

TOWN OF NEWBURGH

WEBSITE PRIVACY POLICY AND

OPERATION AND USE POLICY

Welcome to the Town of Newburgh's website! Our websites provide services to you subject to the following conditions and guidelines. If you visit this or other Town of Newburgh websites, you accept these conditions and guidelines. Please read them carefully.

PRIVACY POLICY

a. **Information Collected from the User Automatically** The Town of Newburgh may collect personally identifiable information that may be used by the Town of Newburgh or a third party authorized by the Town of Newburgh. This Privacy Policy (the "Policy") explains how such information is collected and/or used.

Through the use of the Website, the Town of Newburgh may collect the following information:

1. The Internet Protocol ("IP") address (or apparent IP address), Domain Name (or apparent Domain Name) of the Internet Service Provider ("ISP") and/or the user's computer.
2. The type of browser and operating system used to access the Website;
3. The date and time of each visit to the Website;
4. The web pages and forms accessed during each visit;
5. If the user connected to the Website indirectly, i.e., from an external website, the identity of the external website (if available).
6. The website you visited prior to coming to this Website; and
7. The website you visit as you leave this Website.

The primary purpose for the collection of this information is to facilitate operation of the Website, ensure compatibility with various browsers and operating systems, and improve the Website and services when appropriate.

Similarly, the Town of Newburgh may use "cookies" on this Website to better track how the site is being used. Cookies are small files that are placed on your computer, mobile device, or any other device by a website, containing the details of your browsing history on that website among its many uses. The use of cookies is a standard practice among internet websites. While cookies allow us to see which pages a particular user is visiting, they convey no personal information about the user. Disabling cookies in your web browser will not limit your experience, or prevent you from viewing any content on this site.

When you access the website by or through a mobile device, We may collect certain information automatically, including, but not limited to, the type of mobile device you use, your mobile device's unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data.

This information and data is not collected for commercial purposes, and the Town of Newburgh does not sell or otherwise distribute for commercial purposes the information collected. The information may be distributed where required by law.

b. Information Submitted by the User. There may be areas in the Website through which the user may choose to submit personally identifying information (including, but not limited to, the user's name, address, email address, phone number(s), vehicle license plate number, date of birth, and credit card and/or bank account information). The Town of Newburgh will treat and use this information as if the user disclosed personally the information during a visit to Town Hall or other Town of Newburgh agency or department. In such cases, the Town of Newburgh will use and/or disseminate such information as the Town of Newburgh deems appropriate or as required by law. Please be aware that the submission of information to the Town of Newburgh by the user may cause such information to become public record, and if not otherwise protected by state and/or federal law, such records may be subject to public inspection, copying, reproduction and or public dissemination. The Town of Newburgh will neither sell nor knowingly provide personal information for any direct mail activities, except as required by applicable laws. .

During your visit to the website you may send an e-mail to the Town of Newburgh.. Your e-mail address and the contents of your message will be collected. The information collected is not limited to text characters and may include audio, video, and graphic information formats included in the message. Your e-mail address and the information included in your message will be used to respond to you, to address issues you identify, to improve this website, or to forward your message to for appropriate action.

During your visit to this website you may initiate a transaction. The information, including personal information, volunteered by you in initiating the transaction is used by the Town of Newburgh to operate Town of Newburgh programs, which include the provision of goods, services, and information. The information collected by the Town of Newburgh may be disclosed by Town of Newburgh for those purposes that may be reasonably ascertained from the nature and terms of the transaction in connection with which the information was submitted.

c. Children's Privacy. The Town of Newburgh does not knowingly collect personal information from children or create profiles of children through this website. Users are cautioned, however, that the collection of personal information submitted in an e-mail or through an online transaction will be treated as though it was submitted by an adult, and may, unless exempted from access by federal or State law, be subject to public access. The Town of Newburgh strongly encourages parents and teachers to be involved in children's Internet activities and to provide guidance whenever children are asked to provide personal information online.

d. **Law Enforcement.** Under certain circumstances, the Town of Newburgh may be required to disclose personal information if required to do so by law or in response to valid requests by public authorities (e.g., a court or another government agency).

e. **Revisions.** The Privacy Policy may be revised from time to time without notice. You are encouraged to review the current Privacy Policy periodically, as your continued use of the Website constitutes acceptance.

WEBSITE OPERATION AND USE POLICY

1. **Purpose of Policy.** The purpose of this policy is to establish regulations for the development, management, and operation of the Town of Newburgh Website. This policy intends to ensure that the Town of Newburgh Website remains a non-public forum and a way for the public to obtain information related to the Town of Newburgh government. Moreover, the Town of Newburgh seeks to provide accurate and appropriate information that is limited to municipal-related business and wants to ensure that it can limit the use and control of the same.

2. **Policy.** It is the policy of the Town of Newburgh that official use of the Town of Newburgh's Website be strictly regulated and used consistent with applicable laws and that any personnel be compliant with all sections of the Town of Newburgh's existing policies.

