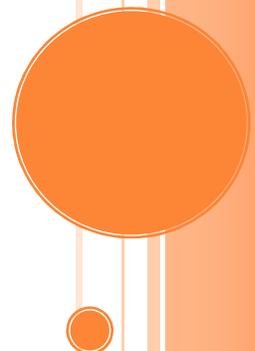




INC. VILLAGE OF FLORAL PARK COMMENTS TO LIRR EXPANSION PROJECT SCOPING DOCUMENT

Submitted on June 13, 2016

The following document is respectfully submitted by the Mayor and Board of Trustees of the Inc Village of Floral Park outlining our community's concerns about the aforementioned project. The contents describe the concerns of the various departments that ensure that Floral Park provides the necessary services to its taxpayers



INC. VILLAGE OF FLORAL PARK COMMENTS TO LIRR EXPANSION PROJECT SCOPING DOCUMENT

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INTRODUCTORY LETTER FROM
MAYOR THOMAS J. TWEEDY

MAYOR
THOMAS J. TWEEDY

TRUSTEE
DOMINICKA LONGOBARDI

TRUSTEE
KEVIN M. FITZGERALD

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Incorporated Village of Floral Park

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**SUPERINTENDENT
PUBLIC WORKS & BUILDINGS**
STEPHEN L. SIWINSKI

POLICE COMMISSIONER
STEPHEN G. McALLISTER

June 13, 2016

BY EMAIL & FEDEX

Mr. Edward Dumas
Vice President – Market Development & Public Affairs
Long Island Railroad Expansion Project
MTA Long Island Railroad MC 1131
Jamaica Station Building
Jamaica, NY 11435

Dear Mr. Dumas:

Enclosed are comments from the Incorporated Village of Floral Park to the LIRR Expansion Project Scoping Document, dated May 5, 2016 (the “Scoping Document”). On the pages that follow, set forth are comments, questions and concerns raised by the Village’s various Department Heads. These Department Heads are tasked with providing the day to day services and lifesaving protection to the approximately 16,000 residents of the Village of Floral Park. The questions and concerns raised by our Department Heads relate to how our Village will be able to continue to provide essential services to our residents both during and after this proposed mega-project.

Also enclosed are written copies of the statements previously submitted by our Village Board and Village officials at the Scoping Hearings held on May 24, 2016. We are submitting these written statements to ensure the LIRR has as complete a record of our concerns as we have been able to identify, under the circumstances. These statements and the statements of the Village Department Heads are designed to supplement and do not displace the comments previously submitted either at the scoping hearings or by online submission. Further, these

statements are designed to supplement the comments being submitted concurrently by counsel to the Village, Beveridge & Diamond, PC.

I am compelled to point out that the enclosed comments were prepared in extreme haste. This was necessitated due to the inadequate public review and comment period provided by the LIRR for this proposed mega-project. The mere 33 days provided by the LIRR to examine the Scoping Document does not provide for an opportunity of meaningful review and commenting as the LIRR is required to provide. This is further compounded by the startling lack of detail provided in the Scoping Document.

As our counsel suggest in their separate comments, we call upon the MTA/LIRR to prepare a new draft scoping document and provide for a new public review and comment period.

Sincerely,

/s/ Thomas J. Tweedy

Thomas J. Tweedy

Mayor, Inc. Village of Floral Park

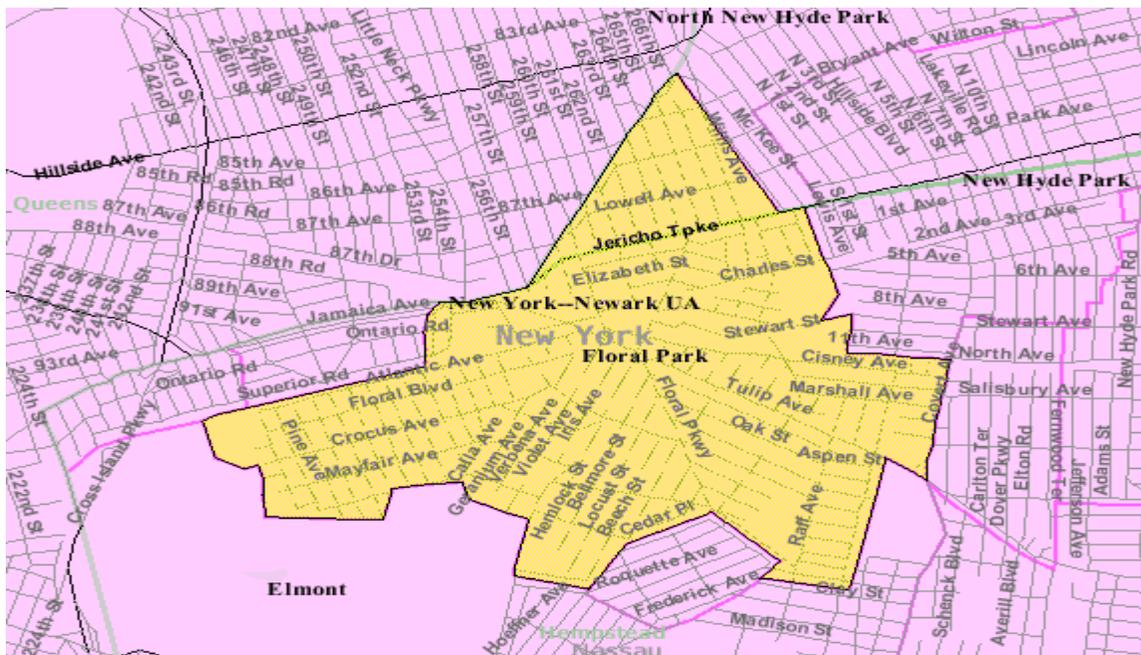
VITAL STATISTICS

The Incorporated Village of Floral Park, located in the west-central section of Nassau County, just east of New York City, was incorporated in 1908. The Village covers an area of approximately 1.5 square miles and is basically a residential community. As of 2010 there were 15,863 residents.

The Village is a full service village which maintains a public library, a year round recreational center with a seasonal pool, a police department, a fire department and a public works department. There are three firehouses located in the Village. Water is provided by the Western Nassau Water Authority and gas and electric by National Grid and PSEG. Sewer facilities were installed in the 1950's in the Village by the County of Nassau.

