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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

July 9, 2013

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Erie County Water Authority Lease Agreements**

Dear Honorable Members:

Enclosed please find an accompanying memorandum and proposed resolution from the Department of Emergency Services requesting authorization to enter into a contract with the Erie County Water Authority to lease space on their water towers throughout the county for the 400 Mhz interoperable communications system. The cost of the agreement is \$1.00 per year per tower.

Should your honorable body require further information, I encourage you to contact Dan Neaverth Jr. at the Department of Emergency Services. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/lb  
Enclosure

cc: Dan Neaverth Jr., Department of Emergency Services

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Emergency Services  
**Re:** Erie County Water Authority Tower Lease Agreement  
**Date:** June 17, 2013

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### **SUMMARY**

It is recommended that the Erie County Legislature approve the attached resolution to allow the County Executive to enter into an agreement that the Department of Emergency Services can lease tower space on Water Authority towers throughout the County at a cost of \$1.00 per year per tower to assist with the coverage of the 400 Mhz interoperable communications system.

### **FISCAL IMPLICATIONS**

There is no fiscal impact on the county operating budget. The funds to cover this contact will be coming out of 100% reimbursable homeland security grant funds. The funds in the grants are already approved by the state to be utilized for this project.

### **REASONS FOR RECOMMENDATION**

The Department of Emergency Services needs additional coverage for the 400 Mhz interoperable communications system and many of the Water Authority towers are a solution to the gaps in the system.

### **BACKGROUND INFORMATION**

Emergency Services has built the 400 Mhz interoperable communications system to provide public safety agencies with critical radio communications over the past several years. These tower sites will be utilized to enhance the coverage of the system filling previously identified gaps in coverage.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without this Legislation the department will not be able to lease the space on this tower and therefore will have gaps in coverage on the 400 Mhz interoperable communication system.

### **STEPS FOLLOWING APPROVAL**

The County Executive will sign the contract, the Department of Emergency will be able to utilize these towers for the 400 Mhz interoperable communications system and the public safety agencies within the county will have successful interoperable communications.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF EMERGENCY SERVICES

RE: Erie County Water Authority  
Tower Lease Agreement

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract for five years with the Erie County Water Authority for space on their towers in the amount of \$1.00 per year per tower,

WHEREAS, this contract will auto renew every five years for a total of up to 20 years or may be terminated sooner by either party as per the conditions of the lease agreement,

WHEREAS, the contract will be managed by the Erie County Department of Emergency Services

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract beginning July 1, 2013 with the Erie County Water Authority for the purposes of providing tower space for 400 Mhz interoperable communications system in the amount of \$1.00 per year per tower; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.