3. **Non-Public Forum Status.** The Town of Newburgh's Website is a non-public forum. While the Town of Newburgh encourages the public to use this municipal Website to access information and resources, the Town of Newburgh reserves the right to impose certain restrictions on the use of its Website including but not limited to, limiting content to pertain to certain municipal-related topics. The Town of Newburgh's Website is reserved for the exclusive control of the Town of Newburgh for the purposes of sharing municipal-related information. The Town of Newburgh's Website shall not be used to facilitate a general debate or public discourse.

4. **Authority of the Town Supervisor.** The Supervisor or his or her designee shall have the authority and responsibility, as website administrator, for the implementation of this policy. The Supervisor or designee shall be trained to ensure compliance with this policy. This policy will be posted on the Town of Newburgh's Website for review by the public at any time.

5. **Town of Newburgh's Website Use Guidelines.** The use of the Town of Newburgh's Website shall adhere to the following:

a. To provide a convenient and informative resource for residents, visitors, businesses, non-profit organizations, etc. to obtain information related to the municipal government.

b. Comments or emails sent to the website shall in no way constitute legal or official notice to the Town of Newburgh, its agencies, or representatives with respect to any existing, pending, or future claim or cause of action against the aforementioned where notice is required by federal, state, or local law.

c. The Town of Newburgh's website shall adhere to applicable laws, regulations, and policies, including all Town of Newburgh's information technology and records management policies.

d. The Town of Newburgh may post information other than official meeting notices or reports regarding events of entertainment or informational value that the website administrator deems to be of interest to the community. The posting of this information is not to be considered an endorsement of the event by Town of Newburgh nor the website administrator and is provided solely for the convenience of visitors to the site.

e. Personnel representing the Town of Newburgh via the Town of Newburgh's Website shall conduct themselves at all times as representatives of the municipality and adhere to all municipal rules of conduct and observe conventionally accepted protocols and proper decorum.

f. Personnel representing the Town of Newburgh via the Town of Newburgh's Website shall not conduct political activities nor private business.

6. Contribution. Municipal residents and businesses are welcome to submit information regarding public events and items of general interest to the website administrator. Items will be assessed for timeliness, appropriateness, and general interest to municipal residents or visitors, and shall be included on the Website at the website administrator's discretion, subject to oversight of the Town Board.

7. External Links. The Town of Newburgh may exercise discretion to ensure that the links on Town of Newburgh's Website are consistent with its use guidelines, as set forth in Section 5.

a. The Town of Newburgh has no control over the linked external sites and is not responsible for their content, nor does the inclusion of links to such websites imply any endorsement of the material by the Town of Newburgh or the web administrator.

b. When the user selects an external link to an external website, the user leaves the Town of Newburgh's website and is subject to the privacy and security policies of the external website.

c. The Town of Newburgh shall not and does not intend to provide external links to websites that: i. promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content; and/or ii. have a primary purpose of furthering the agenda of a political organization or a candidate running for office.

d. The decision to post or not post content and/or links on the Town of Newburgh's Website resides solely with the Supervisor and/or his or her designee. The decision of the Supervisor and/or his or her designee is final and binding.

8. Availability of Information and Records Management. Changes made to official documents, including municipal codes, regulations, guidelines, and schedules may or may not be reflected in the materials or information present on the Town of Newburgh's Website. The materials on the municipal website are provided for information purposes only, and reliance upon such materials may not serve as the basis for a claim or cause of action against the Town of Newburgh, or any of

its agencies, employees, or representatives. Site users are advised to consult the official documents of the Town of Newburgh at the municipal building or other records office location.. Any items posted on a municipal website will be kept in accordance with applicable laws such as the Freedom of Information Act, Records Retention, and other applicable laws.

9. Security. The Town of Newburgh's Website applies security measures to protect the loss, misuse, and alteration of the information under the Town of Newburgh's control. While the Town of Newburgh strives to keep all information it receives via its Website secure, the Town of Newburgh cannot guarantee the security of the information.

10. Americans with Disabilities Act. All websites maintained by the Town of Newburgh shall comply with the Americans with Disabilities Act and the rules for local governments thereunder, as and when applicable.

11. Intellectual Property. Town of Newburgh seals, logos, and other official insignia may not be used or reproduced without written permission. All service marks, trademarks, and the content of linked external websites operated by third parties are the property of their respective owners. Except where materials are considered "records" under the New York State Freedom of Information Law, all other content on the Website is property of the Town of Newburgh, and all rights are reserved.

12. Disclaimer of Liability. The information contained on the Town of Newburgh's Websites is intended to afford general information on matters of interest as a public service. The Town of Newburgh does not warrant or make any representations as to the quality, content, accuracy, or completeness of the information provided, or of the links and other items contained on this server. The Town of Newburgh shall not be liable for improper or incorrect use of the material or information contained on this site and assumes no responsibility for any user's use of, or reliance on, such material or information. The information on this site is for informational purposes only, and is not intended to serve as legal, accounting, or tax advice. The Town of Newburgh disclaims any and all responsibility for positions or actions taken by individuals or corporations or for any misunderstanding, damages, and losses, whether direct or indirect, resulting from the use of this information.

13. Revisions. The Operation and Use Policy may be revised from time to time without notice. You are encouraged to review the current Operation and Use Policy periodically, as your continued use of the Website constitutes acceptance.