The main portion of the Village is located in Hempstead Town with a smaller area located in North Hempstead Town. Floral Park-Bellerose Union Free School District provides elementary education. High School students attend Sewanhaka Central High School District.

There are ample shopping facilities located within the Village served by both the Floral Park Chamber of Commerce and the Covert Avenue Chamber of Commerce.



POLICE DEPARTMENT

As submitted by Police Commissioner Stephen G. McAllister

In reviewing the materials provided by the LIRR and MTA outlining some of the proposed work or scope of this project, there exists some problems that would affect the Village of Floral Park from both a quality of life standpoint as well as a policing perspective.

The following is a list of some questions that need to be addressed during this Scoping Period:

- Grade crossing at Covert and S. 12th street – where will the traffic divert to since traveling northbound towards Jericho for a.m. peak will be impassable. If drivers divert to side streets or Tulip Avenue to get to Plainfield Avenue our already overburdened roadways will experience greater wear and tear. Increase of traffic will invariably lead to accidents and aided cases which will have to be addressed by FPPD patrol officers.
- The traffic that has been measured already on Plainfield Avenue is approximately 4500 vehicles traveling northbound towards Jericho and approximately the same traveling southbound (9000).
- Tulip Avenue has approximately 9000 vehicles traveling daily and intersects with Plainfield Avenue, leading to an already congested situation especially at peak travel times (0700 x 0900 & 1600 x 1800). Increased traffic on Plainfield Avenue could have a deleterious effect on response time of our patrol officers especially north of the railroad.
- Where would construction workers of this project park and stage their equipment to complete this project?
- What are the effects on railroad at Atlantic and South Tyson?
- Is Floral Park start of project or end?
- What effects on the present station at Floral Park?

Based on the above concerns, there are numerous intersection within Floral Park that will require a thorough traffic study, but are omitted from the intersections that are identified in the LIRR Scoping Document that will be include in a traffic study: These intersections are:

- Tulip Ave. & Plainfield Ave.
- Tulip Ave & Jericho Turnpike
- Covert Ave. & Tulip Ave.
- Carnation Ave. & Plainfield Ave.
- Stewart St. & Plainfield Ave.

- Terrace Ave. & Plainfield Ave.
- South Tyson Ave. & Atlantic Ave./Woodbine Court

It is difficult to comprehend the effects of this project without any detailed plans submitted by the MTA or LIRR but the above questions arise out the materials presented thus far.

FIRE DEPARTMENT

*As submitted by **Fire Chief John Florio***

The Floral Park Fire Department is sworn to protect and serve the residents of Floral Park. We also provide 24/7 mutual aid between our neighboring departments and ours. We achieve this goal through the dedicated hard work of volunteer residents who respond 24 hours a day, seven days a week from all directions in town.

This track project has been put out there with no detailed plans or specifics as to how the construction will go or what effect it will have. We are extremely concerned about the impact this project will have on our ability to respond to the fire house and get out in a reasonable, efficient time to do our job. This project will affect the heart of the village around the Floral Park station and lines east from there and will affect our ability to respond through main arteries in this village to reach areas we cover.

This great village has a large percentage of elderly and seasoned citizens who need our ambulance ready to go manned quickly in an emergency and able to respond and reach its destination in a very efficient manner. That, coupled with the need to respond to the hospital in a matter of minutes for certain emergencies, could be seriously inhibited on any given day depending on what the secret construction plan entails.

Our ability to respond can be further inhibited by the traffic jams and re-routed traffic flow during the construction. No plan has been set forth to determine what this could possibly do to our response other than create road blocks and problems and inhibit our ability to effectively respond to emergencies.

For years we have heard how the railroad station was at ground level many years ago. Our outlying firehouses came to be years ago because our apparatus responding to the north side from the main fire house was held up at railroad crossings leading to a house burning down. With a proposed plan to add a track crossing Plainfield Avenue and adding to the railroad station off Tulip Avenue, it

raises serious concerns about the closures this project will create and how our ability to effectively and efficiently perform our duty and protect our great village.

As for the construction itself, what materials and equipment will be brought into the village? Will there be hazardous and/or flammable materials in the village during this project? Will there be a storage site in town at the beginning area of the track exposing us to long term hazards that are just a spark away? We saw firsthand in NYC on the evening of May 16th where gas fell on a generator at a construction site under the elevated train on Broadway up town and caused a huge fire, which created a ripple effect in transportation for days and days. What are the plans for construction storage and staging areas?

This construction will require heavy equipment, drilling and disruption of the ground. Has there been any assessment of the infrastructure and the expected disruption? What will the effect be on existing gas and water lines and possible leaks and problems this may cause? Where will this equipment operate? Will roads be closed as a result? All of these issues effect our ability to respond in a timely, effective manner.

There are major plans to upgrade railroad crossings at Covert Avenue and New Hyde Park Road. These roads are main access roads to Stewart Avenue and Jericho Turnpike, our main route to Winthrop and LIJ Hospitals. What are the plans for closures of the routes and are they going to be done independent of each other? How do they propose to handle over-flow traffic from one closure that bounces down to the next intersection?

As you can see, there are many unanswered questions and serious concerns, only some of which are mentioned here, that will have an impact on the protection and well-being of the residents of Floral Park, our neighboring villages and our brothers and sisters protecting them around us. This project is not in our best interest.

DEPARTMENT OF PUBLIC WORKS

*As submitted by **Superintendent of Public Works Stephen L. Siwinski***

The Scoping Document presents two scenarios pertaining to the proposed grade crossing elimination at Covert Avenue. My recommendation to minimize impact is Scenario 2. This Scenario would allow a majority of the northbound traffic to

continue north to Jericho. If Covert Avenue was closed and northbound traffic was to be eliminated this would impact our operations. Our main ingress and egress for Central operations is Stewart Street. The work for the elimination of the grade crossing at Covert Ave would route the northbound traffic onto Stewart Avenue using it as a cut thru and would impact the operations due to the congestion. Our main route out of the yard is east down Stewart to Plainfield. We would make a left or right onto Plainfield Avenue to provide the services to our residents. My other concern is our sanitation route to and from Covanta which leaves the village to Jericho and the return route is either Jericho or Hempstead Turnpike. Elimination of the north bound traffic would delay return.

