



# Save the Pine Bush

## January/February Newsletter

Jan/Feb 13 No. 114 • 33 Central Ave., Albany, NY 12210 • email [pinebush@mac.com](mailto:pinebush@mac.com) • phone 462-0891 • fax 434-6659 • web <http://www.savethepinebush.org> • Circ. 1000

### Vegetarian/Vegan Lasagna Dinner Wednesday, January 16, 6:00 p.m. *Ring in the New!* Meet Pat Fahy and Cecilia Tkaczyk *who will speak about* After the Election: Doing the Peoples' Work

This past election was very exciting with the Capital District electing many new representatives to the NYS Legislature. Save the Pine Bush is very pleased the Honorable Pat Fahy, first woman elected to represent the 109th NYS Assembly District, and Cecilia Tkaczyk, still in a very tight race with George Amadore for the 46th NYS Senate, seat will speak at our January dinner.

Ms. Fahy and Ms. Tkaczyk have graciously agreed to speak and hear our concerns. Usually, we hear a lot from candidates during election season but nothing afterwards. Now, we will be able to bring our concerns, questions and suggestions directly to the candidates.

This is a very important dinner to attend, bring your friends, tell other groups to come — this is a great opportunity to speak directly with the people who can address the issues we care about.

**New Location:** At the Westminster Presbyterian Church, 85 Chestnut Street (people with cars can park in the lot near the door). All-the-vegetarian-and-vegan-lasagna-you-can-eat, garden salad, garlic bread and homemade pies. Only \$12 for adults, \$6 for students, and \$2 for children. People who make reservations are served first. For reservations, please leave a message for Rezsins Adams at 462-0891 or email [pinebush@mac.com](mailto:pinebush@mac.com). Interested people are welcomed to attend the program beginning at 7:00 for which there is no charge.

### January Save the Pine Bush Ski or Walk Tour Saturday, 26, 2012 9:00 AM

**Meet at:** Pine Bush Discovery Center Parking Lot, East side of New Karner Rd. (Route 155) opposite "T" with Old State Rd., Albany, NY;

**For More Information:** John Wolcott -465-8930

**Leader:** Claire Nolan

A real winter is back to the area again so, if it holds, it's a good opportunity to get in some cross-country skiing in the Pine Bush while these opportunities still occur, sometimes, at this latitude. Claire Nolan is back too; for our winter outdoor activities. Claire's events are always fun and good exercise. Claire Nolan is a well known bicycling promoter and safety advocate, general outdoor activities leader, stage performer, professional story teller, and teacher. If no snow, then a nice hike through the Pine Bush.

**The Walk is free and open to the public!**

[www.savethepinebush.org](http://www.savethepinebush.org)

### Lou Ismay and the Environmental Forum

*by Tom Ellis*

One of the things I teach my students is that each of us can learn a lot from our elders, especially those who lead rich lives filled with interesting activities. With that in mind, several months ago I asked Lou Ismay to speak at a SPB dinner which he did on November 14.

Lou was introduced by Jackson Davis, who had taken the Environmental Forum course Lou taught at the University at Albany. Jackson said when he showed up for the first class, he was surprised and very happy that his former Boy Scout troop leader, Lou, was the instructor. Jackson said Lou required each student to come up with a project and carry it through. Jackson created an environmental bibliography.

Lou is a long-time member of Save the Pine Bush and a Citizens' Environmental Coalition

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### Save the Pine Bush Turns 35 in February

*by Lynne Jackson*

On February 6, 2013, Save the Pine Bush will be 35. I wanted to reprint the story of our formation (the extended version can be found on the website, [www.savethepinebush.org](http://www.savethepinebush.org))

Save the Pine Bush came into being on February 6, 1978. It snowed that day. It snowed so much that the offices of the New York State government closed down and stayed closed the next day. This is the only time that I remember in the nearly 40 years I have lived in Albany that the State closed its offices due to the weather. I was able to cross-country ski to work in downtown Albany.

