



TOWN OF DEERPARK

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RESOLUTION #10 OF 2011

Resolution Amending Deerpark Personnel Policy with New Phone & Computer Policy

WHEREAS, the Town of Deerpark is always looking for ways to protect the town's taxpayers from any liability; and

WHEREAS, with the constant changing of technology, and upon recommendation from the New York State Association of Towns, it is necessary to provide more detail to the town's Phone and Computer Policy,

THEREFORE BE IT RESOLVED, the Town Board of the Town of Deerpark, Orange County, New York, hereby amends the Deerpark Personnel Policy, Section 3.1.12 to the following:

All current wording in Section 3.1.12 is hereby repealed and replaced with the following:

Section 3.1.12A Telephone/Fax/Cell phone usage

Guidelines – Telephone, fax and cell phone usage must adhere to the following guidelines.

- A. An employee must answer the phone promptly and speak in a clear, friendly and courteous tone;
- B. An employee must give the name of the department or office and one's own name. If the call is not for the employee who answers, the employee must transfer the call to the correct party or take a message recording all pertinent information;
- C. During office hours, each employee is responsible for there being at least one employee in the department to answer telephones. If the department or office has limited staff, arrangements must be made with another department or office for telephone coverage or an answering devices must be in operation;
- D. Collect calls may not be accepted without approval of the Department Head or supervisor;
- E. The calling or use of any recreational chat line is prohibited.
- F. Usage of any town owned fax machines are to be used for town business only.
- G. An employee may make personal telephone calls, however, such calls should be limited in duration and frequency and must not interfere with the performance of the employee's job duties, and Town business must take precedence.
- H. An employee may not make or receive personal calls on a Town provided telephone or cell phone that will result in additional charge to the Town, except in an emergency and/or with prior approval from Department Head. The employee must reimburse the Town for the cost of the call.
- I. Any texting that is not related to town business on any town owned cell phone is prohibited.
- J. Any Internet usage that is not related to town business on any town owned cell phone is prohibited.
- K. Cell phone billing and records shall be available for review at anytime by the Town Board and/or Town Supervisor.

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Purposes – The purposes of the Town of Deerpark’s computer and other electronic systems, including, but not limited to, electronic mail (“e-mail”) and the Internet, are to provide an efficient and effective means of internal and external communications, and to improve work productivity and work product. This policy addresses access to and the disclosure of information from such electronic systems.

Statement of Policy – The Town of Deerpark promotes Internet and e-mail use that enables employees, volunteers, and contractor personnel to develop Internet and e-mail skills and knowledge. It is expected that employees will use the Internet and e-mail to improve their knowledge; to access scientific, technical, and other information on topics which have relevance to the Town of Deerpark; and to communicate with their peers in other government agencies, academia and industry on matter of relevance to their work for the Town of Deerpark

Computer Systems

Property – Information is Not Private: The computers used by employees at the Town of Deerpark for Town business, and the data stored on them are, and remain at all times, the property and/or under the control of the Town of Deerpark. As such, all messages created, sent, or retrieved over the internet or the town’s electronic mail systems are property of the Town of Deerpark, and should not be considered private information. Employees have no right to privacy as to any information of file transmitted through or stored on the Town of Deerpark’s computer system, electronic mail, or other technical resources.

Authority – Department Heads have the authority to inspect the contents of any computer equipment, data/files, or electronic mail (“E-mail”) of their subordinates in the normal course of their supervisory responsibilities at any time. In addition, data/files of all employees may be inspected by the Town Supervisor and Town Board in the normal course of their duties at any time.

Usage – All computer systems, hardware, and software provided to an employee are provided for the purpose of aiding that employee in the performance of the employee’s job function. All hardware and software used is to be supplied by the Town of Deerpark. No unauthorized or unlicensed hardware or software may be used or installed on any Town-owned computer. Any hardware or software necessary to perform job duties should be requested of the employee’s Department Head.

Use With Respect for Others: Access to the Internet via Town of Deerpark resources and use of Town of Deerpark provided e-mail must only be for the Town of Deerpark purposes. To that end, the use shall not disrupt or interfere with the work of other network users, adversely affect the operation of the Internet or the Town of Deerpark’s own internal network, or misrepresent the interest of the Town of Deerpark.