Another concern which is mentioned but not detailed in the scoping document or the “Technical Statement of Work” is the construction phase which includes staging areas, the work along the track and right of way and the impact to the Village while the work is being done. The document does not address the execution on the work. Based on the “Technical Statement of Work” document one can assume that there will be significant work at the station in Floral Park. With the addition of a third track certain entities will be affected. Questions regarding the closure of commuter parking, additional road closings under the tracks in the center of town and the bridge at Plainfield need to be addressed. The scheduling of the work in the station area coupled with a potential of the grade elimination would have a congestion impact that must be seriously considered.

The failure of the Scoping Document to specifically identify staging areas for construction makes it very difficult to accurately assess impact. Currently the Village’s DPW operates out of a Central Garage. They have two storage lots that are adjacent to the LIRR right of way. These lots are used for storage of equipment and supplies. One lot is on North Street and one on Mayflower. We are concerned that these areas may be selected as staging areas or will be impacted by staging areas situated in close proximity to these areas. Both lots are a vital part of the operations of Public Works. Storage space is a premium these are the only two yards that the Village has for DPW use. It is mentioned that staging areas will be determined. Both of the Village yards must be maintained and used solely by the Village.

Further, we are concerned that the Creedmoor Spur Parking Lot, just one block north of the Mainline tracks and the Floral Park Station, may be selected as a staging area. The Creedmoor Spur Parking Lot provides 256 parking spaces.

These parking spaces are heavily depended upon by the local merchants, teachers parking at the local elementary school for daytime parking and by residents of the various apartment complexes that either adjoin or are in close proximity to the Creedmoor Spur Parking Lot. Further, the revenues generated for the Village from the parking at the Creedmoor Spur is significant.

DEPARTMENT OF BUILDINGS

*As submitted by **Superintendent of Buildings Stephen L. Siwinski***

The Floral Park Building Department is charged with the protection of the general health, wealth and safety of the public.

We are concerned about the storm water drainage effect in businesses and residences during and after construction. If the LIRR is proposing to build massive concrete structures (and replacing the current condition of tracks surrounded by grass and other vegetation) to accommodate the addition of the proposed Third Track within the existing LIRR Right of Way, this may increase the storm water run-off from the tracks to surrounding homes and businesses. What plans does the LIRR have to ensure that storm water run-off is contained on LIRR property both during and after construction?

We are also concerned about the possibility of the impact of a severe weather event (i.e. hurricane) during construction. The long term closure of access to our business district on Tulip Avenue due to the combination of the proposed construction from this Mega Project together with a severe weather event could result in the permanent closure and loss of certain businesses in our community. What emergency management plans have been prepared to address this possibility?

Further, what will be the impact to the building structures of the residences and businesses in close proximity to where this construction will take place? What studies has the LIRR conducted as to the effect that the vibrations from construction will have on surrounding structures and what is their plan to mitigate such effects?

PUBLIC LIBRARY

*As submitted by **Library Director Patricia Eren***

The LIRR Third Track Project and its potential impact on the Floral Park Public Library must be identified. Some of the major issues and concerns that need to be addressed are listed as follows:

In 2015, the Floral Park Public Library boasted 9,740 registered borrowers. The demographics of this number include all ages: adults, children, tweens, teens and senior citizens. In addition, visitors from neighboring communities avail themselves of library services resulting in approximately 140,000 visits to the library annually.

The library is located across from the Floral Park station and in very close proximity to where the proposed construction area begins. The Scoping Document fails to identify specific staging areas for the placement of materials and equipment, etc. The library is concerned that the existing parking area next to the library may be utilized as a staging area. Most of the available parking for the library is provided by the parking lot adjacent to the Floral Park station. If these current parking spaces for the library were to become inaccessible because this area were to be used as a staging area for construction, the impact on the library would be significant. Loss of parking and severely limited accessibility to the library during the LIRR Third Track project would have a devastating effect on the running of the library.

The library provides such vital community services as: job search assistance, computer/WiFi access, reading and study facilities, educational, social and community outreach services and programs, to name just a few. The loss of these services for an extended period of time would cripple the library's support of the residents of the Floral Park community, as well as residents of neighboring communities.

The anticipated upset to traffic patterns and street access could likewise endanger the welfare of the children, youth, elderly and handicapped visitors who frequent the Floral Park Library on a daily basis. Traffic congestion would raise legitimate concerns for the safety of these library patrons.

The noise of construction, increased train and freight traffic noise as well as the potential threat to the area's air quality levels will also result in safety concerns for patrons, especially those with already limited capabilities.

The Village of Floral Park prides itself on the beauty of its 1936 red brick library building topped with cupola. There is a major, justifiable concern that the necessary extended construction work required to install the third track would cause structural damage to the library as it abuts the railroad.



RECREATION CENTER AND POOL COMPLEX

As submitted by Recreation Superintendent Kurt Meyfohrt

As the Floral Park Recreation Center and Pool abut the LIRR right of way there are many concerns including the following:

- What are the plans to keep our facility safe from construction and damage?
- Slides for the pool are 11' away slide pool 15' away from the LIRR right of way
- Are background checks done on workers that will be near our facility?
- Will names of foreman/supervisors be provided when work next to our facility is being done along with contact numbers?
- Will the underpass (tunnel between North St. and Linden Ave) be closed off on and for how long?
- Where does their property line end? Current fence is about 3' from utility pole!
- Will new fences be put up on their property line and what type of fence would be used?
- Will there be any staging in or around our facility?
- Will any of the parking lots around our facility be used during construction?
- Will any chemicals be used in or around the facility?
- What testing has been done for chemicals and the pollutants in the LIRR Right of Way adjacent to the Floral Park Recreational Facility?
- Will MSD sheets be provided for any chemicals used?
- What traffic patterns will effect travel to the facility?
- What traffic studies have been done/or will be done relating to the impact of

construction as it related to access to our facility?

- What time of the year will staging, construction, and clean-up it take place and for how long?
- Will there be any disturbances to the playing fields; including grass & clay areas, irrigation, lighting, fences/backstops, bases plates, ground anchors?
- Will there be a silt fence around the construction and will it run into our facility?
- Will the storm water run-off from the LIRR Right of Way be contained to the LIRR property? What studies regarding storm water run-off have been conducted? What plans have been designed to contain the storm water run-off on the LIRR property?



