

Minutes

Town of Persia Board Meeting

8 West Main Street, Gowanda, NY 14070

December 10, 2020

Workshop: 6:00pm on Cyber Security and Covid-19

Board Meeting 7:00pm

All stand for the Pledge of Allegiance

Remembering Pearl Harbor December 7th

Roll Call:

Supervisor: John T. Walgus: present
Councilperson: Theresa A. Girome: present
Councilperson: Gloria J. Tomaszewski: present
Councilperson: Robert O. Dingman: present
Councilperson: Seth H. Howard: present

Others present:

Town Clerk: Denise M. Trumpore
Highway Superintendent: Daniel H. Ackley
Jack Broyles

Supervisor John T. Walgus: * I have paid the pre-pays and have processed payroll. * I ask for a resolution to approve the Supervisors report and a resolution to accept the financial statement from Bahgat & Laurito Bahgat. * My thanks to Mr. Howard for working on the Cyber Security policy that we will hopefully approve. * I will be asking for approval on the towns Hazardous Mitigation Plan, as part of the larger Cattaraugus County Hazardous Mitigation Plan. As part of all the municipalities of Cattaraugus County, we will submit our and the joint plan to the United States Federal Emergency Management Agency, with the hope that they will fund all or parts of our submission. My thanks to Highway Superintendent Dan Ackley and Disaster Coordinator Tom Povhe for their contributions to the towns submitted HM plan. * In the past, the town had contracted with Verizon Wireless for cell service with NYS Comprehensive Telecommunications Service (CTS) which has expired. Because of the time constraints I have signed a new contract with Verizon Wireless, and they have entered into a new agreement with New York State called the Telecommunication Connectivity Services (TCS) contract, this allows local municipalities to piggyback with the state for a reduced plan charges and costs. * On December 7th, I attended a webinar via ZOOM, it was sponsored by

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Cattaraugus County Dept. of Economic Development, Planning & Tourism on farmland protection, which aligns with recommendations outlined in the counties updated Agricultural Plan. This event is part of Seneca Trail Resource & Development Councils work as a Regional Navigator in the American Farmland Trust's "Farmland for a New Generation in New York" program. Since the loss of major industries in the town, farms are one of our biggest producers that we now have, along with many other smaller ventures and businesses. * As part of our energy reductions and leaning towards renewable energy sources, we have again received a rebate for our efforts from our energy providers. Last year we earmarked these funds for our building reserve fund, and I have indicated to our accountants that we plan on doing this again this year. * As part of the town's contribution to the virtual "Christmas in Gowanda" celebration, I was asked to make a short video for the program that was shown on the Gowanda Area Chamber of Commerce Facebook live tree lighting ceremony that was held Saturday, December 5th. * I ask for a motion to have a workshop on January 14th at 6:00pm to discuss the reorganization for 2021. * Happy Birthday to Mark Hojnacki this month. * Merry Christmas and I hope you all have an enjoyable New Year.

Highway Superintendent Daniel H. Ackley: * Read highway bills. * Did a lot of maintenance as the highway bills will reflect. * I filled out the project completion application form for FEMA disaster 4180; back in 2016, the town received \$67,987 from FEMA, we claimed \$53,966, so I do not know if FEMA one day will ask for that difference back, but it is on my mind.

Councilperson Theresa A. Girome: * I attended the Planning & Zoning meeting on November 16th. * I have been working with Councilperson Tomaszewski on the Solar ordinance.

Councilperson Robert O. Dingman: * I attended a Chamber of Commerce meeting last night, as well as others over the last month. The Chamber revised the "Christmas in Gowanda" program, and the video that ran on Facebook will be reposted throughout the Christmas season. * I would like to say that the Supervisor has done a great job this year in providing the board with all the different paperwork needed and it is greatly appreciated. * All of us should be aware of the allegations about the November election and in my opinion, it indicates an intent that could involve serious threat to the independence of our democracy. We need to pay attention and keep our people who represent us tuned into this.