On that day, the Albany City Planning Board had scheduled a public hearing on four developments in the Pine Bush: the Dunes, Pinehurst, Pine Circle, and a development by Charles Touhey. Even though there was six inches of snow on one of the main roads, including Wash-

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## *Lou Ismay, continued from page 1*

board member. Lou discussed the environmental studies program he led at SUNYA in the late 1960s and much of the 1970s.

Lou said the course was interdisciplinary and inter-university. The class was open to SUNYA and other students from nearby colleges, as well as high school and elementary students, and community members. The course had three requirements: to attend class, have a project, and analyze why the project was or was not successful.

The class met for four hours or longer - one evening from 4 p.m. until midnight - once a week. The first hour was to share a meal. Senior faculty met with students each week. One guest speaker later told Lou that SUNYA was the only college he had visited in the United States where students were eager to learn. Lou developed a list of 200 mentors whom students could work with.

Many whistle-blowers from the public and private sector offered him tips of projects that needed research. Lou said classes were sometimes filmed by unknown persons who scanned the entire audience; surveillance was a concern. Ralph Nader spoke at a "secret meeting" held at Albany Law School with the lights out about his vision for PIRGs.

In 1969, what soon became a nationwide Protect Your Environment (PYE) network or college student groups was formed by women students at Rowayton, CT. This group was well developed by the first Earth Day in 1970.

Topics covered in his Environmental Forum included philosophy, environment, and technology. At the first class each semester, students were asked what they wished to learn and then speakers/teachers were sought who could teach it. Students from the prior semester were invited to attend the first class the following semester; they told the new students what projects they had worked on. Often the new students picked up and continued a project; sometimes the projects were continued for years by a series of students. Lou said the Environmental Forum "was intended to empower people to perform high quality research, [to] do something useful for society."

One project led to the first wetlands study of Albany County that became a template. Tobin Packing Co. called Lou demanding his students end their Tobin research. Lou told Tobin he had no control over the students. Tobin was later fined for a violation of a refuse provision contained in the 1899 federal Rivers and Harbors Act. Lou said students researched the General Electric facility in Selkirk for several years; they interviewed nearby farmers and tracked each

ambulance that was called to the factory.

Lou said when the university eliminated the Environmental forum, it was one of 107 programs terminated. Lou never found out why his course was terminated but has often wondered if it was political pressure from powerful corporations investigated by the students. Others told him it may have been because he did not publish, nor is he a Ph.D. Lou said he was never a professor, but an instructor, and had never been on a tenure track.

Lou said Jackson Davis made the first bicycle path through Albany. A "Basketball Game" play was written; it was a metaphor about the mistreatment of Native Americans. A sculptor, Guido, built a fountain in the university's environmental office that people gathered around for a year having great conversations until Guido took his sculpture. Hot water was always ready in the office for coffee, tea, and soup. The Environmental Forum and PYE often overlapped. One student created the first land ownership map of the Pine Bush. Recycling programs were started on the campus. Students investigated the Atlantic Cement Co. in Ravena leading to legal action. Don Rittner wrote *The Pine Bush: Albany's Last Frontier*, while a junior at SUNYA.

Lou showed photos of a "young lad [John] Wolcott." He said students cleaned trash including old cars, refrigerators, and stoves from the Pine Bush. The Air National Guard used a helicopter to lift heavy items from remote locations. For two summers, students rented a houseboat, went out on Lake Ontario where they took photos and air samples. Lynne Jackson was on one trip. Lynne\* prevented the NYS Thruway Authority from paving a ramp across Moss Island, saving the island. Lou said he made two mistakes with the program; not notifying university officials who the guest speakers would be and not videotaping the classes. He said the Environmental Forum was on the local newsbeat of area reporters who often stopped by wanting to know what was going on.

During the Q&A, Lynne Jackson said she was on both boat trips in 1973 and 1974. "My formative years were at the forum," she said. "Save the Pine Bush came out of the forum. Lynne described Moss Island as a mystical place "where hobbits would live. It was so beautiful." Lynne made a film about Moss Island now available on the internet.