Thomas J. Tweedy
Mayor, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

The speed with which the plans for seven grade crossings and 9.8 miles of new express track through some of the most densely populated and mature communities borders on the incomprehensible. The Governor asked the community leaders in Western Nassau County to listen to the State's representatives in developing this plan. We have listened and shared our concerns but our participation should not be inferred as consent. The only way this plan could move this quickly is because it is the same plan as that presented 10 years ago. If it is the same plan why is this not under the oversight of the Federal Transit Administration now? Scoping testimony and documents have already been provided 10 years ago. Why should those who testified 10 years ago be disenfranchised, why should they be ignored? We would accept that testimony as the State's scoping document is non responsive. Floral Park sat with the State's representatives three times yet none of our concerns are contained or addressed in this scoping document. Where is the track alignment, what is the right of way, what is the drainage plan, what parking will be lost due to building new superstructure to support new bridges, what operational benefits will be achieved or will we bear all the burden and derive none of the benefit? What impact will this plan have on our recreation center? When we began considering the development of our new Pool Complex in 2013 we looked at the MTA/LIRR's 5 year and 20 year Capital Programs, there were no budget proposals for any Mainline Capital Improvement. Without disclosing track alignment or the Means and Methods intended for the construction of this new track one can only assume the worst and despite due diligence by The Village and Cameron Engineering, our Architect, our Pools shells and our Village's investment are at risk.

At our adjacent Recreation Center: what is the visual impact as the train roars along on top of the retaining wall with baseball and hockey games right below, will there be walls to lessen the visual impact or address sound attenuation as trains roar beside our residents' homes and Recreation Center. We spent 18 months designing and mobilizing a new Pool Complex which was built in 9 months, opening on time and on budget – even through the brutal winter of 2014. This was possible due to good planning. To date there is little comparable planning, unless of course it is the same plan as 10 years ago. It is not our role to design your Track, it is yours to disclose. We did as the Governor requested, however we do not believe the justification for the Third Track has been achieved when compared to the incremental and less onerous LIRR proposals to address improvements and train movements along the Main Line, this combined with the lack of transparency and the segmentation strategy employed by the State's planning representatives is disturbing. Given the size and scope of this Megaproject we respectfully request an extension of the scoping comment period to 90 days, additional scoping hearings be convened in both Mineola and Floral Park, the disclosure of all plans and finally we request that the oversight of this project be returned to the FTA.

This is not a different plan and if it is show us.

Kevin M Fitzgerald
Deputy Mayor, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

Good morning, I am Kevin Fitzgerald Deputy Mayor of the Inc Village of Floral Park. Thank you for allowing me and our residents to comment on this potentially significant intrusion in our daily lives. Approximately a decade ago the same project was presented to us and, as is the style of the people of Floral Park, all documents were thoroughly reviewed to weigh the impacts and benefits. Unfortunately this time the Scoping Document is woefully short on particulars, especially those specific to Floral Park. There are no details or construction diagrams to visualize the impact or where specifically the additional track would start, what service changes would occur both during and after the proposed construction, what property easements are needed during the construction, the height of walls to be built, etc. In fact the document goes so far to state that “there would be no major station modifications at the Floral Park station as part of the propose project”. Therefore our residents do not have the requisite data to make informed commentary about this project. In fact since there is minimal information specific to Floral Park, some may think there is no or negligible impact to our Village. However based on a reading of the entire document we can see that a project of this size and scope will have a direct and meaningful impact on Floral Park

Separately the document has no discussions on the impact to the lives of the surrounding communities. Some of those concerns that will need to be described, studied and remediated are, but not limited to:

- The impact of construction vehicles, road closures, and increased traffic which will result in delays by our Police and Fire Department response times when seconds can mean the difference between life and death. Our emergency service teams respond to over 2,000 calls for service a year which our residents thankfully can rely on them being there when needed
- Impact to our Recreation Center and pool which abuts the right of way. This 13 acre facility is the center of our community from toddlers to senior citizens throughout the year. It should be noted that the 2015 to 2019 Capital Plan did not include a single line item for such an expansion and as such the Village in 2015 after reviewing the Capital Plan and other

related documents completed a \$6mm project to rebuild our community pool which was over 50 years old at the time

- What is the impact, whether it be noise, air quality especially for the infants and senior citizens, additional vehicle traffic, damage to property and to utilities caused by vibrations, to the residents and their homes especially those that live on surrounding blocks during a construction phase. Similarly, there is no discussion of the impacts of increased train and freight traffic if the additional track is completed

Additionally I would like to have entered into the record that the environmental impacts I previously mentioned have not meaningfully changed since the last time this project was brought forth, and I am therefore requesting that all comments both spoken and written made during the made public comment period in 2005 be reviewed and those questions and concerns also be answered as part of this project.

As time is limited during this meeting to set forth all my concerns, I will also be submitting, in writing, an extensive list of concerns that I have that I have not previously mentioned.

Lastly I would like to reiterate the seven points that the various Mayors of the communities along the mainline, including the Mayor of Floral Park have set forth as alternatives to addressing the potential need

- New Passenger Train Yard in Huntington to preset trains for westbound commute
- Electrify Port Jefferson Branch
- Completion 2nd track into Ronkonkoma
- Grade crossing elimination, in a contextually sensitive manner
- Correct the Jamaica Crawl along with upgrading problematic switches
- Compete East Side Access into Grand Central Terminal
- High speed signaling and switches in conjunction with passing sidings throughout the LIRR system

In closing, based on there being viable alternative and on the minimal information in the Scoping Document I have to express my opposition to this mega project as one would have to assume that this project will have a severe detrimental and lasting impact to the Village of Floral Park, its residents, businesses, and schools along with the way of life we have nurtured in our community for the last 108 years.

Dominick A. Longobardi
Trustee, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

Good Morning/Evening – My name is Dominick A. Longobardi and I currently serve as a Trustee on the Village Board of the Incorporated Village of Floral Park.

I want to take this opportunity to thank you for taking the time to listen to our concerns regarding Governor Cuomo’s Plan to place a third track along the Mainline Corridor between our Village of Floral Park and Hicksville.