Councilperson Seth H. Howard: * On Monday, November 16th, I attended a special committee meeting of the Gowanda Ambulance Board on a private matter, not for the public's eye at this point. * On Tuesday, November 17th, I attended a regular board meeting of the

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Gowanda Ambulance Service. There were 134 calls for the month of October, in which only 1 call, .74% was for a resident of Persia, outside the village boundary. The new fly-car is in service and has been out on the road, serving the community. Major mechanical work took place on 2 of the rigs. 817 required a new transmission, resulting in a heavy monetary transaction. It is back in service with a fresh 1-year warranty on the new parts. 819 also required some routine mechanical work to keep it safe and functioning properly. All equipment was fitted with the necessary parts to prepare for the upcoming periods of inclement weather. Congratulations to John Thies for passing his paramedic exam. John is currently going through his medic ride time and will soon be on as a paramedic for the GAS. With the good, comes the bad. 3 resignations were submitted in October. All were per diem employees. One paramedic and two EMT's. If you are familiar with anyone interested in serving the community in the aspect that the FAS employs, encourage them to submit their application. There is no better time than the present. * On Monday, November 23rd, I attended a special follow up meeting to the private matter from a week prior. The issue remains private, however complete. At this time, I want to remind you that the Gowanda Ambulance Service has a zero-tolerance policy on sexual harassment. The issue was dealt with accordingly, resulting in termination of an employee. * Our next scheduled meeting will take place via zoom on December 15th at 7:00pm. * I have the Cyber Security Policy here for the board members to look over for approval. * Read General bills. * I ask for a motion to approve the lease for Verizon Wireless to install a telecommunication facility (antenna) on top of the Town Hall. * I attended the Santa Parade on the 5th; the Fire Dept. did a fantastic job!

Councilperson Gloria J. Tomaszewski: * We will need a resolution to reappoint Jack Broyles and Paula Schueler to the Board of Assessment Review Board. * I have been working on the updating of the solar ordinance.

Assessor Kate Harrington: (by email) * Annual renewal applications for the Senior Citizen Exemption and Agricultural Assessment will be mailed out in the coming weeks. As a friendly reminder, Enhanced STAR exemptions are now renewed automatically – applicants will NOT be receiving renewal applications. * The assessing office has corresponded with several property owners about their assessments, tax bills, and exemptions. * Eleven transfers were added for the month of October.

Town Clerk Denise M. Trumpore: *

Total transactions for November: 81

Total Collected: \$ 1,796.00

Towns Portion: \$ **716.04**

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*I ask for a resolution to accept the minutes from November 4th & November 12th.

RESOLUTION # 107 Audit of Claims

On a motion of Councilperson Dingman
Seconded by Councilperson Tomaszewski
The following was
ADOPTED AYES – 5 Dingman, Tomaszewski, Girome, Howard, Walgus
NAYS – 0

**RESOLVED that the bills contained on Abstract #12 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:
Abstract 12 – General Vouchers # 174 to #189 Total: \$ 22,898.23 -175-178 deleted
Abstract 12- Highway Vouchers # 77 to # 88 Total: \$ 11,405.54**

RESOLUTION # 108 Approval of Minutes

On a motion of Councilperson Dingman
Seconded by Councilperson Tomaszewski
ADOPTED AYES – 5 Dingman, Tomaszewski, Girome, Howard, Walgus
NAYS - 0

RESOLVED to approve the minutes from November 4th and November 12th.

RESOLUTION # 109 Supervisors report

On a motion of Councilperson Howard
Seconded by Councilperson Girome
ADOPTED AYES – 5 Howard, Girome, Tomaszewski, Dingman, Walgus
NAYS - 0

RESOLVED to accept the Supervisor report for November

RESOLUTION # 110 Financial Report

On a motion of Councilperson Howard
Seconded by Councilperson Dingman
ADOPTED AYES – 5 Howard, Dingman, Girome, Tomaszewski, Walgus
NAYS - 0

RESOLVED to accept the financial report for November 2020.

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RESOLUTION # 111 Cattaraugus County Hazard Mitigation Plan

On a motion of Councilperson Howard

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Howard, Tomaszewski, Girome, Dingman, Walgus
NAYS – 0

WHEREAS, The Town of Persia, with the assistance from Tetra Tech, Inc., has gathered information and prepared the 2021 Cattaraugus County Hazard Mitigation Plan; and **WHEREAS**, the 2021 Cattaraugus County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS The Town of Persia is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, The Town of Persia has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by Town Council of the Town of Persia adopts the 2021 Cattaraugus County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan

RESOLUTION # 112 Board of Assessment Review Board

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Howard

ADOPTED AYES – 5 Tomaszewski, Howard, Girome, Dingman, Walgus
NAYS – 0

RESOLVED to reappoint Jack Broyles and Paula Schueler to the Board of Assessment Review Board.

