

Authorizing The Chairman Of The Ulster County Legislature To Execute A Statewide Wireless Network (SWN) Universal Security And Non-Disclosure Agreement (NDA) With The New York State Office For Technology – Emergency Communications/Emergency Management

The Criminal Justice and Safety Committee (Chairman Dart and Legislators Distel, Gregorius, R.A. Parete, Zimet, Aiello and Every) offers the following:

WHEREAS, pursuant to Resolution No. 181 dated May 10, 2006, the Chairman of the Ulster County Legislature was authorized to enter into a preliminary planning agreement with the New York State Office for Technology to investigate the feasibility of migrating some, or all, communications capabilities to the Statewide Wireless Network (SWN), and

WHEREAS, the New York State Office for Technology, on behalf of the State, has undertaken the program to provide an integrated, land mobile radio and data communications network for use by public safety and public service agencies throughout the State, and

WHEREAS, the New York State Office for Technology required a signed Preliminary Planning Agreement that indicated the County's desire to explore the concept, but which does not commit the County to participate if it finds the project either not feasible, not in the County's best interest, or which is too expensive, and

WHEREAS, the Ulster County Emergency Communications/Emergency Management Office has been involved with the Statewide Wireless Network since its inception and is willing to assemble and coordinate with other County Agencies and Departments having an interest in this project, as well as with the various emergency services wishing to participate, and

WHEREAS, it is now necessary for the Chairman of the Ulster County Legislature to execute a Statewide Wireless Network (SWN) Universal Security and Non-Disclosure Agreement (NDA) with the New York State Office for Technology (OFT) to allow the Parties (County of Ulster and the New York State Office for Technology) to share non-public, detailed Protected Information for purposes of facilitating the implementation of the Statewide Wireless Network, while ensuring that the exchange of such information protects the integrity and security of the public safety and service operations of the Parties, as well as any other Authorized Statewide Wireless Network Entities utilizing the SWN as their primary public service and public safety communications network, and

WHEREAS, the Criminal Justice and Safety Committee has met and reviewed said request with a majority of the members voting approval.

Resolution No. 285 August 8, 2007

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RESOLVED, that the Chairman of the Ulster County Legislature to execute a Statewide Wireless Network (SWN) Universal Security and Non-Disclosure Agreement (NDA) with the New York State Office for Technology (OFT) to allow the Parties (County of Ulster and the New York State Office for Technology) to share non-public, detailed Protected Information for purposes of facilitating the implementation of the Statewide Wireless Network, while ensuring that the exchange of such information protects the integrity and security of the public safety and service operations of the Parties, as well as any other Authorized Statewide Wireless Network Entities utilizing the SWN as their primary public service and public safety communications network, and

FURTHER RESOLVED, that the New York State Office for Technology (OFT) and the County of Ulster acknowledge that, with respect to Protected Information, the receiving Party has an obligation to ensure that such information is: (1) held securely; (2) subject only to authorized use by authorized personnel; and (3) protected against unauthorized use, as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 29 NOES: 1
(NOES: Legislator Zimet)
(Absent: Legislators Alfonso, Bischoff and Felicello)

FINANCIAL IMPACT:
NONE

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