Let me say this at the outset. While I respect the Governor for his efforts and all of the other agencies and groups here promoting this project for the jobs they claim it will create, I, along with my fellow local officials and neighbors are asking that this particular project be put into context with other projects that will not only create jobs but will accomplish the similar streamlining effects for rail commuters as this project claims without creating those detrimental effects to the very livelihoods of those it purports to want to help, namely the residents and businesses along the mainline corridor. Also, allow me make this very clear, creating jobs is important to all of us. As a point of fact, these proposals and thoughts were outlined in a letter submitted by the mayors of local villages along the mainline to the Nassau County Village Officials Association, have been promoted by LIRR President Neil Nowakowski and shared with the Governor’s staff. In addition, this letter was submitted to the record this morning by my colleague, Mayor Tom Tweedy of the Village of Floral Park, on behalf of those mayors and their respective communities. Upon your review of this letter, you will see that the proposed project is not necessary at this time and, in fact, should be a last resort for its purpose when all other options and plans have been completed.

All of this being said, I bring to your attention page 28 of the scoping document which states under the heading, “Cumulative and Secondary Impacts”, “Cumulative impacts are those that result from a project in conjunction with other past, present and reasonably *foreseeable future actions*... the DEIS will contain an assessment of the Proposed Project’s cumulative and secondary impacts and benefits for all applicable resources.” To illustrate the fact that other projects and ideas are on the table, I point you to the recent scoping hearings held on Long Island by the Federal Railroad Administration discussing future possible development in the North East Corridor. Based upon these

hearings, I think it is fair to say that Mr. Nowakowski, the MTA/LIRR and the Governor aren't the only ones thinking about rail expansion in the exact same area, let alone the exact same spot!! . On January 12th of this year, on behalf of the Village Board and the residents of the Village of Floral Park, fellow Trustee, Dr. Lynn Pombonyo, and I went and testified at similar scoping hearings being held to comment on the upcoming Draft Environmental Impact Statement for the North East Corridor Project. This NEC Project would provide for a rail line running up from Washington, D.C., across Long Island, and up into Boston. Of course the described is the short version. There are a lot more stops in between. One version of this plan would have the NEC line and the LIRR Third Track right next to each other where the Third Track purports to begin in Floral Park. It would then begin an ascent into a tunnel as it rides along the proposed Third Track and then follows the LIRR Hempstead Branch. While the Governor claims he is not taking any homes or businesses, someone here has to be taking something if these two projects are built because there just isn't enough room for both let alone each one individually. What I find amazing about this and the NEC scoping hearings is the lack of detail offered in each plan. In addition, the lack of detail is so evident that one should question how either plan could work given the brief description available for both and how either plan could never allow for the assessment of any impact of either project let alone the impacts of looking at them in the context of the other, and other plans offered.

There is an answer. As stated on page 28 and referenced above, it is the obligation of the MTA/LIRR to thoroughly investigate such plans as those like the NEC and other such work, be it the MTA/LIRR's work or not, that will impact the proposed Third Track. Therefore, as required by the specifications in the MTA/LIRR scoping document on page 28, I am requesting a full study of both the NEC and MTA/LIRR Third Track plans be done by the MTA/LIRR in light of the impacts the other plan might bestow on the surrounding communities. I am also requesting that a full assessment be done as to how the MTA/LIRR will mitigate any impacts that the NEC plan will cause should the MTA/LIRR move forward with its plans to build a Third Track. This should occur even if the NEC plan should come after the Third Track is built. I realize it is a lot of work, but it is, as part of the DEIS, the obligation of the MTA/LIRR to do so. I would also point out that the work may be made easier as the engineering teams for the NEC project and the Third Track project include the same firm of AECOM.

I thank you for taking the time to listen to these issues as they represent a very concerned community. If you need me to clarify any of my statements, please feel free to contact me and I look forward to your response. Thank you, again.

**Attachment 1. NEC FUTURE: A Rail Investment Plan for the
Northeast Corridor Tier 1 Draft EIS Summary**

Dr. Lynn Pombonyo
Trustee, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing,
May 24, 2016, A.M. Session

I am here today to address concerns regarding the limited detail that is provided in the *LIRR Expansion Project, Draft SEQRA Scoping Document*, dated May 5, 2016. Specifically, I will be commenting on the sections titled *Contaminated Materials*, pages 18-19, and *Hazardous Materials*, page 27.

The two aforementioned passages in the scoping document provide a brief, general overview of the process that will presumably be described in the Draft Environmental Impact Statement (DEIS). The introduction to the *Contaminated Materials* section of the scoping document makes reference to the Study Area, also known as the Project Corridor, which includes “an approximately ¼-mile buffer along the right-of-way and ½-mile area around the station areas and grade crossings,” as described on page 12.

As a resident of Floral Park, Trustee of the Inc. Village of Floral Park, and the former Superintendent of the Floral Park-Bellerose School District, I want to address numerous concerns relating to the lack of specificity of the scoping document as it relates to soil and water contamination. In 2008, the MTA/LIRR released a lengthy, detailed document entitled *Site Assessment Remedial Action Work Plan/Floral Park Substation: Site No. V00389-1*. In the summer of 2008, approximately 760 cubic yards of contaminated soil were removed from eleven sites immediately surrounding the Floral Park substation and adjacent to the John Lewis Childs Elementary School field in the Floral Park-Bellerose School District. These eleven sites contained mercury at “concentrations above NYS Dept. of Environmental Conservation (DEC) recommended cleanup objectives.” The eleven areas requiring remediation called for removal of the contaminated soil at depths from one to six feet below ground surface. This single, limited, localized project was described in at least one 64-page work plan, had a two-year remediation timeline, 2007 through 2009, and contained numerous, complex measures to assure community, school and worker health and safety throughout the process. It is important to note that this substation and surrounding areas of prior mercury contamination are all well within the current Study

Area/Project Corridor, east of the Floral Park LIRR station, and along the planned third track corridor.

