

TECHNICAL PAPER SERIES

Introduction to Municipal Websites

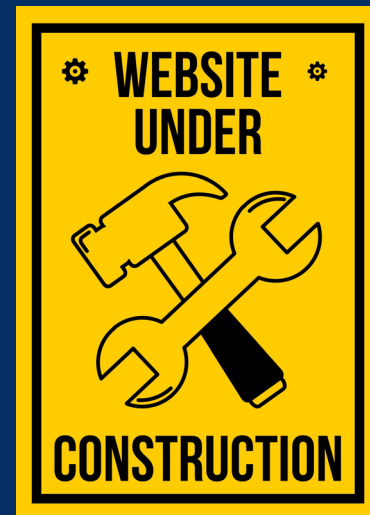
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NEW YORK STATE TUG HILL COMMISSION

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The Tug Hill Commission Technical and Issue Paper Series are designed to help local officials and citizens in the Tug Hill region and other rural parts of New York State. The Technical Paper Series provides guidance on procedures based on questions frequently received by the Commission. The Issue Paper Series provides background on key issues facing the region without taking advocacy positions. Other papers in each series are available from the Tug Hill Commission. Please call us or visit our website for more information.



Introduction to Municipal Websites

Table of Contents

Introduction 2

Municipal Website Content Legal Requirements 2

Municipal Website Recommended Content..... 3

Creating a User-Friendly Website 4

Website Policy 6

Websites and Social Media 7

Final Thoughts 7

Appendix A: Sample Municipal Website Policy..... 8

This issue paper borrows heavily from presentations and material produced by Sarah Brancatella, Legislative Director and Counsel at the Association of Towns of the State of New York, with permission.

Introduction to Municipal Websites

Introduction

Although many towns and villages in New York State have municipal websites, there remain many that do not. While there is no law that requires a town or village to have a website, there are good reasons to consider one, primarily to keep the community informed of the services available to them, events, legislative updates, and more. This paper discusses legally required content as well as recommended content for municipal websites, and ways to efficiently and effectively manage a town or village website.

Municipal Website Content Legal Requirements

Once a municipality decides to have a municipal website, it has a legal obligation to post certain information on the website. These content requirements include:

1. Meeting Minutes *Public Officers Law 106 (3)*

If the town/village maintains a **regularly and routinely updated website and utilizes a high-speed internet connection**, then the municipality must post minutes on the website within two weeks of the meeting or one week from the executive session. The municipality may consider unabridged video or audio recordings or unabridged written transcripts as minutes.

2. Records Discussed at Meetings *Public Officers Law 103 (e)*

To the extent practicable, the board must make available the records/documents of discussion for an upcoming meeting to the public upon request at least 24 hours before the meeting. Additionally, municipalities must post the aforementioned records/documents to the municipal website at least 24 hours in advance to the extent practicable.

3. Meeting Videoconferences *Public Officers Law 103-a (Expires and Repealed July 1, 2024)*

Public Officers Law 103-a allows board members to videoconference into a meeting from an undisclosed location under extraordinary circumstances. However, boards that opt-in to having videoconference meetings must adopt a local law and provide guidelines that constitute extraordinary circumstances. Municipalities also must have a website in order to hold videoconference meetings and post the meeting on the website within five days and retain it for five years. The videoconference policy must also be posted on the website.

4. Financial Reports *General Municipal Law 30 (7)*

To the extent practicable, each municipality shall make accessible to the public, via its official internet website, documentation pertaining to its:

- Most recent annual financial reports
- Current year budget
- Most recent independent audit report
- Most recent fiscal performance plan or multi year financial plan required pursuant to State Finance Law Section 54(10)(g)

Introduction to Municipal Websites

5. **Tax Roll** *Real Property Tax Law 1590* (

If the assessing unit (in this case town or village) maintains a website, then within ten days of the filing of the tentative assessment roll (with the county), the town or village shall post a copy of the roll on its website with a link prominently displayed on its home page, and shall not remove it before the final assessment roll has been filed. Alternatively, the town or village can cause the roll to be posted on the county's website and link to it. Within ten days of filing the final assessment roll, the same posting requirements apply.

6. **Annexation of Territory** *General Municipal Law 704 (1)*

In order to initiate the annexation of territory, the municipality must post a notice of hearing on petition or joint resolution on the municipal website.

7. **Consolidation or Dissolution** *General Municipal Law Article 17-a*

Any action, i.e. plans, agreements, and notices, towards consolidation or dissolution of local government entities must be posted on the municipal website.

8. **Military Memorial or Monument Changes** *General Municipal Law 99-w(2)*

In the event that the municipality changes the location of a military memorial or monument, the municipality must post a notice for a public hearing on its website.

9. **Compliance with the Americans with Disabilities Act (ADA)**

Having content on the municipal website that is inaccessible to people with disabilities denies them equal access to information. Organizations must demonstrate that their website complies with the federal ADA to avoid any legal challenges or penalties. The [Web Content Accessibility Guidelines \(WCAG\)](#) and [Section 508](#) provide powerful guides in working toward providing website accessibility for all users. Examples of accessibility issues include poor color contrast, use of color alone to convey information, and no captions on videos.