Lou said students went to the Rensselaer-

*\*Editor's note: Lou is very kind to credit Lynne with saving Moss Island, but all Lynne and another student did was make a movie about the Island. Why the NYS Thruway Authority built the ramp east of and not on the island, thus saving the island's unusual geologic formations, remains a mystery today.*

ville Institute several times to hear Isaac Asimov speak.

Sylvia Barnard said, "It was an exciting then to be at the new campus with its young faculty, that has now been lost."

Carol Waterman referred to the 1970s purge when many programs were eliminated. A student of hers said the university was "firing the living, those who empowered people, those who taught students to think."

## *SPB Turns 35 continued from page 1*

ington Avenue, the City still held its hearing.

The developers and about 20 environmentalists showed up. Dick Patrick, the City Planner, presided. The developers spoke for one-and-one-half hours. Dick Patrick said, "The weather's getting kind of bad out, so since the developers had 1 1/2 hours, you can have 1 1/2 hours." A few people spoke in favor of preservation, and then Dick Patrick adjourned the hearing to meet the next day in a private bank board room (we were not invited).

The people who attended the hearing were outraged. We started meeting in each others homes and at the library, talking about what we were going to do. The City of Albany was one of the oldest political machines in the country, second only to Mayor Daly's Chicago political machine. Mayor Corning had a strangle-hold on the City; it seemed like an impossible battle.

Looking back on all of this now, I believe it was because of the rigid, immobile Albany Political Machine that caused Save the Pine Bush to be formed. If the City had been more reasonable, or even pretended to listen to what we had to say, perhaps we would have accepted some sort of compromise in those early days and not gone on to fight so hard to preserve the Pine Bush. The City would not even acknowledge that we existed, much less notice we had an important issue that needed addressing.

One fateful day, a few weeks later, about 30 of us gathered in the Community Room of the West Hill Improvement Corporation. On that day, the group decided the only way to stop these developments in the Pine Bush was to sue the City.

We formed Friends of the Pine Bush and found our first lawyer, the late Victor A. Lord. Victor Lord did great things for us though I only met him once or twice. (This is my favorite story about him. Mr. Lord had been fighting the machine since before I was born. It was well known that the machine bought votes for \$5. After one election, Mr. Lord went around with a petition mentioning to people that the cost for a vote had gone up to \$10 and asking people if they had been paid the full amount. Many, many

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# How To Get Guests to Recycle at Your Holiday Party

*by Kathryn Sukalich, December 20th, 2012, Earth 911*

If you're throwing a holiday party this year, you may run into the dilemma of how to get your guests to recycle. Well-meaning guests may accidentally throw recyclables in the trash, and at a large gathering it can be hard for you as the host or hostess to keep things under control. To prevent having to sort through your garbage

## **Plan Ahead: Choose Easy-to-Recycle Items**

One of the main reasons a guest might accidentally put something in the trash can that doesn't belong there is because they're uncertain whether or not it's recyclable. And for certain sometimes-recyclable-sometimes-not items like plastic silverware and cups, who can blame them?

One easy way to stop this problem before it starts is to make sure your friends or relatives don't have to consider this dilemma in the first place by purchasing party food and beverages that come in clearly recyclable containers. If you plan to have individual servings of soda, get aluminum cans instead of plastic bottles, since most people are used to recycling them. (This year, the recycling rate for aluminum cans reached 65%, evidence that the public is getting the hang of aluminum recycling.) Glass bottles are another good option, since glass is easy to recycle as well.

Think of this step just as you would pre-cycling. Pre-cycling is when you think ahead about how to reduce waste. For example, if you go to the grocery store, you can consciously buy food in containers that are easy to recycle or in bulk so you can eliminate the issue of packaging altogether. In the case of your party, you could also consider buying beverages in large containers so you can recycle the bottles yourself when they're empty.

Using your regular dishes will cut down on waste. Photo: Shutterstock

In conjunction with choosing containers that are easy to recycle, you can also keep confused relatives away from the trash bin by using your regular dishes and glasses instead of single-use paper or plastic options. It is highly unlikely anyone will throw your regular dinner plates and utensils in the trash. Additionally, while single-use options may be efficient for clean up, they can seriously overwhelm your trash bin, since items like plastic silverware cannot be reused and once paper plates are dirty, they can't be recycled.