I am offering this example to convey the very serious concerns about the possibility of additional soil and/or water contamination and the presence of hazardous materials which would require a complex remediation plan that must be detailed in the DEIS. Therefore, the DEIS must address the following:

1. How will the soil along the 9.8 mile Study Area/Project Corridor be tested prior to the third track construction? Will the NYSDEC and/or other agencies review all testing results and will they be made available for independent review by the public?
2. If contaminants are found, how will the MTA/LIRR notify the public? What will be the level of NYSDEC and other agency oversight of all follow-up activities?
3. If remediation is necessary, will all work on the project that involves the movement of soil cease? What are the plans for security at the sites, dust suppression (i.e., imposing wind velocity limits on the removal of contaminants), and the transportation of hazardous materials out of the area? How will air quality be monitored during all remediation projects? What will be the plan for developing the remedial action documents? How will the MTA/LIRR make copies of all relevant documents readily available to the public?
4. During all potential remediation projects, what will be the level of NYSDEC and other agency monitoring? How will public notifications and updates be disseminated by the MTA/LIRR?
5. In the event that remediation projects take place, what assurances will be provided at the conclusion of the work that the contaminated sites are no longer hazardous? What will be the roles of the NYSDEC and other agencies in the testing and follow-up processes? How will public notifications of the testing results take place?
6. What is the plan for soil and water testing at various stages throughout the entire third track construction period, and along the entire 9.8 mile Study Area/Project Corridor?

Thank you for your consideration, study of and future responses to these concerns and questions.

Dr. Lynn Pombonyo
Trustee, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing,
May 24, 2016, P..M. Session

At this morning's public hearing in New Hyde Park, I offered comment about soil and water contamination. In 2008, Floral Park faced the very real problem of 760 cubic yards of soil that were contaminated by mercury at the LIRR substation on Plainfield Avenue; in the vicinity of the John Lewis Childs Elementary School field in the Floral Park-Bellerose School District; and along the path of the proposed third track project. The contaminated soil was removed as part of a highly complex two-year remediation project that was carefully planned and executed with NYSDEC and school district oversight. Given that this mercury contamination existed at at least six other railroad facilities, the potential is there for soil contamination in numerous places along the 9.8 mile proposed third track corridor. In this regard, the Draft Environmental Impact Statement (DEIS) must address numerous concerns relating to pre-testing of the soil before third track construction and grade crossing eliminations; remediation which, if necessary, is done with DEC and local oversight; and ongoing monitoring to insure that the communities, school children and staffs, and railroad workers are not exposed to hazardous materials in the soil or air. This dangerous possibility must be addressed along the entire 9.8 mile proposed third track corridor.

Tonight, I will address the limitations of the LIRR Expansion Project, Draft SEQRA Scoping Document, dated May 5, 2016, in providing adequate detail regarding other significant concerns:

- Use of the Floral Park recreation center, new swimming pool complex, and the John Lewis Childs Elementary School, field and playground – The scoping document doesn't even mention any of these important facilities, all of which about the proposed third track.

1. First, the DEIS must address staging areas for its construction teams and equipment. Will any of these large pieces of property which serve thousands of children, families and community members be used as staging areas at any time during the proposed construction? What about private and business properties, will they be designated as staging areas?

2. Second, as construction starts, there is the inevitable digging into the soil and placing it in large construction piles which, in Floral Park's case, will be directly alongside our school and village fields, and village swimming pools. I addressed the dangers of contamination this morning. However, in a best case scenario, even if the soil is free of hazardous materials, the DEIS must address breezy/windy conditions when the soil particles will become airborne and blow across areas while children are playing and community members are engaged in recreational activities. Furthermore, when driven by wind in the warm weather, airborne soil makes its way into open windows in homes, schools, businesses and any buildings which are not air conditioned. The DEIS must address the impact and mitigation of construction soil becoming airborne along the entire 9.8 mile length of this massive construction project.

3. Third, for those of us who have firsthand experience with prior MTA/LIRR construction projects, we know all too well of the problems of increased rodent infestation during major construction. The DEIS must provide assurances that the MTA/LIRR will prevent this serious health-related issue in the third track communities. Mitigation is not sufficient. Prevention is essential.

- Status of the LIRR station at Floral Park – Page 6 of the scoping document states, “No major station modifications would be made at Floral Park or Hicksville stations as part of the Proposed Project.” While the document goes on to state that plans are in place for platform reconstruction and new amenities, including a new elevator, at the Hicksville station, Floral Park is left to question what does “no major station modifications” include and not include? Will there be minor modifications? And since the Floral Park station is not handicapped accessible, the DEIS must also address ADA compliance. The only elevator is built for freight and is currently in disrepair.

It is our expectation that all of the public hearing comments and concerns will be given significant attention in the upcoming DEIS. Thank you.

Archie T. Cheng
Trustee, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

As a Trustee of the Village of Floral Park and the Chairperson of the Village's 3rd Track Committee, I am thankful for the opportunity to comment on the LIRR Expansion Project Draft SEQRA Scoping Document.

As a former Trustee of the Floral Park-Bellerose Union Free School District and Sewanhaka Central High School District, I was certainly caught off guard when Governor Cuomo resurrected the 3rd track project. A decade ago, Floral Park was caught in the crosshairs of the installation of a 3rd track from Queens Village to Hicksville. The last time, comments were made throughout the hearing process about 100 plus property takings, length of time of construction and its impact on our Village and School Districts, substantiated environmental concerns regarding contamination in the soil in and around the Railroad Right of Way, and temporary takings by the MTA/LIRR to enable the construction to take place.

The first page of the Scoping Document states "The LIRR Expansion Project represents a fresh approach to bringing the third track to fruition". It also states, as did Governor Cuomo, "that this project will set the standard for positive community engagement". I was thankful that I and colleagues from other Villages along the Main Line were invited to many meetings with representatives from the Governor's Office, the MTA, the LIRR and the NY State Department of Transportation. We were advised that our input was being sought so the Project Plan would address our concerns. I, for one, looked forward to advancing the concerns of the Village of Floral Park and its two School Districts. I also looked forward to seeing the Plan and how it addressed our concerns.

Discussions were had on numerous issues including the need for the 3rd track, where and how it would be constructed, impacts during construction, environmental concerns, impacts to our downtown area and Recreation Center, and safety issues. From day one I asked what I thought was the simplest of questions: Where is the LIRR's Right of Way? After all of our meetings and in reviewing the Scoping Document, that simple question has not been answered. In fact, at one of the meetings and after asking the question, I was admonished to not be so skeptical. While "community engagement" was sought, I do not believe at the present that it was "positive".