RESOLUTION # 113 Workshop

On a motion of Councilperson Howard

Seconded by Councilperson Girome

ADOPTED AYES – 5 Howard, Girome, Tomaszewski, Dingman, Walgus
NAYS – 0

RESOLVED to have a workshop on January 14th at 6:00pm to discuss the reorganization for 2021.

RESOLUTION # 114 Verizon Wireless Lease

On a motion of Councilperson Howard

Seconded by Councilperson Dingman

ADOPTED AYES – 5 Howard, Dingman, Girome, Tomaszewski, Walgus

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NAYS – 0

WHEREAS Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (“Verizon Wireless”) proposes to construct and operate a wireless telecommunications facility on property to be leased from the Town of Persia (the “Town”), pursuant to that certain Lease Agreement between the Town and Verizon Wireless (the “Lease”), and located at 8 West Main Street, Village of Gowanda, County of Cattaraugus, State of New York, Tax Map Number 8.083-2-15 (the “Property”); and

WHEREAS the facility consists of certain space at the Property sufficient for the installation, operation and maintenance of Verizon Wireless’ telecommunications equipment and associated appurtenances (the “Project”), as more particularly shown on the plan attached to the Lease as Exhibit “A”; and

WHEREAS in connection with the Lease, the Town Board of the Town of Persia (the “Board”) has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project pursuant to the State Environmental Quality Review Act (“SEQRA”) and on December 10, 2020 duly issued a Negative Declaration pursuant thereto; and

WHEREAS the Board has reviewed the Project, the Lease and all other materials submitted in connection therewith; and

WHEREAS resolutions approving a Lease by a Town Board are subject to a permissive referendum, in accordance with Article 7 of the New York State Law.

NOW, THEREFORE BE IT RESOLVED that the Board hereby authorizes the Town Supervisor to enter into the Lease with Verizon Wireless, as well as any associated utility easements, to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property, contingent upon passage of the permissive referendum period required under law without a petition for a permissive referendum, for an initial term of five (5) years with up to four (4) five (5) year renewal terms, at a starting annual rent of \$2,400.00, and such other terms and conditions as agreed upon by the Town and Verizon Wireless; and be it further

RESOLVED, that the Town Clerk is authorized and directed to publish notice of such permissive referendum, within ten (10) days from the date hereof, in accordance with article 7 of the New York State Town Law.

IN WITNESS WHEREOF, this Resolution was properly adopted by the Board on December 10, 2020.

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RESOLUTION # 115 Cyber Security Policy

On a motion of Councilperson Howard

Seconded by Councilperson Girome

ADOPTED AYES –5 Howard, Girome, Tomaszewski, Dingman, Walgus

NAYS – 0

CYBER SECURITY POLICY

This policy is the standard that applies to all regular, temporary, part-time, and full-time employees with the general requirements for using the Town’s computers, networks, internet services, and email services.

PRIVACY

The Town of Persia respects the individual privacy of its employees; however, to the extent permissible by law, employee privacy does not extend to the employee’s work-related conduct or to the use of Town operated equipment or supplies. Employees are to understand that personal messages or files have no guarantee or expectation of privacy since such messages or files are commingled with all other messages or files on our system and are subject to the same legal and regulatory exposure, internal review, and monitoring. It is further understood that there is no expectation of privacy for employees who use their personal email for Town business.

The Town retains control, custody, and supervision of all computers, networks, internet services and email services. Employees waive and have no expectation of privacy in their use. The Town reserves the right to at any time inspect and/or monitor computer system files, logs and other activity including emails stored on any Town server or Town computer.

TOWN PROPERTY

The Town computers, networks, internet and email services, and all associated hardware and software are the property of the Town of Persia. Additionally, all documents composed, and messages and attachments composed, sent, received, or stored on Town computers, networks, internet services, and email services are and remain the property of the Town.

SECURITY

The Town of Persia employs various measures to protect its equipment and data from deliberate or inadvertent destruction or misuse. Such measures include the designation of individual

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account, logins, and passwords. Sharing of account, logins and passwords is prohibited unless the system administrator or department head grants an exception. Passwords shall be safeguarded and not divulged. If it is necessary to maintain a written copy of a password, that copy shall be placed in a secure location. When employees are required to choose a password, they shall refrain from selecting a password that may be easily linked to the employees such as birth dates, children's names etc. Passwords should be at least 10 characters long and include a combination of both letters (capitalized and non-capitalized) and numbers.

