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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

July 10, 2012

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Erie Community College – North & South Campus – Utility Easements

Dear Honorable Members:

Time Warner Cable and National Grid are requesting utility easements from the County to provide their services for County owned buildings at Erie Community College's ("ECC") South Campus and North Campus respectfully.

AT&T has also requested approval for another five (5) year term lease renewal for communication space on the cell tower at ECC South Campus. This resolution requests Legislature approval to enter into the above referenced easement and lease renewal with AT&T.

Should your Honorable Body require further information, I encourage you to contact Commissioner John Loffredo at the Department of Public Works. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: John Loffredo, Department of Public Works

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Public Works
Re: ECC North & South Campus- Utility Easements
Date: July 10, 2012

SUMMARY

Time Warner Cable is requesting an easement from the County to provide TV cable service Building No. 4 to Building No. 7 (DMV) at ECC–South Campus. National Grid is requesting an easement from the County to provide a new primary electrical service off Wehrle Drive at ECC – North Campus. AT&T is requesting approval from the County to continue their Antenna Lease Space on the communication cell tower located at ECC–South Campus. This resolution is seeking the Legislature's authorization for the County Executive to enter into the utility easements and five (5) year lease space on ECC- South Campus cell tower.

FISCAL IMPLICATIONS

There are no fiscal costs to the County of Erie.

REASONS FOR RECOMMENDATION

The DMV location in Building No.7 at ECC-South Campus has requested TV Cable service from Time Warner Cable. The County is upgrading the primary electrical service at ECC-North Campus to handle the increased power demand. National Grid will provide the new primary electrical service. Without the new electrical service from National Grid, the County cannot upgrade the service. ECC has constructed communication cell towers to lease space to various vendors as a revenue source.

BACKGROUND INFORMATION

National Grid and Time Warner Cable have requested easements from the County to provide a new primary electrical service at ECC-North Campus and extend their TV cable service from Building No. 4 to Building No. 7 for the DMV location. AT&T has a current lease with the County for leasing communication antenna space on the communication cell tower at ECC-South which will expire in mid July 2012. AT&T is requesting a lease renewal for another five (5) year term.

CONSEQUENCES OF NEGATIVE ACTION

The utility company's will not be able to provide their service to County buildings at ECC-South and North Campuses. The existing electrical service at ECC-North is being overloaded and will

eventually fail. If AT&T's lease for communication antenna's on the cell tower at ECC-South Campus is not renewed, ECC will loose revenue.

STEPS FOLLOWING APPROVAL

Leases will be executed by the County Executive with Time Warner Cable and National Grid. A five (5) year term lease agreement will be executed with AT&T.

MCP:dab

File (DPW.6.27.12.ECC North/South.Utility Easement)

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

RE: ECC – North & South Campus – Utility Easement

WHEREAS, Time Warner Cable has requested an easement from the County to extend their TV Cable service from Building No. 4 to Building No. 7 for the ECC-South Campus, DMV Office; National Grid has requested an easement for providing a primary electrical service at ECC-North Campus and AT&T has requested a five (5) year term renewal lease for communication antenna space on the communication cell tower located at ECC-South Campus; and

WHEREAS, AT&T's current lease for communication antenna space on the cell tower at ECC-South Campus will expire mid July, 2012; and

WHEREAS, ECC is recommending to the County that the utility services are required to their buildings and that extending AT&T's lease for another five (5) year term will continue to generate revenue for the college.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to grant an easement for utility services at ECC-South to Time Warner Cable and for new primary electrical service at ECC-North Campus to National Grid; and be it further

RESOLVED, that the County Executive is authorized to renew the cell tower lease for another five (5) year term with AT&T; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, ECC, County Attorney and the Office of the Comptroller.