated it.

The July 12, 2024 Municipal Shelter Inspection Report was given to the Board, the shelter is still "unsatisfactory" according to the Ag & Markets inspection. Councilman Price asked who is responsible for correcting the issues on the report and does the Town have any recourse. Attorney Spinner shared that he had spoke with DCO Bronson and also conferred with other attorneys at his office that represent the other towns listed on the letter to see what they are doing and no one is doing anything. Attorney Spinner's suggestion is for the Town to write a letter to the County Legislature and ask what they are doing to address the matter and see what response the Town gets.

ECONOMIC DEVELOPMENT:

The Windsor Partnership Corn Fest & Tractor Show is August 24, 2024, 12:00 P.M. – 5:00 P.M. Councilman Hupman shared that he is part of the committee trying to resurrect the Susquehanna Valley Grange and because the Windsor Partnership has low membership the Grange committee will be partnering with the Partnership to help with the Corn Festival along with some of the FFA kids from the high school.

ENERGY: None

ENGINEER: None

HIGHWAY:

The Town of Windsor was awarded \$2,713,073.00 from the BridgeNY for the McNair Road Bridge project which is a \$2,800,000.00 job. Councilman Harting questioned when it looks like the project will get completed, Highway Supervisor Kithcart stated they believe February 2026 they will begin. Highway Supervisor Kithcart said that by the September meeting he should have an engineering proposal for the Board so that the ARPA funds can be committed to the Town's portion of responsibility for the project.

Motion By: Councilman Hupman

Sec. By: Councilman Harting

Motion to Authorize Supervisor Odell or his Designee and Highway Superintendent Kithcart to Sign an Intermunicipal Agreement with the Town of Deposit to Provide Cooperative Highway Services

Vote of the Board:

Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye

Councilman Hupman - Aye

Councilman Harting - Aye

Councilman Price - Aye

Motion Passed

The Board received a copy of the "Statewide Transportation Master Plan" Fact Sheet, Highway Supervisor Kithcart explained they are looking for officials to complete survey on their website.

Supervisor Odell read aloud a Thank you from Peggy Cargill Krause was read for the Highway Department, thanking them for clearing the ditches on Mountain Road ahead of last weeks storm.

The Town received notification that the speed limit will be reduced on State Route 79 South of the Village, in front of the high school from 45MPH, to 35 MPH Monday – Friday, 7:00 A.M. – 6:00 P.M.

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Hupman

Motion for Executive Session for Matters Regarding the Employment of Particular Persons and to Recess for Legal Advice at 7:35 P.M.

Vote of the Board:

Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye

Councilman Hupman - Aye

Councilman Harting - Aye

Councilman Price - Aye

Motion Passed

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Harting

Motion to Return From Executive Session for Matters Regarding the Employment of Particular Persons and to Recess for Legal Advice at 8:00 P.M.

Vote of the Board:

Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye

Councilman Hupman - Aye

Councilman Harting - Aye

Councilman Price - Aye

Motion Passed

HISTORY: None

SENIOR CITIZENS: None

TOWN CLERK/REGISTRAR:

The Board received the Town Clerk's July 2024 report, there were no questions. The Clerk reported that hunting license sales began on August 1st and the office has been busy.

Supervisor Odell read aloud the “Thank you” from BOCES for hosting a summer intern. The Clerk reported that 3 years of Windsor Standards were scanned in by the intern who was here for 4 weeks.

TOWN HALL:

Supervisor Odell informed the Board that the contractor that was agreed on for the Town Hall roof work is still getting his paperwork together to start work.

Code Officer Osborne reported that he has been trying to reach the mason that was hired to do the brick repointing and he is not returning his calls.

WASTEWATER TREATMENT PLANT:

Owner of a vacant parcel on Riley Road contacted the Code Officer about building a home on the lot and connecting to the Wastewater Treatment Plant, they are in the district but the Town Code does is not clear on permit fees, inspections, etc.

ZONING, PLANNING & CODE ENFORCEMENT:

The Board received a copy of the Code Officers July 2024 report and notification of the completion of his In-Service Training. Supervisor Odell and the Board congratulated Code Officer Osborne on his new granddaughter.

PUBLIC SAFETY: None

OTHER:

Supervisor Odell read aloud Thank you notes from the Friday Band Concerts Committee and the Windsor Library thanking the Town for their annual contribution.

