

May 16, 2002

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

1. Item Page -2002 (Comm. 10E-21)

COUNTY EXECUTIVE

WHEREAS, on March 21, 2002 the Erie County Legislature authorized the County Executive to sign a lease with Nextel Communications, a/k/a Nextel Partners, Inc. ("Nextel") for the purpose of placing a transmission antenna on the cell tower at the ECC North Campus (Reference: Comm. 5E-50); and

WHEREAS, Nextel now desires to obtain from the County of Erie a utility easement and an ingress/egress easement on the ECC North Campus for the purpose of constructing, maintaining and servicing the above-referenced transmission antenna and equipment; and

WHEREAS, the easements requested by Nextel are not exclusive and will allow the County, ECC and other entities to use the land protected by the easements so long as such use does not interfere with the use of Nextel.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby grants authority to the County Executive to sign a utility easement and an ingress/egress easement with Nextel, such easements being incidental to Nextel's lease on the ECC North Campus cell tower; and be it further

RESOLVED, that the Department of Public Works shall determine the best location for said easements so that such easements shall not interfere with present or known future operations of the County and ECC; and be it further

RESOLVED, that the easement documents shall be subject to the review and approval of the County Attorney; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, Commissioner of Public Works, Comptroller, County Attorney and President of Erie Community College.

(5-0)

2. Item Page -2002 (Comm. 10E-22)

COUNTY EXECUTIVE

WHEREAS, in a resolution dated February 7, 2002, the Erie County Legislature authorized the County Executive to sign an easement with Verizon New York, Inc. ("Verizon") to lay cable in the vicinity of the ECC South Campus cell tower (Reference: Comm. 4E-35); and

WHEREAS, the above-referenced resolution indicated that the required easement would be rather small in size; and

WHEREAS, subsequent to the Legislature's enactment of the above-referenced resolution, it was determined that the easement would have to be quite larger than what was originally anticipated; and

WHEREAS, the larger size of the easement, which is now estimated to be approximately 10 feet wide and 230 feet long, was due to certain obstructions located in the vicinity of the cell tower which were not known at the time the above-referenced resolution was enacted; and

WHEREAS, personnel from ECC and the Department of Public Works have examined the plans for the larger easement and have determined that it will not adversely affect the operations of ECC or the County of Erie.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby grants authority to the County Executive to sign an easement with Verizon which is larger in size than the easement which was originally approved by the Legislature on February 7, 2002 (Reference: Comm. 4E-35); and be it further

RESOLVED, that the easement documents shall be subject to the review and approval of the County Attorney; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Comptroller, County Attorney, Director of Budget, Management & Finance, Commissioner of Public Works and President of Erie Community College.

(5-0)

ELISE M. CUSACK
CHAIRPERSON