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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

May 8, 2012

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

Re: Right of Entry Agreement
Time-Warner Cable to ECC South Auto Bureau Office

Dear Honorable Members:

Attached please find a proposed resolution to allow Time-Warner Cable Inc. right of entry at Erie Community College South Campus in order to improve data flow at the Erie County Auto Bureau located on the campus.

In connection with upgrades necessary for the County to effectively interact with the New York State Department of Motor Vehicles, Time-Warner will run a data line in an existing conduit from Building 4 to Building 7 at no cost to the County. No digging on the property is necessary. A new data line will improve service to the office, and the College will also benefit from the use of the broadband connection in that building.

Should your honorable body require further information, representatives from the Clerk's Office will be available to discuss. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: Erie County Clerk Chris Jacobs

MEMORANDUM

To:	Honorable Members of the Erie County Legislature
From:	Mark C. Poloncarz, Erie County Executive
Re:	Right of Entry Agreement – Time-Warner Cable to ECC South Auto Bureau Office
Date:	May 7, 2012

SUMMARY

The purpose of this resolution is to allow Time Warner Cable Inc. right of entry to County owned property located at Erie Community College/South Campus to install and maintain a broadband line for the Erie County Auto Bureau. In order to accomplish this Erie County and Time Warner need to execute a Right of Entry Agreement.

FISCAL IMPLICATIONS

None. There is no cost to Erie County.

REASONS FOR RECOMMENDATION

The Erie County Clerk operates a satellite Auto Bureau at ECC South, Building 7, 4041 Southwestern Blvd., Orchard Park, NY. The NYS Department of Motor Vehicles requires updated data lines to improve data flow between the State and County. An added benefit of this updated service is that it will allow all County employees located at ECC South access to the Erie County Computer Network.

BACKGROUND INFORMATION

New York State Department of Motor Vehicles is upgrading many of the offices around the state to a broadband line. The County Clerk's Auto Bureaus in downtown Buffalo, Cheektowaga, and Amherst have already been switched over to broadband. This action will bring the ECC South Satellite Auto Bureau into compliance with State data requirements.

CONSEQUENCES OF NEGATIVE ACTION

Time-Warner Cable will not have the necessary authorizations to install the data line on County property and employees at ECC South will not benefit from the installation of faster more efficient network access.

STEPS FOLLOWING APPROVAL

Erie County and Time-Warner Cable will sign a Right of Entry Agreement allowing the cable company to install and maintain the line.

A RESOLUTION SUBMITTED BY:
ERIE COUNTY EXECUTIVE

RE: Right-of-Entry Agreement – Time-Warner Cable to ECC South Auto Bureau Office

WHEREAS, the County Clerk is assigned as an agent for the New York State Department of Motor Vehicles; and

WHEREAS, the Erie County Auto Bureau provides services for approximately 650,000 motorists locally; and

WHEREAS, quality and efficient customer service is a primary goal of the Erie County Auto Bureau at all of its offices, including the office currently maintained at Erie Community College South Campus; and

WHEREAS, the addition of a high speed, broadband line at the ECC South office will improve operations at no cost to the county.

NOW, THEREFORE, BE IT

RESOLVED, that Time-Warner Cable, Inc. is granted Right of Access at ECC South to install and maintain broadband service to that Auto Bureau office; and be it further

RESOLVED, that the Erie County Executive is authorized to execute a Right of Entry Agreement with Time-Warner Cable, Inc. to facilitate said access; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Attorney, the Department of Public Works and Erie Community College South Campus, attention Tony Nesci.