If you're hosting a party outside of your home or you need extra reusable items to accommodate all your guests, there are plenty of

eco-friendly alternatives you can purchase to help you out. Take a look at Reuseit.com, a website dedicated to replacing disposable goods with those that have longer lives. You'll be able to find everything from bamboo silverware to stainless steel straws. Since an estimated 40 billion plastic utensils are used each year in the U.S., according to Reuseit.com, eliminating some of those throw-away items can start to decrease that number.

Plus, if your guests see you using reusables, that might encourage them to seek out reusables in the future, too.

## **Make an Announcement**

Another easy way to help your guests recycle is to tell them. That may seem obvious - or on the other hand, pushy - but a verbal reminder at some point during the evening will ensure your guests look for the recycling bin when it comes time for them to use it.

Oftentimes people don't recycle because they're confused, and making desired behaviors simple so that people can act reflexively may help them recycle. As host, it's your job to facilitate this kind of behavior.

Don't Miss: Holiday Travel: The Greenest Way to Get There

One easy way to make sure everyone knows about the recycling plan is to make an announcement early on. If you're serving a meal, perhaps clarify where the recycling bin is when you announce that dinner is ready so everyone knows ahead of time. You don't need to give a speech about your motives or green lifestyle, just point out how guests can help you with clean up by putting everything where it belongs.

One big problem with recycling is that people often don't realize they should be thinking about it. Perhaps you have relatives who live in areas without curbside recycling, so it never crosses their minds. Your verbal reminder will ensure that those guests think before dumping everything into your trash can.

## **Have Visual Reminders**

Even after doing all of these things, your guests may need some friendly reminders to recycle. Rather than patrolling your kitchen to catch stray aluminum cans on their way to the trash bin, try making some signs to point people in the right direction. Visual reminders will reinforce what you've told your guests.

If you already have a labeled recycling bin, that's great. You could also consider including a list of recyclable items above the recycling bin

for the sake of clarity. The items that you can recycle might not be the same as what people in other cities can recycle. If you have a separate bin for compost, a sign can clarify what can go in there, too.

Another good suggestion is to put a sign on your trash bin that says "Can I be recycled?" True, you don't want your guests thinking too hard about what goes where - and hopefully, if you've clearly labeled things and given instructions, they won't have to - but to catch anyone who hasn't been paying attention, this sign might work.

## **Read: How to Be a Polite Houseguest**

Follow these five guidelines, and hopefully you won't find yourself sorting through your trash can this holiday season. The main thing to keep in mind is that while we might all like for people to expect and understand recycling, it isn't safe to make that assumption, so you need to educate your guests about what can be recycled and were to put it.

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## **Save The Pine Bush is in need of more hike leaders.**

For the last few years ; the Save the Pine Bush outing leaders have been Andy Arthur, Claire Nolan and John Wolcott. Our outing events are once a month, always on a Saturday and usually the third or fourth Saturday. We three, however, are not always readily available and we've come close to having no hike at all for a given month as happened for the first time ever last month. To prevent this from happening again, we are appealing for more volunteer leaders.

With more leaders we can hopefully have hikes lead by persons with more time and less competing obligations for any given hike date. I and Andy are generally available for going over data about various Pine Bush area and

routes. Please e-mail the Newsletter at pine-bush@mac.com or call John Wolcott at 465-8930 if you are interested in volunteering for this. Hope to see you out on the trail!

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## **Composting Food Waste in the City of Troy**

The Troy City Council had appointed last spring a Citizens Working Group to investigate food waste composting. Their report is nearly complete, and will be presented to the Council soon.

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people signed his petition stating that they only got paid \$5 for their vote!)

Victor Lord went to bat for us. Our first victory he won for us was standing in court — meaning the court acknowledges that an individual or group has the right to bring a suit. At the time, it was nearly unheard of for a group of citizens to sue over something that they could not benefit from economically. We would not suffer economically one way or the other if these developments were built or not. But, fortunately for us, the court said we had standing.

