

- (i) A final denial of access to a requested record, as provided for in subdivision (h) of this section, shall be subject to court review, as provided for in subdivision (g) of this section, shall be subject to court review, as provided for in Article 78 of the Civil Practice Law and Rules.

### **§ 9-10. Fees.**

Except when a different fee is otherwise prescribed by law:

- (a) There shall be no fee charged for the following:
  - (1) Inspection of records;
  - (2) Search for records; or
  - (3) Any certification pursuant to the Regulations or pursuant to the Resolution.
- (b) Copies may be provided without charging a fee.
- (c) Fees for copies may be charged, provided that:
  - (1) The fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 9 by 14 inches. This section shall not be construed to mandate the raising of fees where agencies or municipalities in the past have charged less than 25 cents for such copies;
  - (2) The fee for copies of records not covered by paragraphs (1) and (2) of this subdivision, shall not exceed the actual reproduction cost which is the average unit cost for copying a record, excluding fixed costs of the agency such as operator salaries.

### **§ 9-11. Public Notice**

The Village shall publicize by posting in a conspicuous location and/or by publication in a local newspaper of general circulation:

- (a) The location where records shall be made available for inspection and copying.
- (b) The name, title, business address and business telephone number of the designated records access officer.
- (c) The right to appeal by any person denied access to a record and the name and business address of the person or body to whom an appeal is to be directed.

### **§ 9-12. Severability**

If any provision of this Resolution or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this Resolution or the application thereof to other persons and circumstances.

## **Chapter 10**

### **CYBER SECURITY CITIZENS' NOTIFICATION POLICY**

**[HISTORY: Adopted by the Board of Trustees of the Village of Port Dickinson  
3-14-06]**

**§ 10-1 Definitions**

**CONSUMER REPORTING AGENCY:** Any person 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. The state attorney general is responsible for compiling a list of consumer reporting agencies and furnishing the list upon request to the municipality.

**DATA:** Any information created, stored (in temporary or permanent form), filed, produced or reproduced, regardless of the form or media. Data may include, but is not limited to personally identifying information, reports, files, folders, memoranda, statements, examinations, transcripts, images, communications, electronic or hard copy.

**INFORMATION:** The representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by human or automated means.

**PERSONAL INFORMATION:** Any information concerning a natural person which, because of name, number, personal mark or other identifier, can be used to identify such natural person.

**PRIVATE INFORMATION:** 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:

social security number; or

1. driver's license number or non-driver identification card number; or
2. 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.

**THIRD PARTY:** Any non-municipal employee such as a contractor, vendor, consultant, intern, other municipality, etc.

**§ 10-2. This policy is consistent with the State Technology Law, § 208 as added by Chapters 442 and 491 of the Laws of 2005.**

**§ 10-3.** The Village of Port Dickinson ( the "Village") shall notify an individual, in compliance with the Information Security Breach and Notification Act and this policy when there has been or is reasonably

believed to have been a compromise of the individual's private information, as defined in Section C below, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination ICSCIC) to determine the scope of the breach and restoration measures.

**§ 10-4.** A compromise of private information means the unauthorized acquisition of unencrypted computerized data with private information from the Village or from any third party maintaining such information from the Village.

**§ 10-5.** If encrypted data is compromised along with the corresponding encryption key, the data is considered unencrypted and thus falls under the notification requirements.

**§ 10-6.** Notification by the Village may be delayed if a law enforcement agency determines that the notification may impede a criminal investigation. In such case, the Village shall delay the notification only as long as needed to determine that notification no longer compromises any investigation.

**§ 10-7.** The Village will notify the affected individual directly by one of the following methods:

1. Written notice;
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the Village-that notifies affected persons in such form;
3. Telephone notification, provided that a log of each notification is kept by the Village-that notifies affected persons; or
4. Substitute notice, if the municipality demonstrates to the state Attorney General that the cost of providing notice would exceed \$250,000, that the affected class of persons to be notified exceeds 500,000, or that the Village does not have sufficient contact information. The following constitute sufficient substitute notice:
  5. E-mail notice when the municipality has an e-mail address for the subject persons;
  6. Conspicuous posting of the notice on the municipality's web site page, if the municipality maintains one; and
  7. Notification to major statewide media.

**§ 10-8.** The Village must notify CSCIC, the Attorney General and the Consumer Protection Board as to the timing, content and distribution of the notices and approximate number of affected persons.

**§ 10-9.** Regardless of the method by which notice is provided, the notice shall include contact information for the Village 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.

**§ 10-10.** This Policy also applies to information maintained on behalf of the Village by a third party.

When more than 5,000 New York residents must be notified at one time, then the Village shall notify the consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

## Chapter 14

### SALARIES AND COMPENSATION

[The compensation of village officers and employees is set by resolution of the Board of Trustees and a schedule of wages and salaries is included in the annual budget, as required by § 5-506 of the Village Law. Copies of the annual budget, including the schedule of wages and salaries, are available at the office of the Village Clerk for inspection, during office hours, by any interested person.]

#### §14-1 Payroll Deductions

[HISTORY: Adopted by the Board of Trustees 2-8-05 as Local Law 2 - 2005]

#### §14-1 Payroll Deductions

The Board of Trustees may by resolution authorize the Mayor to deduct from the salary or wage of any village officer or employee an amount specified in writing by such officer or employee for transmittal of the same to any bank or credit union having a place of business in Broome County, New York or Susquehanna County, Pennsylvania, including but not limited to State Employees Federal Credit Union, (SEFCU), Partaners Trust Bank, HSBC Bank, M&T Bank, GHS Credit Union, BCT Credit Union, Horizon Credit Union, Visions Federal Credit Union, People's National Bank, NBT Bank, Charter 1 Bank, Chemung Canal Trust Company, Sidney Federal Credit Union, Empire Federal Credit Union.

## Chapter 16

### TERMS OF OFFICE

§ 16-1. Terms of office: Mayor, Board of Trustees.

§ 16-2. Elections to be held biennially.

§ 16-3. Transitional elections.

[HISTORY: Adopted by the Board of Trustees of the Village of Port Dickinson 1-4-66 by resolution. Amendments noted where applicable.]\*

§ 16-1. Terms of office: Mayor, Board of Trustees.\*

The terms of the Mayor and four (4) Trustees of the Village of Port Dickinson, New York, shall be four (4) years, beginning with the official year commencing April 4, 1966, at 12:00 noon.