

December 1, 2021

**THE MAYOR'S UPDATE**

[cveneziale@gardencityny.net](mailto:cveneziale@gardencityny.net)

**THIRD TRACK**

*Newsday's* recent editorial ["Ruling needed in Third Track case," 11/24/21] fundamentally and unfairly mischaracterizes the Village of Garden City's actions relating to the third track expansion project and the Denton Avenue bridge. Indeed, it is apparent that rather than accurately report on these important regional issues, *Newsday* has intentionally ignored the important legal issues currently pending before the Nassau County Supreme Court in complete disregard for the authority of local government to conduct reviews mandated by State Law.

Contrary to the view articulated by *Newsday's* editorial, Garden City's refusal to permit the demolition and reconstruction of the Denton Avenue bridge is completely unrelated to the MTA's prior actions. Although it seeks to characterize its actions as nothing more than a reconstruction of the bridge, the work proposed by the MTA involves the complete redesign of the roadway and traffic patterns. Pursuant to New York State Law, such a reconfiguration can only be conducted after the MTA has submitted and the Village has reviewed and approved plans and specifications and conducted a public hearing. To date, the MTA has never filed such an application with the Village nor pursued the process mandated by law. *Newsday* simply ignores that it is the MTA, by its own inaction, and not Garden City preventing the issuance of the necessary permits.

In an effort to resolve these issues and recognizing that the Denton Avenue bridge is a historically significant structure that has existed for over a century, together with other Village officials I met with representatives of the MTA. Although we requested plans for the reconstruction of the bridge and the roadway – the very type of plans that would be required to approve the reconstruction of the roadway – and promised to expedite review and hearing of its application for a permit, the MTA has repeatedly refused to provide these mandated plans and submitted only conceptual drawings. Rather than criticizing the Village, *Newsday* would be better served inquiring of the MTA why it continues to refuse to provide the very documents which State law mandates it provide in order for the Village to consider its application.

Throughout the design and construction phases of this project, the MTA has repeatedly misled the local municipalities and their residents affected and ignored their obligations imposed by law. Although early on it recognized the substantial deleterious impacts that the expansion project would cause to the local environment, the MTA engaged in a superficial and illusory evaluation under the State Environmental Quality Review Act which left critical issues unexamined and unresolved. Irresponsibly, essential decisions were left to the determination of its design-builder in order to expedite the project. While Garden City early on sought to engage with it in an effort to protect its residents and ensure that the project proceed on time, the MTA has consistently engaged in a blatant "bait and switch" and ignored its promises and assurances to the Village. Despite

presenting design plans that provided for the placement of utility poles on the north side of the railroad right-of-way and entering into a Memorandum of Understanding (MOU) which obligated the MTA to “recognize the preference” of the Village not to have utilities along the right-of-way, to provide for their burial, and to consult with the Village prior to making a final determination, it utterly ignored these promises and obligations and proceeded without any outreach or discussion with the Village. Indeed, while acknowledging their failure to comply with the MOU and their legal obligations, the MTA response to the Village has been the functional equivalent of stating: “Too bad. You should not have believed us.”

To be certain, the Village and its residents share the interests of all Long Islanders in a modern transportation network. However, after having been subjected to the MTA’s repeated refusal to live up to its assurances, we are obligated to ensure it complies with the requirements of law and to protect our residents. *Newsday*’s efforts to influence the legal process and bring pressure on the Court by identifying by name the presiding judge and demanding that she decide the matters before her in a time period consistent with the desires of the MTA, is deeply disturbing. Rather than vilifying the Village for protecting its residents and ensuring the MTA complies with the requirements of law, *Newsday* would better serve its readers by accurately reporting the facts.

### **WATER UPDATE**

**Water Tower:** No work has been conducted by the contractor, who indicated that the painting subcontractor is expected to remobilize this week to complete exterior coatings. The electrical subcontractor is expected to remobilize next week.

**Discolored Water Complaints:** H2M is mapping discolored water detections and investigating complaints as they are registered. H2M sent the draft blue water report to the Village.

**Well 7 (Waterworks site):** The contractor completed all punch list items. Allowance credit paperwork to be revised and sent to Village Administrator Ralph Suozzi.

**Wells 8 and 12 (Rockaway Avenue site):** Plans for the permanent building will be ready for bid this month. H2M is expected to have final documents for the permanent buildings by early December.

**Well No 9 (Wilson Street site):** Soil borings scheduled. Design of the facility continues.

**Wells 10 and 11 (Clinton Road site):** Poured epoxy flooring in the treatment building. Preliminary blower and enclosure plans have been submitted to the Village.

**Wells 13 and 14 (Garden City Country Club site):** H2M met with PRI to discuss options for constructing a foundation to minimize landscape modifications. H2M is preparing additional renderings and a landscaping plan, at the Golf Club’s request. H2M and the Village met with representatives from the Golf Club to review the expected work last week.

**Wells 15 and 16 Hilton Park site):** Installed booster pumps and associated piping,

electrical cabinets, louvers and exhaust fans, and began running wires and conduits.

**PEDESTRIAN CROSSING WARNING LIGHTS**

Back in August, Police Commissioner Kenneth Jackson requested the Traffic Commission's consideration of adding flashing warning lights, in both directions, alerting motorists of an upcoming crossing at the following locations:

- Stewart Avenue – in front of Village Hall
- Seventh Street – in front of the Garden City Railroad Station

The Traffic Commission, at its September 16, 2021 meeting, approved the Commissioner's request. Public Works Department crews expect the signs to be installed sometime in January or February, barring any COVID-related material delays.

**GARDEN CITY BIRD SANCTUARY VOLUNTEER CORPS**

The Garden City Bird Sanctuary is forming a Volunteer Corps to help keep the Sanctuary open on weekends from April to September beginning in 2022. The Corps will also help maintain and further beautify the site. If interested in becoming a member of the Volunteer Corps, email John Cronin, president of the Board of Directors, at [johnwcroningcbs@outlook.com](mailto:johnwcroningcbs@outlook.com).