The court ruled that the City’s approval of these developments was invalid and that the City had to hold another public hearing before they could make a decision on these developments.

The City held another public hearing in July of that year. Over 200 people showed up to speak against the developments in the Pine Bush. So many people attended that the City had to schedule another hearing so that everyone had a chance to speak.

It was not a big surprise to us when the City again approved the developments. I mean, why should they listen to the citizens who wanted to save this small, unpopular ecosystem?

During this time, Friends of the Pine Bush decided to file incorporation papers, only to discover that someone had already registered the name “Friends of the Pine Bush” and that we couldn’t have it. I could not believe that someone would take our name, but in the end I believe it was best for us because we came up with a better name — Save the Pine Bush. No beating around the bush, we weren’t just “Friends”, we were ready to fight!

Victor Lord was not able to continue to be our lawyer and led us to our next lawyer, Dennis Kaufman. The problem now facing us was that since the City actually held a legal public hearing, we did not know what grounds we would

use to sue. In September of 1978, the State Environmental Quality Review Act (SEQRA) was not yet in effect in New York State. SEQRA is the law that requires municipalities to review housing developments, office complexes and other developments for environmental impacts. So, there were no laws at the time that required a municipality to examine the environmental impact of a development.

As we re-read the law governing Planning Board approvals for the fifteenth time in Dennis’s office, we noticed that the Planning Board must require that a bond be posted by the developer to insure that the “improvements”, i.e., the streets and sewers (I just don’t think streets and sewers are improvements in the Pine Bush but that’s what they are called!), were completed.

Of course, if it was required by law, the Planning Board didn’t do it! The City was incapable of doing anything legally!

So, sewers it was. We sued over sewers. People said Save the Pine Bush was crazy. What could we possibly win? So, the developer would have to put up a bond for the sewers. Big deal. Then they would build their houses. What would we gain?

Time. We would gain time. We felt that any development that was not built was good for the Pine Bush.

In the early spring of 1979, Dennis Kaufman told us that he would no longer be able to be our lawyer. I was not looking forward to another lawyer search, but Mr. Kaufman mentioned that there was a lawyer entering into private practice and might be interested in working with us.

I met Lewis B. Oliver, Jr. one sunny afternoon with my maps in hand and a hopeful attitude. Lew Oliver was the best thing that ever happened to the Pine Bush. And Lew Oliver made a big mistake. He fell in love with the Pine Bush. For twenty-five years after that beautiful spring day when I first met him, he worked tirelessly

fighting for the pitch pine trees and butterflies.

Lew spent thousands of hours on court cases for Pine Bush preservation. He filed case after case on behalf of Save the Pine Bush. The briefs he wrote are really books, with carefully laid out arguments for preservation of the Pine Bush. They read like novels, only the law-breaking by government officials that Lew described was real.

There is really nothing quite like getting a call from Lew at midnight asking to meet, and then taking the five minute ride through the quite, dark streets from my house to his lower-Madison Avenue office for a brief meeting. I am usually greeted by an energetic Lew, eager to discuss strategy. After negotiating the open path between the piles of legal papers, to the one guest chair that is empty of briefs, Lew and I engage would in an animated conversation, with Lew doing the majority of the talking. Then, I may read the newest brief or sign papers. Though exhausted from working on Save the Pine Bush business for endless hours, knowing that I had to get up early for work, I always felt in those early morning hours that Save the Pine Bush is right, and that in the end, all of this work will be worth it.

In the past dozen years, Save the Pine Bush has been privileged to work with other lawyers — Peter Henner, Steve Downs, and Alex Brownstein (among others).

For many decades, Save the Pine Bush has been locked in a bitter struggle to save this small, fragile ecosystem. We have set case law on SEQRA and standing issues. We have shown the way to many other groups on how to protect our natural areas. What impresses me most about Save the Pine Bush is that this group of citizens who have no money and no power are able to fight and beat one of the oldest political machines in the country.

**Its true. You can fight City Hall-and Win!!!!**

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