CEMETERIES:

Councilman Hupman let everyone know that the Fiore’s are continuing their work at local cemeteries repairing headstones and now have someone working with them on mapping the cemeteries now too. They will be setup at the Corn Festival to talk to people and share their work.

Councilman Price had been approached about Revolutionary War Veterans graves and maintenance, he reached out to the local Department of State representative, and was told that no monies have been made available for Revolutionary War soldiers. Councilman Price left his contact information if money becomes available, they will contact him.

UNFINISHED BUSINESS:

New York State Traffic Safety and Mobility Office responded that they will be assessing Baker Road in response to the Town’s July 17, 2024 request to reduce the speed limit.

NEW BUSINESS:

**Town of Windsor, County of Broome, State of New York
APPROVING THE ADOPTION OF AN ACCEPTABLE USE POLICY
Resolution #28-2024**

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilman Timothy Harting
Councilman Daniel R. Price

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of August, 2024, the following resolution was:

OFFERED BY: Councilman Hupman
SECONDED BY: Councilman Harting

The Town Board (hereinafter “Town Board”) of the Town of Windsor (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

WHEREAS, the Town of Windsor desires to adopt and implement an Acceptable Use Policy (the “Policy”); and

WHEREAS, the Policy concerns Computer, Network Resource and Internet Usage and applies to all Town-owned network facilities, computer systems and email accounts provided to Town employees and officials; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27); and

WHEREAS, the Policy shall be reviewed on an annual basis and updated as needed.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Acceptable Use Policy; and it is

FURTHER RESOLVED that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Policy and implement the same on behalf of the Town; and it is

FURTHER RESOLVED that this resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on August 14, 2024. Said resolution was adopted by the following vote:

Supervisor Mark Odell	Voted - Aye	
Deputy Supervisor Daniel Colwell	Voted - Aye	
Councilman Gary Hupman	Voted - Aye	Motion Approved
Councilman Timothy Harting	Voted - Aye	Resolution Adopted: August 14, 2024
Councilman Daniel R. Price	Voted - Aye	

Elizabeth Pfister, Town Clerk
Town of Windsor

Acceptable Use Policy

Policy Statement- The Town of Windsor has adopted the following Town of Windsor Computer, Network Resource and Internet Usage Policy:

This policy shall be reviewed on an annual basis and updated as needed. This policy shall supersede and revoke all previous policies. Town computers, Town network resources, and internet access lines within the Town of Windsor Town Hall and within any other Town buildings are to be used only for official business of the Town. In no event are those computers, network resources or internet access lines to be used for the personal purposes. Prohibited personal purposes shall include, but not be limited to, the following of:

- (a) creating, sending or receiving any personal letters, personal messages, personal advertising, communications relating to personal commercial activities, jokes or other personal communications,
- (b) playing any card games or other games,
- (c) using any streaming video services e.g., Netflix, Hulu, YouTube, etc., unless directly related to Town business.
- (d) creating, sending, posting, displaying or receiving any pornographic or obscene pictures, text, graphics, images, or materials,
- (e) accessing any web sites that contain sexually explicit images and/or related materials, advocate illegal activity, and/or advocate intolerance of others,
- (f) creating, sending, posting, or displaying any sexually explicit images and/or related materials,
- (g) advocating or promoting any illegal activity, and/or advocating or promoting intolerance of others.
- (h) creating, sending, posting, displaying or receiving any offensive, abusive, slanderous, libelous, defamatory, vulgar, harassing or intimidating messages, text, graphics, images or materials,
- (i) creating or sending any viruses, worms, hoaxes or chain letters,
- (j) engaging in any unwarranted invasion of the personal privacy of any individual,
- (k) engaging in any unauthorized disclosure of sensitive or confidential information, or
- (l) violating any licensing or copyright restrictions.