Nevertheless, I would like to limit my comments on the construction stage of the Project.

WHERE?

On Page 12 of the Scoping Document, it is stated that “The Project Corridor comprises the railroad right-of-way, station areas, and grade crossings from Floral Park to Hicksville and **an approximately ¼ mile buffer along the right-of-way and ½ mile area around the station areas and grade crossings.**”(emphasis added)

First, and again, where is the Right of Way (ROW)? It has been stated that there will not be any residential takings and only limited commercial takings at or near the planned grade crossing elimination areas. Without knowing where the ROW is, it is impossible to comment on behalf of my constituents. Furthermore, while there may not be any permanent taking of residential property, does the Plan anticipate the need for temporary construction easements over residential property? I personally went back into the records of our Building Department to review the surveys drawn when the tracks in Floral Park were elevated. Those surveys showed the permanent ROW to be 66 feet wide. They also showed that the temporary working easements substantially widened the area in which the LIRR conducted construction. So much so that the fenced in area of the temporary ROW was within 4-5 feet of the back doors of the houses on Charles Street. Even though that encroachment of residents’ property was temporary (how many years did it take to raise the tracks?), I would like to know if the homeowners impacted saw the taking as temporary. Yes, they knew when they bought their house that they would hear trains that were in close proximity to their property. But did they ever expect that the LIRR would want to widen their ROW again? Could they enjoy their backyard? Could they open their windows without dirt and who knows what else came into their house? Could they sleep or enjoy the interior of their homes? Finally, even if they had to, could they sell their home? Temporary maybe, but how long will this Project take and affect the ¼ mile area around the ROW and ½ mile area around the Floral Park Railroad Station?

WHEN?

Our Recreation Center and new Pool Complex, two elementary schools, and numerous businesses abut the existing ROW. What will the impact be during and after construction?

As to our Pool, we are concerned that necessary construction to build a 3rd Track will affect the integrity of the pool walls and the “patio” area around the Pool. We have yet to hear when construction will take place. If construction takes place in the summer months, our residents’ ability to enjoy our Pool Complex and our Village’s ability to continue to pay for the new Pool will be drastically affected. If it takes place during the winter, spring and fall, our children’s organized and non-organized sports programs will be affected. Truth be told, our Recreation Complex is utilized year round so any construction impact will greatly diminish our resident’s way of life.

As to our schools, due to their close proximity to the ROW during construction, instruction of our children will no doubt be impacted. In the warm weather, will the District have to close windows to cancel out construction noise and stop dirt, dust and other potential contaminants from entering the buildings? At the present time, the School District’s bus parking lot and part of the playground at the John Lewis Childs School is owned by the MTA/LIRR. As a holdover sub-tenant of an expired lease the Village had with the MTA/LIRR , the School District occupies a portion of the old Creedmoor Spur. Prior to the announcement of the Project, the School District had plans to expand and repave the bus parking lot. Discussions regarding a long term lease were about to take place. Without the new lease, the School District would not be able to obtain State Aid for the bus parking lot project. After many discussions with the State and MTA/LIRR, we were informed that no action would take place on this issue until the MTA/LIRR decided if it needed the Creedmoor Spur for staging and/or parking for workers during construction. Our School District needs this Lease now!

In the same vein, the Village needs the parking lot in the old Creedmoor Spur not only for revenue, but also parking for the numerous owners at the Flowerview Apartment complex, employees at our largest office building, and employees of the School district. If the MTA/LIRR decides to use our largest parking lot, where will all of the cars go? There is not enough room now for the cars in our Village and certainly loss of parking spaces will put a strain on the people affected if the Village loses this lot.

Finally, when will the hours of construction be? If the Project will be completed as promised in an expedited manner, does that mean 24 hour, seven days a week construction? If not, how long will the Project and its construction take?

HOW?

I am not an engineer and will let the experts discuss how a project of this magnitude is completed. I do not understand how new retaining walls will be built without impacting our Pool and Recreation Center. I do not understand how enlargement of the track area will be done without impacting homes and businesses. I certainly hope that the DEIS will address these issues and not merely state that this is a “design and build” project. We need to see the design before building commences. How else will we be able to address the issues facing our Village?

I would also like to know what is the plan for traffic? Page 6 of the Scoping Document states “No major modifications would be made at Floral Park or Hicksville stations as part of the Proposed Project.” Yet, during our meetings, we were told that the void between the tracks above South Tyson Avenue would have to be filled with new columns and track bed. I again do not understand how the work can be done without affecting our train station. If South Tyson Avenue is closed, how do school busses drop off and pick up students at JLCS? How does our Police and Fire Department respond not only to emergencies at John Lewis Childs School but the entire north side of our Village? The only alternative is to take a detour to Tulip and Plainfield Avenues and in so doing wasting valuable seconds.

I would like to understand how the NYS Department of Transportation plans to divert traffic during the elimination of grade crossings in New Hyde Park. We were informed that Covert Avenue would be first. The plan was to divert traffic north of the tracks westbound to Plainfield Avenue. As anyone in the Village knows, Plainfield Avenue is already over run with traffic and there is no chance Plainfield could accommodate additional traffic. South of the main line, traffic would have to travel to Tulip Avenue or, if more familiar with Floral Park, travel along Terrace, Stewart, Cisney, Beverly and Marshall. All side streets with only single family homes and all of them leading to access to our Recreation Center. To me, questions of safety certainly abound with the diversion of traffic during the approximately six months (as stated in the Scoping Document) it will take to eliminate the Covert Avenue grade crossings.

The above represents only a few of the numerous issues raised during the community involvement period that were not addressed in the Scoping Document. It is my hope that they will be answered in the DEIS and that we again will have sufficient time to review, engage experts, and express our comment before a final EIS is published.

Gerard M. Bambrick
Village Administrator, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

Good evening. Gerard Bambrick, 318 Carnation Avenue, Floral Park, NY. 11001. I am the Village Administrator for the Village of Floral Park. Also, I am a former Trustee of the Village and formerly I served as a member and Vice Chairman of the Nassau County Planning Commission.

I would like to address the alternatives that the MTA/LIRR has considered and will consider, as opposed to proceeding with the Third Track Proposal. At page 29 of the Scoping Document, you correctly state that SEQRA requires that the LIRR “describe and evaluate ‘the range of reasonable alternatives to the action that are feasible, considering the **objectives** and capabilities of the project sponsor.’”

