

A regular meeting of the Geneseo Town Board was held on Thursday, March 22, 2012 in the conference room of the Town Office Facility.

TOWN PRESENT: William S. Wadsworth, Town Supervisor
Roberta Irwin, Deputy Supervisor
Felicisimo Manapol, Council Member
Richard Taylor, Council Member
Jerald Wrubel, Council Member
Larry Levey, Highway Superintendent
Ron Maxwell, Code Enforcement Officer
Jean Bennett, Town Clerk
David Woods, Town Planning Board Member

ALSO PRESENT: Andrew Chanler, Chanler Insurance Agency
Rebecca McKeown, Genesee Sun

MEETING OPENING & APPROVAL OF MINUTES:

At 7:00 pm Supervisor Wadsworth called the meeting to order. Council Member Wrubel led the pledge to the flag and a moment of silence was held for service men and women serving around the world.

The minutes of the March 8th Town Board meeting were reviewed. Mr. Taylor moved and Ms. Irwin seconded the motion to approve the minutes of March 8, 2012 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None. Mr. Wrubel abstained from voting as he was absent from the March 8th meeting.

2012 INTERIM MORATORIUM LAW:

Ms. Irwin moved and Mr. Wrubel seconded the motion to adopt Local Law #2 of 2012 known as the "2012 Interim Moratorium on all Natural Gas and Oil Activities", as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Wrubel-aye; Manapol-aye; Taylor-aye. Nays: None.

COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY:

Mr. Taylor moved and Mr. Wrubel seconded the motion to adopt the following policy regarding notification of any security breaches of the town computer system:

RESOLUTION ADOPTING COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY

WHEREAS, New York State Technology Law Section 208 establishes procedures to be followed to notify affected individuals in the event of a breach of a computer security system and requires municipalities to adopt a notification policy or local law consistent with these procedures;

NOW THEREFORE BE IT

RESOLVED, that the following "Town of Geneseo Computer System Security Breach Notification Policy" is hereby approved and adopted as the Town's official policy; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to take such actions as may be necessary to implement the Policy; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

TOWN OF GENESEO
COMUTER SYSTEM SECURITY BREACH
NOTIFICATION POLICY

1. PURPOSE. This Computer System Security Breach Notification Policy is intended to alert individuals to any potential identity theft as quickly as possible so that they may take appropriate steps to protect themselves from and remedy any impacts of the potential identity theft or security breach. This policy is consistent with and adopted pursuant to New York Technology Law Section 208.
2. DEFINITIONS. The following terms have the following meanings:
 - (a) "Breach of the security of the system" means unauthorized acquisition or acquisition with out 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 employee or agent is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

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

- (1) Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
 - (2) Indications that the information has been downloaded or copied; or
 - (3) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.
- (b) "Consumer reporting agency" means any person or entity which, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the

purpose of preparing or furnishing consumer reports. A list of consumer reporting agencies may be obtained upon request to the State Attorney General.

- (c) "Department" means any board, division, committee council, department, public authority, public benefit corporation, office or other governmental entity performing a governmental or proprietary function for the Town.
- (d) "Personal Information" means any information concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to identify that person.
- (e) "Private Information" means 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 Town records.

(f) "Town" means the Town of Geneseo, County of Livingston.

- 3. DISCLOSURE OF BREACH TO AFFECTED PERSONS. Any Town Department that owns or licenses computerized data that includes private information must disclose any breach of the security of the system to any individual whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in paragraph 5 below, 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 Cyber Security and Critical Infrastructure Coordination to determine the scope of the breach and restoration measures.
- 4. DISCLOSURE OF BREACH TO OWNER OR LICENSEE. If the Town maintains computerized data that includes private information which the Town does not own, the Town must notify the owner or licensee of the information of any breach of the security of the system immediately following the discovery if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.
- 5. PERMITTED DELAY. Notification pursuant to this Policy may be delayed if a law enforcement agency determines that notification could impede a criminal investigation. The notification must be made after the law enforcement agency determines that notification would not compromise any criminal investigation.

Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Wrubel-aye; Irwin-aye; Manapol-aye. Nays: None.

FARMERS' MARKET:

The Board discussed requests from Cate Concannon on behalf of the Farmers' Market to: 1) continue to manage Farmers' Market funds; 2) open a new Farmers' Market account which would accept food stamp payments electronically; and 3) apply for a grant in order to hire a manager and/or assistant manager for the Farmers' Market.

In response to Ms. Concannon's requests, the Board reviewed (March 24) 2011 Town Board minutes that indicated the Town agreed they would manage the Farmers' Market account for the first year and the Farmers' Market would create their own entity if successful.

After discussion, it was agreed Supervisor Wadsworth will write a letter to Ms. Concannon suggesting that the Farmers' Market either establish their own accounts or see if the Village Board is willing to manage their accounts and grant applications.

