



Erie County Water Authority

Staff Report to Board of Commissioners

Office of the Secretary

February 5, 2020

To: Jerome D. Schad, Chair
Mark S. Carney, Vice Chair
E. Thomas Jones, Treasurer

Cc: Russell J. Stoll, Chief Operating Officer
Karen A. Prendergast, Chief Financial Officer
Russell J. Stoll, Chief Operating Officer
Margaret A. Murphy, General Counsel
Leonard F. Kowalski, Executive Engineer
Scott A. Aiple, Electrical Engineer
Jacqueline Mattina, Associate Attorney
Katherine A. Gillette, Associate Attorney

From: Terrence D. McCracken, Secretary

Subject: Cheektowaga Police Department's Request for Access to Wehrle Tank
for Radio Transmitting Equipment

On November 8, 2019, the Cheektowaga Police Department ("CPD") and its consultant, Saia Communications, submitted a proposal to the Authority's Engineering Department to install radio equipment on the Authority's Wehrle Tank. The CPD proposal requests permission to use equipment and fixtures abandoned by Cricket Wireless (Cricket) in 2017.

Cricket entered into a cell tower lease agreement with the Authority in 2007. Pursuant to the terms of this cell tower lease agreement, Cricket provided a written 30-day notice informing the Authority it would not be renewing its lease. The lease was terminated on March 13, 2017. Under the terms of the lease agreement, Cricket had 90 days from the date of termination to remove its equipment and any fixtures to the tank. The abandoned equipment and fixtures are now the Authority's property.

In exchange for the use of this abandoned equipment and fixtures, CPD would agree to fingerprint all future ECWA job applicants for purposes of obtaining a criminal

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background check. CPD would then provide the Office of the Secretary, Human Resources Department with a copy of the criminal background summary.

Unless the Board has an objection to the proposal, the Legal and Engineering Departments will begin to negotiate and draft a proposed lease agreement with the Town of Cheektowaga for the installation of radio equipment on the Wehrle Tank. The Authority's Electrical Engineer, Scott Aiple, and Associate Attorney, Kate Gillette, will be assigned to this project.