Municipal Website Recommended Content

1. **Boards and Staff Lists**

It is good practice for the membership of various boards (town/village board, planning board, etc.) be listed for the public. Municipal staff, at least the clerk and department heads, should also be listed with phone numbers. It is up to the municipality how much contact information for those individuals they want to share. Email addresses can be helpful, but can also be "harvested" from websites and used by spammers. Note that the best practice is for municipal officials and staff to use official email addresses, i.e. issued by the municipality, rather than personal email addresses. Official emails would be something like trustee1@xyzvillage.com, or JohnSmith@everytown.gov.

Introduction to Municipal Websites

2. Local Laws

The municipal website provides a way for the community to easily obtain information. Having all adopted local laws posted on the municipal website provides the public, businesses, and visitors a convenient way to reference the local laws.

3. Meeting Calendar

Most communities have established days and times for the executive board, planning board, zoning board of appeals, and other boards and committees to meet. The typical days and times can simply be listed, or an actual calendar created that shows the dates in a monthly fashion.

4. Meeting Agendas

A simple agenda confirming the date and time, location, and expected topics of board or committee meetings, posted on the municipal website as far as advance of the meeting as possible, is helpful for residents to decide if they want to attend.

4. Contact Form

The municipality should consider including a contact form on their website for the public to use. This recommendation promotes transparency and better connection between the elected leaders and the community. Also, with the rise of Artificial Intelligence and cyber-attacks, a contact form eliminates the need for public officials to post their contact information and thereby reducing the chances of their identity being used to scam the community. The contact form can also be used for the public to share complaints or suggestions.

The question of allowing private businesses to advertise on municipal websites is raised occasionally. There could be some concerns related to gifting and promoting one business over another, so before selling advertising on a website (or any other municipal platform), it is advised that towns and villages consult with their municipal attorney, or ask for an opinion from the Office of the State Comptroller and/or the NYS Attorney General.

Creating a User-Friendly Website

A good municipal website has consistent quality and is user-friendly for residents and visitors. It may seem overwhelming to manage a website, but it does not have to be. Most municipalities will use an outside consultant to create their website using a hosting service and one of a few widely used website platforms (i.e. WordPress, etc.). After the website is created, a municipality must decide whether to continue paying an outside consultant to update content, or to train some municipal staff to update content. Here are several things to consider when choosing a consultant and a platform for the town or village website.

Introduction to Municipal Websites

1. User-Friendliness

How easy is it for users to navigate the municipal website to find needed information? Is a search bar included?

2. Accessibility Standards

Does the consultant and/or platform meet ADA accessibility standards?

3. Security Measures

What security measures does the consultant and/or platform have in place to prevent website hacking? Are regular vulnerability assessments performed? As cyber threats continue to become more sophisticated and widespread, municipalities become more vulnerable to attack. Having regular cybersecurity training can help the municipality protect their assets and mitigate risk from cyber-attacks.

4. Mobile Devices

How does the website look on a phone or tablet? Many people in the community use cell phones to find information, so the municipality should prioritize a website that adjusts its layout when accessed by mobile devices.

5. Search Engine Optimization

Does the consultant and/or platform use Search Engine Optimization (SEO), so the municipal website is one of the first suggestions of a Google search?

6. Measuring Website Usage

What tools does the consultant and/or platform offer to track website traffic?

7. Support and Maintenance

What support and maintenance services does the consultant offer, and is support available 24 hours a day, seven days a week?

8. Municipal Experience

Has the consultant worked with other municipalities before?

9. Add-ons

Some websites accommodate email/text notifications, alerts, updates, notices, and integration with social media platforms. Alerts deliver time-sensitive emergency information and critical updates (e.g. severe weather alerts, disruptions in utility services, and traffic accidents). Although these may not be the first priority when establishing a website, they might be useful in the future.

Introduction to Municipal Websites

Website Policy

Municipalities should consider adopting a website policy to make it clear within the municipal government and to the municipality's residents what will and won't be shared on the website and can protect the organization and employees from non-compliance and/or discrimination allegations. Policy considerations include:

1. Designate Specific Site as the Official Website

In some cases, it is unclear to the public what website is the official municipal website.

Municipalities should create a list of other existing sites related to the municipality for awareness, and once the official municipal website is designated, the municipality should note on the website itself that it is the official page and routinely search for imposter pages.

2. Designate who is Responsible for Website Administration

The website policy should designate who is responsible for content decision making and which staff and board member(s) have editing credentials for the website. Having multiple people working on the website without clear direction from the governing board could lead to inconsistencies in content, structure, and design. This position should be approved by the board and subject to their oversight.

3. Include Content Rules and Guidelines

The municipality should establish rules and guidelines for website content to ensure only appropriate content is posted and a continuity of standards between website administrators. The website content should adhere to applicable local and state laws and regulations. One area of specific consideration is links to outside organizations. For example, the municipality may want to only link to local schools that are recognized by the NYS Education Department. Another example are links to news websites, to ensure only legitimate news sources are shared on the municipal website.