Any misuse of a Town computer, network resource, or internet access line, or non-compliance with the Town's written computer and internet usage policies, may result in one or more of the following consequences:

- 1. Temporary loss of privileges and/or deactivation of computer/network access/internet access.
- 2. Permanent loss of privileges and/or deactivation of computer/network access/internet access.
- 3. Confiscation of Town laptop computer by the proper Town official.
- 4. Disciplinary actions (including proceedings for removal from office) by the appropriate Town board or Town officials and/or State boards or State officials.
- 5. Subpoena of data files and/or the application for and execution of a search warrant.
- 6. Legal prosecution under applicable United States, New York State, and/or Town of Windsor statutes, local laws, ordinances, codes, rules and/or regulations (hereinafter the "Laws").
- 7. Possible penalties under applicable Laws, including fines and/or imprisonment

The Town of Windsor owns all network facilities, computer systems and e-mail accounts that are provided to Town employees and officials. The Town reserves the right to monitor and audit all usage of Town-owned technology systems, including but not limited to hard drives, e-mails, computer files, and network traffic. No employee or Town official should have an expectation of privacy with regard to the use of Town-owned technology.

Town of Windsor, County of Broome, State of New York
APPROVING THE ADOPTION OF BREACH NOTIFICATION POLICY
Resolution #29-2024

PRESENT: **Supervisor Mark Odell**
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilman Timothy Harting
 Councilman Daniel R. Price

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of August, 2024, the following resolution was:

OFFERED BY: Deputy Supervisor Colwell
SECONDED BY: Councilman Harting

The Town Board (hereinafter “Town Board”) of the Town of Windsor (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

WHEREAS, the Town of Windsor desires to adopt and implement a Breach Notification Policy (the “Policy”); and

WHEREAS, the purpose of the Policy is to ensure the Town of Windsor complies with State and Federal laws, and minimizes the harm to individuals served or employed by the Town, when responding to a suspected breach of private and confidential information; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27).

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Breach Notification Policy; and it is

FURTHER RESOLVED that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Policy and implement the same on behalf of the Town; and it is

FURTHER RESOLVED that this resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on August 14, 2024. Said resolution was adopted by the following vote:

Supervisor Mark Odell	Voted - Aye	
Deputy Supervisor Daniel Colwell	Voted - Aye	
Councilman Gary Hupman	Voted - Aye	Motion Approved
Councilman Timothy Harting	Voted - Aye	Resolution Adopted: August 14, 2024
Councilman Daniel R. Price	Voted - Aye	

Elizabeth Pfister, Town Clerk
Town of Windsor

Breach Notification Policy

Objective: To ensure that the Town of Windsor’s response to any suspected breach of private and confidential information complies with State and Federal laws and minimizes harm to individuals served or employed by the Town of Windsor.

The Town values the protection of private information of individuals in accordance with applicable law and regulations. Further, the Town is required to notify affected individuals 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 Town policy.

The Town shall educate all individuals who may come into contact with any of the information described below on the Town policy in order to increase IT security awareness. The Town desires to ensure each individual understands his or her responsibilities regarding any potential issues.

- a) "Private information" shall mean “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;
 - 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.

"Personal information" shall mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

- b) "Breach of the security of the system," shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the Town. Good faith acquisition of personal information by an employee or agent of the Town for the purposes of the Town is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Determining if a Breach has Occurred

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the Town may consider the following factors, among others:

- a) Indications that the information is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
- b) Indications that the information has been downloaded or copied; or
- c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or
- d) System failure

Notification Requirements

For any computerized data owned or licensed by the Town that includes private information, the Town shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The Town shall consult with the State Office of Information Technology Services to determine the scope of the breach and restoration measures.

For any computerized data maintained by the Town that includes private information which the Town does not own, the Town shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice shall be directly provided to the affected persons by one or more of the following methods:

- a) Written notice;
- b) Telephone Notification, with records of all calls being kept;

Additional Notices: in addition to one of the above forms of notice the Town may, at its discretion, perform the following additional forms of notice:

- a) E-Mail notice when the Town has an e-mail address for the subject individuals;
- b) Conspicuous posting of the notice on the Town's webpage, or any Town signs; and
- c) Notification to local media

Regardless of the method by which notice is provided, the notice shall include contact information for the Town 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.

In the event that any New York State residents are to be notified, the Town shall notify the New York State Attorney General (AG), the New York State Department of State, and the New York State Office of Information Technology Services as to the timing, content and distribution of the notices and

approximate number of affected persons.

In the event that more than five thousand (5,000) New York State residents are to be notified at one time, the Town shall also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to Towns required to make a notification in accordance with State Technology Law Section 208(2), regarding notification of breach of security of the system.

