



NEW YORK STATE SENATOR

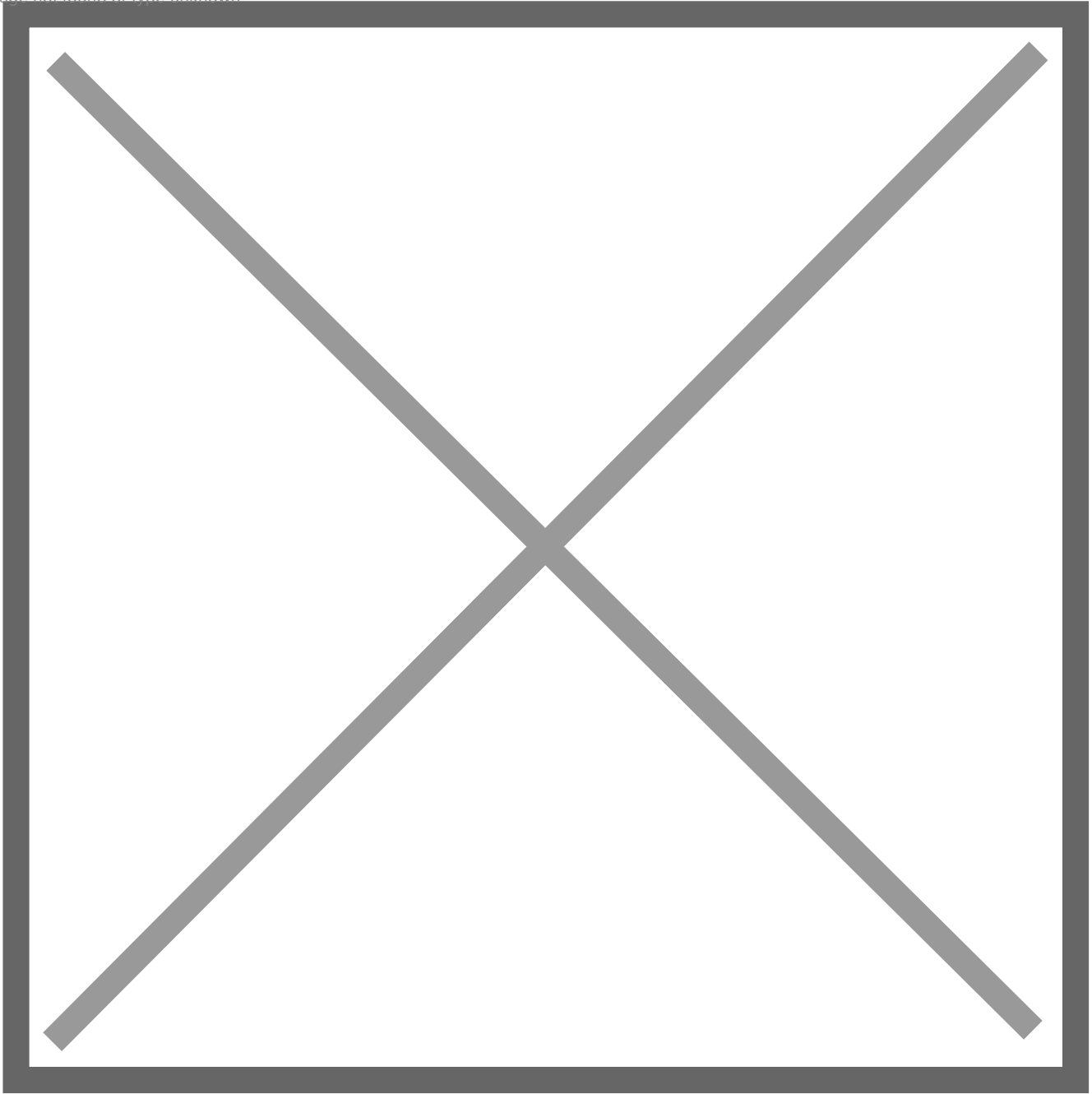
Jeffrey D. Klein

Senator Klein, City Island Civic Association Announce Filing of Lawsuit Against Proposed New City Island Bridge

JEFFREY D. KLEIN November 8, 2013

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CITY ISLAND, NY – Standing at the foot of the historic, 112-year old City Island bridge, Senator Klein, community leaders, and local business owners announced the filing of a civil lawsuit against the Department of Transportation as part of their effort to halt construction on the bridge's controversial new replacement. The new bridge's proposed design includes a 150 foot tower and an aesthetic that many residents believes threatens the unique and historic character that drives thousands of tourists to City Island each year. Despite serious concerns raised by community members, Island residents and business owners were never formally invited to be part of the process.