4. Address Whether Comments/Feedback Will Be Allowed

While the municipality should encourage the community to participate in government, disabling comments/feedback on their websites may help its leaders in the long run. Several past court cases have demonstrated the issues (e.g. viewpoint discrimination accusations) governments can come across when allowing comments. If the municipality decides to allow comments and feedback on its website, they should detail what is and is not allowed.

5. Detail a Records Retention Strategy

The municipality should create and maintain a records retention schedule that details how frequently to post content, how much content to post, whether posts are the original copy or duplicates (records retention only requires keeping the original), and the strategy employed to manage the records (e.g. screen captures, cloud based service, etc.). The NYS Local Government Record Retention Schedules are available [here](#) from the New York State Archives.

Introduction to Municipal Websites

6. Create a Privacy Policy

Including a privacy policy in the municipal website demonstrates to the community that privacy is taken seriously. A privacy policy informs the user how and why their data is collected and explains how the municipality uses the data and the rights of the user. An example of a privacy policy is available on the Tug Hill Commission's [website](#).

Websites and Social Media

Many municipalities use social media to make announcements. Linking these platforms to the municipal website could drive traffic between the sites and promote the official website. It is recommended that the municipality try posting about upcoming events and meetings and provide links back to the municipal website allowing for greater exposure of the website.

Final Thoughts

The municipal website is an important tool for towns and villages to provide good information to their constituents and provide transparency in government. As people increasingly become reliant on technology for information, the municipal website can act as the hub where citizens go to stay informed on matters relating to the municipality. The task of creating and managing a municipal website may appear daunting, especially in rural areas who often have part-time staff and limited hours. However, if the municipality adheres to these requirements and recommendations, the process should be streamlined and will create a product that best serves the needs of the municipality.

Introduction to Municipal Websites

Appendix A: Sample Municipal Website Policy

Welcome to the town of XXXX's website! Our websites provide its services to you subject to the following conditions and guidelines. If you visit the XXXX websites, you accept these conditions and guidelines. Please read them carefully.

Website Policy

1. **Purpose of Policy.** The purpose of this policy is to establish regulations for the development, management, and operation of the XXXX website. This policy intends to ensure that the XXXX website remains a non-public forum and a way for the public to obtain information related to the XXXX government. Moreover, XXXX 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 XXXX that official use of XXXX's websites be strictly regulated and used consistent with applicable laws and that any personnel be compliant with all sections of the XXXX's existing policies.
3. **Non-Public Forum Status.** XXXX's website is a non-public forum. While XXXX encourages the public to use this municipal website to access information and resources, XXXX 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. XXXX's website is reserved for the exclusive control of XXXX for the purposes of sharing municipal-related information. XXXX's website shall not be used to facilitate a general debate or public discourse.
4. **Authority of mayor/supervisor.** The mayor/supervisor or his or her designee shall have the authority and responsibility, as website administrator, for the implementation of this policy. The municipal leader or designee shall be trained to ensure compliance with this policy. This policy will be posted on XXXX's website for review by the public at any time.
5. **XXXX's Website Use Guidelines.** The use of the XXXX'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 XXXX, 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. XXXX's website shall adhere to applicable laws, regulations, and policies, including all XXXX's information technology and records management policies.
 - d. XXXX 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.

Introduction to Municipal Websites

- i. The posting of this information is not to be considered an endorsement of the event by XXXX nor the website administrator and is provided solely for the convenience of visitors to the site.
 - e. Personnel representing XXXX via XXXX'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 XXXX via XXXX's website shall not conduct political activities nor private business.
6. **Contribution.** All 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 municipal board.
7. **External Links.** XXXX may exercise discretion to ensure that the links on XXXX's website are consistent with its use guidelines, as set forth in Section 5.
 - a. XXXX 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 XXXX or the web administrator.
 - b. When the user selects an external link to an external website, the user leaves XXXX's website and is subject to the privacy and security policies of the external website.
 - c. XXXX shall not nor does not intend to provide external links to websites that:
 - i. Promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content.
 - 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 XXXX's website resides solely with the supervisor/mayor and/or his or her designee. The decision of the supervisor/mayor 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 XXXX 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 XXXX, or any of its agencies, employees, or representatives. Site users are advised to consult the official documents of XXXX at the municipal building or other records office location.

Introduction to Municipal Websites

- a. Any items posted on a municipal website will be kept in accordance with applicable laws such as the Freedom of Information Laws, Records Retention, and other applicable laws.
9. **Privacy Notice.** Information that is submitted to XXXX website by phone, email or mail shall not be used by XXXX to share with any third party, except as required by applicable federal or state laws. XXXX will neither sell nor knowingly provide personal information for any other direct mail activities, except as required by applicable laws, including the Public Records Act.
10. **Security.** XXXX's website applies security measures to protect the loss, misuse, and alteration of the information under XXXX's control. While XXXX strives to keep all information it receives via its website secure, XXXX cannot guarantee the security of the information.
11. **Americans with Disabilities Act.** All websites maintained by XXXX shall comply with the Americans with Disabilities Act.
12. **Disclaimer of Liability.** The information contained on XXXX's websites are intended to afford general information on matters of interest as a public service. XXXX 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. XXXX 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. XXXX 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.