

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement through December 31, 2009, at no additional cost to the County, and

WHEREAS, the County Attorney has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Bond, Schoeneck & King, LLPC, One Lincoln Center, Syracuse, New York 13202-1355 to extend the term of the contract through December 31, 2009 at no additional cost to the County, for legal services for the Department of Public Works-Division of Solid Waste Management, and be it

FURTHER RESOLVED, that CA No. 2598 and Resolution 123 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 180

By Public Works and Finance Committees

Seconded by Mr. Marinich

RESOLUTION AUTHORIZING AN AGREEMENT WITH DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY) FOR THE GREATER BINGHAMTON HEALTH CENTER SITE STUDY PHASE 1 FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Commissioner of the Broome County Department of Public Works requests authorization for an agreement with Dormitory Authority of the State of New York (DASNY) to conduct an analysis and prepare a Cost Estimate Survey for a new Broome County Nursing Home at the Greater Binghamton Health Center Site not to exceed \$84,921 from the one year notice to proceed, and

WHEREAS, said services are necessary to prepare an environmental and hazardous materials survey, a structural survey, a Cost Estimate for abatement, demolition, site clearing, and grading, to perform a topographical site survey, and to undertake the environmental quality review for the proposed site of a new County Nursing Home at the Greater Binghamton Health Center, and

WHEREAS, this is Phase I of a phased analysis of the proposed building site for which the cost is not to exceed \$84,921, and

WHEREAS, based on the results additional phases may be requested with the total amount for all services, if approved, estimated at \$246,663, and

WHEREAS, Only Phase I approval is requested at this time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dormitory Authority of the State of New York (DASNY) 515 Broadway, Albany, New York 12207-2964 to conduct an analysis and prepare a Cost Estimate Survey for the proposed site of the new Broome County Nursing Home at the Greater Binghamton Health Center at a cost not to exceed \$84,921 for Phase I, for the Department of Public Works for the period of one year from notice to proceed, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160275.4746.501474 (FY 2006) (A/E Professional Services) and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 181

By Public Works and Finance Committees

Seconded by Mr. Marinich

RESOLUTION IMPLEMENTING ENERGY CONSERVATION DESIGN AND OPERATIONAL PRACTICES FOR FUTURE MAJOR COUNTY CONSTRUCTION PROJECTS

WHEREAS, support for the "County Energy Use Policy" and Federal "Energy Star" program, in conjunction with giving attention to the use of energy conserving equipment and construction techniques could reduce County operating costs on a systematic basis for County facilities; and

WHEREAS, the County of Broome could benefit from implementing a "Cost Effective Energy Improvements" program for: a) future construction of County facilities, b) major renovation of County facilities, and c) energy saving operational practices and management; now, therefore, be it

RESOLVED, that the Commissioner of the County Department of Public Works and his designees are hereby authorized, empowered, and directed to apply the principles of energy conservation in design and operational practices, as a standard that meets environmental and economic performance goals for County owned facilities, using established and/or advanced building energy principles, practices, management, materials and standards for: a.) planning of new major County facility construction projects occurring on or after the effective date of this Resolution, or, b.) planning of renovation of existing major County facilities, or, c.) energy saving operational practices and management, occurring on or after the effective date of this Resolution, and be it

FURTHER RESOLVED, that any Capital Project or Operational Management Practice meeting the criteria set forth above shall be subject to a financial feasibility study by the Department of Public Works, designee or contractor to evaluate economic performance to confirm the project or practice proposed is financially viable, and be it

FURTHER RESOLVED, that compliance with the requirements herein may only be waived if: a.) the financial analysis for the projects' economic performance confirms that conformance with the standards herein is not financially viable for the project considered; or b.) there exists Federal and/or State engineering design standards, or historic district, or preservation requirements, or there exist, in the opinion of the Commissioner of Public Works, special or extraordinary engineering design circumstances, which would prevent compliance with the standards herein; and be it

FURTHER RESOLVED, that the County Department of Public Works is hereby further authorized, empowered, and directed to promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this Resolution, and be it

FURTHER RESOLVED, that the Resolution shall take effect immediately.

Carried, Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 182

By County Administration, Personnel and Finance

Seconded by Mr. Marinich

RESOLUTION CONFIRMING APPOINTMENT OF DR. WADIH DIAB AS BROOME COUNTY CORONER

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Article XVII of the Broome County Code and Charter, has duly designated and appointed the following named individual to Broome County Coroner, subject to confirmation by this County Legislature:

NAME

Dr. Wadih Diab
PO Box 37
Johnson City, NY 13790

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of the Broome County Code and Charter, hereby confirms the appointment of the above-named individual as