COMPREHENSIVE REVISIONS TO TOWN ZONING CODE:

The Board discussed the Planning Board's previous request for budgeting and achieving a comprehensive revision to the Town Zoning Code. Supervisor Wadsworth requested that Sheldon Pitney be on the committee to oversee those revisions, since he is very interested in serving on this committee. The project can begin with an RFP (Request For Proposals) being put out this August and the firm that is awarded the contract could possibly start in October. Mr. Taylor moved and Ms. Irwin seconded the motion to undertake the comprehensive revision of the Town's Zoning Code with the project to be budgeted and take place over a three (3) year period at a total cost not-to-exceed \$40,000. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel-aye. Nays: None.

CONESUS LAKE/LONG POINT PARK:

The Board reviewed the following requests for use of Long Point Park: 1) a letter from Cubmaster Bryan French, requesting that Geneseo Pak 72 use Long Point Park for a weekend campout on June 9th and 10th; 2) a letter from Conesus Lake Association Activities Chair Deborah Ralston, requesting the Long Point Park pavilion for their Directors' picnic on July 26th and their annual meeting on August 19th; 3) a letter from Mary Coniglio requesting the Town Board renew the annual Agreement for the use of the garage at Long Point Park by Geneseo Boy Scout Troop 4070.

Mr. Manapol moved and Mr. Taylor seconded the motion to approve the June 9th and 10th campout for Geneseo Pak 72 and the CLA use of the park on July 26th and August 19th and waive the associated fees, with proper certificates of insurance to be provided, and to approve the renewal of the agreement for use of the garage at Long Point Park by Boy Scout Troop 4070 and authorize the Supervisor to sign it, with a proper

certificate of insurance to be provided. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Irwin-aye; Wrubel-aye. Nays: None.

INSURANCE RENEWAL:

Andrew Chanler of Chanler Insurance Agency presented an outline of insurance coverage provided by the New York Municipal Insurance Reciprocal (NYMIR) for a renewal date of March 28, 2012 at a cost of \$39,087.85. He indicated that though the coverage has increased, the renewal premium has decreased from last year by \$687. Mr. Chanler continued that an independent appraiser will be doing a property appraisal of the town's properties to make sure that proper values have been established, however, he does not expect much change in the building values. The appraisal may additionally be used for financial and bonding requirements.

Mr. Chanler mentioned additional items regarding the insurance renewal, as follows: NYMIR may have some recommendations to the Town Board as a result of the Loss Control Survey they did a few months ago, which will be forthcoming in the near future; the online training was used extensively in 2011 by the Town's Planning and Zoning Boards, which is a cost savings to the Town.

In addition to the recent increased coverage on the Crime Policy for the court clerks, coverage for a new Secretary to the Supervisor will also have to be added and Mr. Chanler was advised of this.

Mr. Taylor stated, and the Board was in agreement, that he is pleased with the service from NYMIR and from Andrew. Mr. Taylor moved and Ms. Irwin seconded the motion to renew the Town's insurance coverage with NYMIR through the Chanler Agency, as proposed. Motion passed with voting from: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel-aye. Nays: None. An invoice for the additional capitalization charges that are charged by NYMIR for the first five years will be submitted for payment to the Town Clerk.

HIGHWAY/WATER ISSUES:

Ms. Irwin moved and Mr. Taylor seconded the motion to adopt a resolution of the Town Council of the Town of Geneseo ***accepting dedication of a water line easement*** along with certain water system improvements constructed within the boundary of said easement to be incorporated into Water District No.1, as attached to the official Town Board minutes, and authorize the Supervisor to sign the easement document. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None. Mr. Wrubel abstained from voting as he was unfamiliar with the subject. This water line has also been referred to in the past as Teitsworth water line.

Highway Superintendent Larry Levey updated the Board on the new ***federal requirements for standardization of signage***. He advised the board that it will be an expensive undertaking and that New York State is presently trying to get the federal

government to rescind these requirements. The dates for compliance are structured, depending on the category of the signage (i.e. street sign), through 2018. With signage that is missing, broken, etc, and being replaced, Highway Supt Levey has been replacing it with signage that meets the federal guidelines. It was the consensus of the Town Board that the Highway Supt should continue to meet the new standards with any signage being replaced, and that this matter should be brought up when working on the 2013 budget.

MISCELLANEOUS:

Board Members were made aware of a presentation on hydrofracking sponsored by the Town of Livonia to be held on Sunday, April 15th at 1:30 pm at the Jack Evans Community Center in Hemlock. Livingston County and Town Boards, Planning Boards and ZBAs in Livingston County will be invited and a notice of the possible Geneseo Town Board meeting will be advertised.

The Town Clerk advised the Board that Patrick Rountree, Liv Co Director of Economic Development will be contacting the town about possible town tax exemptions for business renovations. The Town Clerk has not received any information as of yet but will keep the Board updated if/when she receives any information on this subject.

EXECUTIVE SESSION:

At 7:55 pm Mr. Taylor moved and Ms. Irwin seconded the motion to go into Executive Session to discuss contract negotiations. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel-aye; Nays; None.

At 8:15 pm Mr. Taylor moved and Ms. Irwin seconded the motion to come out of Executive Session and go back into Regular Session. It was reported that no action was taken during Executive Session. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel – aye. Nays: None.

ADJOURNMENT:

At 8:20 pm Mr. Taylor moved and Mr. Wrubel seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk

Attachments: Local Law #2 of 2012; Resolution regarding Teitsworth waterline