Monitoring and Disclosure: The Town of Deerpark reserves the right to access, retrieve, read and disclose any data, messages or files stored on Town of Deerpark- funded systems for any purpose and at any time. Employees should be aware that, even when a message is erased or a visit to a web site is closed, it is still possible to recreate the message or locate the web site. The Town of Deerpark reserves the right to monitor use of these systems to prevent abuse, enforce other policies, and access information. Access may occur in, but is not limited to, situations indicating: (1) impropriety, (2) violation of Town of Deerpark policy, (3) legal requirements, (4) suspected criminal activities, (5) breach of system security, or (6) to locate substantive information or monitor employee performance and conduct. The contents of these systems may be disclosed by Town of Deerpark Management within or outside of the Town of Deerpark without employee permission. Furthermore all communications including text and images may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver. The Town of Deerpark has unlimited access to protect the security of these systems or the Town of Deerpark’s property rights.

Consent: All Town of Deerpark employees, who are provided with access to the Town of Deerpark’s e-mail system, Internet, or other electronic systems, are required by the Town of Deerpark’s policy contained here and in other relevant documents.

Prohibited Uses- In addition to the guidelines set forth above, the following uses of Town-owned computers and equipment are prohibited. This list is meant to be illustrative, and not exhaustive.

- Any illegal activity;
- Threats or harassment;

- Slander or defamation;
- Transferring of obscene or suggestive messages or graphical images;
- Transmit material, information or software in violation of any local, state or federal law;
- Conduct any non-approved business;
- Access or attempting to access the data/files of another person;
- Using or aiding in the unauthorized use of another person's password;
- Harming or destroying data/files (other than editing or deleting information in the normal course of one's job duties);
- Conduct any political activity;
- Engage in any activity for personal gain or personal business transactions;
- Installation or use of Town-owned hardware or software for any use that is not Town related business;
or
- Installation of any software containing viruses.

Internet / Electronic Mail Requirements

Proper Usage – In addition to the prohibitions set forth in the above paragraphs, any activities prohibited for any other general computer user are also prohibited with respect to Internet / E-mail service usage. Additionally, it is the responsibility of the employee to adhere to the following guidelines:

- E-mail must be used in a professional manner.
- Messages must not be false or misleading, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, offensive, discriminatory, or illegal, including but not limited to sending messages under an assumed name or with the intent to obscure the origin of the message.
- Messages must not include remarks that constitute sexual harassment.
- Chain letters are illegal and must not be transmitted through E-mail.
- Employees are responsible for saving any E-mail that they want to keep permanently.
- Messages must not involve personal sales or solicitation or be associated with any for-profit outside business activity.
- Messages must not involve personal not-for profit solicitations.
- Messages must not potentially embarrass the Town of Deerpark.
- Internet must not be used for propagation of computer viruses.
- Internet must not be used for personal recreational activities (e.g. online games).
- Participation in non-business Internet chat groups is prohibited.
- As a security precaution, a workstation must not be left signed onto E-mail or the Internet and unattended for a long period of time (or overnight). Each employee must log off network when not in use and power down at the end of the day.
- Employee Internet / E-mail usage may be subject to filtering and will be monitored.

Reliability – Users should be aware that because the Internet is a collection of computer networks with no single central authority over information consistency, data is subject to inaccuracies. The Town is not responsible for loss or damage to a user's data or for the reliability of information that is obtained via the Internet service. Also, this information must be used in accordance with applicable copyright laws.

Security – There is no guarantee of privacy of data/files, including e-mail, on Town-owned computers. As stated herein, all files are subject to inspection by Department Heads and members of the Town Board or Town Supervisor. Any employee who is required to have a password may be required to submit that password to the employee's Department Head in a sealed envelope.

Reporting of Violations – Anyone with information as to a violation of this policy is to report said information to the employee's Department Head, Town Supervisor or Town Board Member. Employees who violate this policy are subject to disciplinary action up to and including discharge.

Upon passage, this resolution shall take effect immediately.

Drafted by: **Karl A. Brabenec, Town Supervisor**