Town of Windsor, County of Broome, State of New York
APPROVING THE ADOPTION OF DISASTER RECOVERY PLAN
Resolution #30-2024

PRESENT: **Supervisor Mark Odell**
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilman Timothy Harting
 Councilman Daniel R. Price

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of August, 2024, the following resolution was:

OFFERED BY: Councilman Hupman
SECONDED BY: Deputy Supervisor Colwell

The Town Board (hereinafter “Town Board”) of the Town of Windsor (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

WHEREAS, the Town of Windsor desires to adopt and implement a Disaster Recovery Plan; and

WHEREAS, the Disaster Recovery Plan defines acceptable methods for disaster recovery planning, preparedness, management, and mitigation of IT systems and services for the Town; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27).

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Disaster Recovery Plan; and it is

FURTHER RESOLVED that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Disaster Recovery Plan and implement the same on behalf of the Town; and it is

FURTHER RESOLVED that this resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on August 14, 2024. Said resolution was adopted by the following vote:

Supervisor Mark Odell	Voted - Aye	
Deputy Supervisor Daniel Colwell	Voted - Aye	
Councilman Gary Hupman	Voted - Aye	Motion Approved
Councilman Timothy Harting	Voted - Aye	Resolution Adopted: August 14, 2024
Councilman Daniel R. Price	Voted - Aye	

Elizabeth Pfister, Town Clerk
Town of Windsor

Disaster Recovery Plan

Policy Statement: This policy defines acceptable methods for disaster recovery planning, preparedness, management and mitigation of IT systems and services for the Town of Windsor (hereinafter the “Town”).

The disaster recovery standards in this policy provide a systematic approach for safeguarding the vital technology and data managed by the Town. This policy provides a framework for the management, development, and implementation and maintenance of a disaster recovery program for the systems and services managed by the Town.

Implementation: The Town shall establish as follows:

1. Appoint a Disaster Recovery Manager. The Disaster Recovery Manager shall be charged with implementing the Town's Disaster Recovery Plan.

Scenarios: There are two planning scenarios that will enable the Town to effectively prepare for and recover from likely potential threats.

1. The main computer system fails due to a lightning strike, catastrophic equipment failure, etc.
2. The Town Hall is destroyed in a natural disaster. In this scenario the Town will simultaneously be responding to other effects of the incident at the same time they are trying to restore computer operations.

General Requirements: The Town shall:

- Continue the Town's contractual relationship with The Computer Shop.
 - The Computer Shop has made accessible via remote access work stations of the Town Clerk and Secretary to the Supervisor
 - The Computer Shop maintains generators to maintain operations in the event of a power failure.
- Maintain rigorous backup routines that assure the data is available to restore. The backup shall entail secure off-site backup of data for the Town's financial and other computer data.
 - Financial data shall be backed up by the third-party company the Town contracts with.
 - The Town's computer data shall be backed up at least once a week.
- The Town's Disaster Recovery Manager or 3rd Party Provider shall attempt to restore the backup data, no less frequently than once a month, in order to ensure the validity of the backup data.
- Have redundant computer technician services to assure immediate response.
- The Town shall appoint a Disaster Recovery Manager who shall be responsible for remote restoration of Town computer data, in accordance with the then current Town Disaster Recovery Plan.
- The Town's financial data is maintained by a third-party software company. This financial data is remotely accessible in the event of a disaster.

The Town's Disaster Recovery Manager shall be responsible with coordinating remote access in the event of a disaster.

UPCOMING MEETING:

Planning Board Meeting August 28, 2024 7:30 P.M. Windsor Town Hall

Regular Board Meeting September 11, 2024 7:00 P.M. Windsor Town Hall

Zoning Board Meeting September 12, 2024 6:30 P.M. Windsor Town Hall

PUBLIC COMMENTS: None

ADJOURNMENT:

Motion By: Councilman Hupman

Sec. By: Deputy Supervisor Colwell

Motion to Adjourn Meeting at 8:13 P.M.

Vote of the Board:

Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye

Councilman Hupman - Aye

Councilman Harting - Aye

Councilman Price - Aye

Motion Passed

Respectfully Submitted,

Elizabeth Pfister, Town Clerk