When the Department of Transportation announced work on a temporary bridge in late September, the City Island Civic Association met with Senator Klein to explore possible legal options. After meeting with the City Island Civic Association, Senator Klein, working with volunteer staff members from the offices of Bronx Borough President Ruben Diaz Jr., Assemblyman Mike Benedetto and Council Member Jimmy Vacca, developed a legal strategy to ensure that voices of City Islanders are heard and that the proposed design is subject to a more comprehensive review prior to construction.

Senator Jeff Klein (D-Bronx/Westchester) said, "Putting a cable-stayed bridge over Eastchester Bay is like telling the Starship Enterprise it can land at LaGuardia – it just doesn't fit. We should not have to sacrifice the majesty of City Island in exchange for a 21st century bridge. As I have said all along, the community should have been consulted throughout this process. With the Department of Transportation moving ahead with a design that does not address some of the community's biggest concerns, I think it's important we file this lawsuit to make sure that the City Island community's voices are heard.

"After reviewing possible courses of action against the proposed design for the new bridge, I have worked with the Civic Association on developing a legal strategy. Working with the Bronx Borough President Ruben Diaz Jr., Assemblyman Mike Benedetto and Council Member Jimmy Vacca, I plan to do everything possible to ensure that the City Island community's voices are heard."

City Island Civic Association Officer, Barbara Dolensek said, "For over 10 years the Civic Association has tried to get the Department of Transportation to honor our concerns about the new bridge, but they continue to force a bridge on us that City Island residents and business owners don't want. Finally, with the help of Senator Klein and other local elected officials, we have found a way to make sure our voices are heard!"

In the lawsuit, the City Island Civic Association and Barbara Dolensek, challenge the action of the New York City Department of Transportation in moving forward with the replacement of the City Island Bridge and the construction of such replacement bridge by the contractor, Tutor Perini Corporation, without a completed Uniform Land Use Review Procedure ("ULURP) review. The ULURP review is required under Section 197-c of the New York City Charter. The purpose of the ULURP review is to measure the impact of proposed land

uses and to take into account community input.

On September 30, 2013, the New York City Department of Transportation issued a Notice to Proceed with construction to Tutor Perini Corporation, without a completed ULURP review. As a result, NYC DOT is in violation of procedures set forth by ULURP.

The City Island Civic Association and Barbara Dolensek are seeking a Court order compelling a completed ULURP review prior to any funds being allocated or expended for or beginning construction in connection with the replacement of the City Island Bridge and a temporary restraining order and preliminary injunction to maintain the status quo during the pendency of this action. **As the press conference concluded, Senator Klein was notified that the temporary restraining order had been issued.**

“The people of City Island have the right to voice their concerns or support for the construction of a new City Island Bridge, and this lawsuit will ensure that this proposed bridge is subject to complete review. I strongly believe that the DOT should begin the ULURP process immediately, so that City Island residents have their chance to speak out on this proposal before a single shovel hits the ground. City Island residents have expressed real concerns with the design and cost of this bridge and it is imperative that the ULURP be completed with transparency and collaboration with the residents and businesses of City Island before the City moves forward with its new design. I look forward to an amicable resolution to this entire matter,” **said Bronx Borough President Ruben Diaz Jr.**

Assemblyman Mike Benedetto said: "The proposed bridge in no way reflects City Island's unique charm and seaside landscape. That's why I have stood with the residents, business owners, community leaders and local elected officials in supporting legal action against the new bridge. We know that a new bridge is necessary, but I believe that the design should incorporate the input of the community it serves."

“For years, I, along with my fellow elected officials and the City Island community, have expressed our concerns about this new bridge, but the Department of Transportation has done little to address these issues. Once this lawsuit is filed, we can let the courts decide if this project should proceed as planned,” **said Council Member Jimmy Vacca.**

City Island Chamber of Commerce President Skip Giacco said, "From the Chamber's point of view, City Island is successful as a destination because it offers an alternative to the high-rise, high-density parts of the city. If built, the bridge, in its current design, will mark the beginning of a change on City Island that many residents and business owners don't support. At the very least, I believe that taking legal action will help ensure that our community's input is taken seriously."