APPROPRIATE USE

Town employees are permitted to access Town computers, internet, and email systems, as well as list servers and webcasts as may reasonably be required for the performance of their assigned duties.

PERSONAL USE

Minimal personal use of the Town's computers, networks, internet services and e-mail services are permitted so long as such use does not interfere with the employee's job duties and performance, with system operations, or other system users. This also includes personal use of the internet/social networks using one's personal cell phone or another electronic device while on Town time. For the purposes of this policy, anything beyond 10 (ten) minutes per day is presumptively excessive. Such personal use must be consistent with appropriate professional conduct. Employees are reminded that all personal use must comply with this policy as well as all other procedures, regulations, and laws. Employees are further reminded that all use may be monitored and inspected. Employees shall not install, or attempt to install, whether for personal or Town use, on any Town computer or system, any software or shareware downloaded from the internet, without first consulting with the Town's outside computer administrator and receiving approval from their respective department head. Personal pictures are not to be transferred onto any Town computer for purposes of storage, screen savers or desktop background viewing.

INTERNET AND WEBSITES

Internet access is provided for research in connection with an employee's specific job duties. Employees are reminded that use of the internet must not interfere with an employee's job duties. Without the approval of a department head, general web browsing is considered an

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unproductive use of the resource and an employee's time. Any unproductive use of the internet by an employee are encouraged to exercise care in selecting websites to visit on the internet, including sites received in, or linked from, email. Viruses can be transmitted simply by viewing a site that contains computer code written to transmit viruses to others. Employees shall not use streaming media applications without requesting and receiving permission from the system administrator or department head. Permission may only be granted on a limit basis for limited durations.

INAPPROPRIATE USE

Employees are prohibited from using the Town's computer, network, internet services, and email services in violation of the further terms of this policy, or in any way that reasonably could be viewed as inappropriate, malicious, obscene, threatening, or intimidating, that disparages coworkers, constituents, suppliers, or contractors or that might constitute harassment or bullying. Examples of such prohibited conduct include, but are not limited to:

- Profane or vulgar language
- Any use that is illegal
- Any use involving materials that are obscene or sexually explicit
- Any comments that may be construed as discriminatory
- Unauthorized mass electronic Solicitation of funds for commercial, personal mailings or chain letters
- Use of systems for political campaigns, endorsements, or any other political activity
- Solicitation of funds for commercial, personal, or religious causes not sponsored by the Town.
- Use of streaming websites (internet radio and video)
- Use of Peer to Peer sharing websites (downloading and sharing music/video files)
- Installing unauthorized software applications
- Installing any networking hardware, networking software or hacker tools, or modifying Town hardware, software, or data without proper authorization
- Opening any email attachment from any spam account or entity without confirming their identity
- Posting or sending offensive remarks meant to intentionally harm someone's reputation

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- Behavior that could contribute to a hostile work environment based on race, sex, disability, religion, sexual orientation, or anything else prohibited by the law or Town's Non-Harassment, Discrimination and Retaliation Policy
- Accessing another employee's account or files without proper authorization, or permitting another employee to access your account or files without proper authorization

COPYRIGHT

It is the policy of the Town of Persia to fully comply with all laws pertaining to the reproduction, use, or distribution of copyrighted or otherwise protected materials. The Town will comply with all licensing requirements. Employee's shall not install, any software on any computer or system unless the Town is properly licensed, and approval is obtained from the Town's administrator. Employees shall not make copies of software other than those copies authorized in the software license.

VIOLATIONS

Any employee violating this policy will be subject to discipline up to and including termination of employment, pursuant to applicable disciplinary standards and procedures established by law and/or collectively bargained agreements.

RESOLUTION # 116 Proposals for security cameras

On a motion of Councilperson Howard

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Howard, Tomaszewski, Girome, Dingman, Walgus

NAYS – 0

RESOLVED to receive proposals for upgrading the security cameras, which will be reviewed on January 14th at 7pm.

Hearing no objection, Supervisor Walgus closed the meeting in memory of town resident Norman Myers Sr. at 7:38 pm.

Respectfully submitted,

Denise M. Trumpore
Town Clerk

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