Based on that statement in the SEQRA regulations and in the LIRR’s Scoping Document, before you can inquire into alternatives to be considered, first you must define what your objectives are. Here there seems to be some confusion on the part of the proponents of this Mega Project as to what the objectives of this Mega Project are. The Governor has informed the Mayors along the Third Track that the project has nothing to do with the reverse commute and nothing to do with increased freight. Yet many of the most vocal proponents of this plan say it will lead to a new era of reverse commuting.

So which is it? Is the Governor incorrect, and this project is, in fact, being undertaken for purposes of fostering a reverse commute? If so, what studies and analyses and data can you provide for the conclusion that there is a justification for this project based on the demand for a reverse commute?

If the Governor is correct, and this project has nothing to do with the reverse commute, and nothing to do with increasing freight capacity, as we have been told, then the only remaining rationale for this project would be to reduce service disruption and delays on the Mainline. That certainly is a worthwhile goal, but, as you acknowledge, SEQRA requires that you consider less disruptive alternatives as a means of obtaining that goal.

If that is the case, then we can address alternatives to be considered, and the questions become:

- (1) What other, less disruptive, alternatives has the LIRR considered to the Third Track Project to reduce service disruptions and delays on the Mainline?
- (2) What studies have been done and what professionals, such as engineers, have been retained to evaluate these alternatives?
- (3) Why do these alternatives fail to adequately address the service disruption and delays on the Mainline so that there is a need for this Third Track Mega Project?

Specifically, before the 3rd Track Plan was resurrected, LIRR President Nowakowski had set forth 7 very specific proposals to address service improvements along the Mainline . (President Nowakowski's 7 points are set forth in the Mainline Mayors' February 3rd letter, a copy of which is submitted with these comments. Also submitted is the follow up letter from the Mainline Mayors, dated May 16, 2016). In fact, at pages 4 and 5 of the Scoping Document, the LIRR states that the LIRR is "moving forward" with these 7 points of President Nowakowski's Plan.

If so, then:

What studies/analyses have you done to determine that implementation of these projects at pages 4 and 5 of the Scoping Document are insufficient to address the service disruption and delays along the Mainline?

Why is it not advisable or feasible to implement these already identified projects by President Nowakowski **first**, and **then** evaluate their effect on service disruption and delays along the Mainline **before** subjecting residents and businesses along the 9.8 mile stretch of this Third Track Mega Project to the years of disruption to their lives and businesses that the Third Track Project will necessarily entail?

Also, the introductory film at the beginning of this Scoping Hearing acknowledges that grade crossing eliminations would have a positive effect on service disruptions and delays along the Mainline in and of themselves and separate and apart from the balance of the Third Track Project. Why is it not advisable or feasible to complete the grade crossing eliminations as a separate

project first and then evaluate need of the Third Track Project before the LIRR subjects the residents along the Mainline to years of disruption?

Finally, I want to address the “No Action Alternative” that you state will be considered at page 29 of the Scoping Document. The Scoping Document states that the “No Action Alternative” “serves as the baseline condition against which” the potential benefits and impacts of the Third Track Project will be evaluated.

The No Action Alternative should include as its baseline an analysis of the positive impact that will result from implementation of President Nowakowski’s 7 Point Plan (which are essentially those projects set forth at pages 4 and 5 of the Scoping Document). In other words, the No Action Alternative should be measure the positive impact, if any, of the Third Track Project over and above the positive impacts that can be achieved from implementation of President Nowakowski’s 7 Point Plan. The No Action Alternative cannot, and should not be, a comparison of the services provided now, before implementation of President Nowakowski’s Plan, and then subsume the benefits resulting from Nowakowski’s Plan into an analysis what can be achieved if you proceed with the Third Track Project. That would unduly inflate the analysis of what can be achieved if you proceed with the Third Track Project.

Attachment 2: May 16, 2016 letter from 8 Mainline Mayors to Nassau County Village Officials Assn. (NCVOA)

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Attachment 3: February 3, 2016 letter from 8 Mainline Mayors to NCVOA

Susan E. Walsh
Clerk, Inc. Village of Floral Park
Statement Submitted at Public Scoping Hearing, May 24, 2016

As Village Clerk of the Incorporated Village of Floral Park, please accept the following as my statement to be placed on the record at the scoping hearing regarding the LIRR Third Track Expansion Project:

FACTS:

- Village of Floral Park is 108 years old;
- 1.5 square miles small;
- Population of approximately 16,000;
- Floral Park is one of the five full service Villages in Nassau County;

What does that mean – Floral Park provides the following services to its taxpayers:

Library – buffers the LIRR,

Recreation Building - buffers the LIRR & home to over 50 community organizations;

3 Firehouses – including an ambulance vehicle, hook & ladder truck & 3 fire trucks;

Pool Facility -buffers the LIRR & home to swim meets, swim lessons & recreational sport activities;

Police Department – 35 man police department with approximately 10 police vehicles and is located ½ block away from the mainline;

Public Works Building – includes sanitation trucks; parks equipment, auto mechanic repair garage; road construction equipment; recycling services – all services provided five days a week;

Re-fueling (Gas) Station – provide gasoline to school buses, all emergency vehicles in Floral Park and neighboring villages;

Village Hall – ½ block away from the railroad & employs approximately 50 employees;

Additionally:

Two (2) Elementary Schools both buffer the LIRR & require bus transportation;

2 High Schools – one located on Covert & Tulip Avenues;

3 Business Districts - two of three districts buffer the LIRR;

10 Houses of Worship;

Parking Permits: the Village issues approximately 300 parking permits for commuter/under the railroad parking; approximately 1000 permits for both residential & and commuter permits are issued at the Creedmoor Spur.

This is a brief snapshot of Floral Park and would like Governor Cuomo to understand Floral Park's complex demographics before decisions are made. Therefore, by way of this statement, I would like to take this opportunity to cordially invite Governor Cuomo visit Floral Park and the Village Administration would be happy to provide an up close and personal tour of our Village so that he may visualize the impact this project would have on the day to day operations of our community.

Please don't hesitate to contact me at (516) 326-6300.