



Save the Pine Bush

September/October Newsletter

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Vegetarian/Vegan Lasagna Dinner Wednesday September 18, 6:00 p.m. Lynne Jackson

will speak about

Our Fearless Leader's Journey for Justice

Lynne Jackson has been doing many journeys for justice in her life starting with being a co-founder of Save the Pine Bush. For some of her work for Save the Pine Bush, she was sued for 15 million dollars (really). Lynne has been an activist doing justice in Albany all of her adult life. She has been a role model and inspiration for many of us. She will be here to talk about her heroic 133 mile Journey for Justice for Yassin Aref. She started out on foot and ended up in a wheelchair. The best way we can honor Lynne is to be here on September 18 to hear her discuss her journey.

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.

Get It While It's Hot! From now on, we will start serving dinner promptly at 6:00. Of course, we will be delighted to serve you whenever you get here as we always have. We greatly appreciate your attendance whenever you arrive.

Interested people are welcomed to attend the program beginning at 7:00 for which there is no charge.

September Save the Pine Bush Hike

Revisiting the Old Schohary Road

A history exchange talk as we walk event

Saturday, September 28, 2013 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; **Or at:** Trail Head at end of Willow St. Guilderland
Leader: Neal Reilly • **For More Information:** John Wolcott -465-8930

Join us in walking along and discussing an original Colonial Period Road and looking at copies of old maps of it. There are questions as to which road to Schohary was opened first: *continued on page 2*

The Importance of the Tivoli Preserve

by Tom Ellis

ALBANY: George Robinson, a restoration ecologist with the University at Albany's Department of Biological Sciences, spoke at the June 19 SPB dinner at Westminster Presbyterian Church about the history of restoration planning for the Tivoli preserve.

For those unfamiliar with it, the Tivoli preserve is located north of Livingston Avenue and behind the former Philip Livingston school. The Tivoli lake (or pond) is a few hundred yards west of the former school. Also located in the Tivoli Preserve is the Patroon Creek that runs both above- and below-ground along side of the railroad tracks that connect Albany and Schenectady.

Professor Robinson said the Patroon Creek is the final remaining above-ground creek in the

continued on page 2

Historic Rapp Road Community

by Tom Ellis

Beverly Bardequez of the historic Rapp Road Community, who spoke at the January 2012 SPB dinner about how the African-American neighborhood on Rapp Road came to be, was the featured speaker at the May 15, 2013 dinner at which she discussed the latest threats to the community.

She thanked SPB "who has the Pine Bush at heart." She said that as a child, when she lived on Pine Lane, and played where the Walmart is now, she did not know she lived in the Pine Bush. Her family moved away but she returned in 1994. Her aunt, Emma Dickson, led the successful effort to place the community on both the state and national Register of Historic Sites.

After her aunt became ill to make presentations and advocate on behalf of the neighborhood, Beverly assumed this role and quickly became aware of the threats facing the

continued on page 2

Tivoli Preserve, continued from page 1

city of Albany. It flows into the Hudson River in downtown Albany.

He presented a graph showing that as the functional properties of a contaminated ecosystem are restored, the biodiversity of the ecosystem is enhanced. In a degraded ecosystem, biodiversity is also degraded.

Among the key services provided by urban ecosystems such as Tivoli are clean air, flood control, pollination and pest control. For example, he said 300-400 healthy trees - about an acre - can remove from the atmosphere the carbon dioxide emissions produced by the average automobile.

He said the Tivoli preserve and pond are very picturesque. The pond is much smaller than 100 years ago and was originally formed when an abandoned clay mine filled with water. He said that as far back as 1914, Tivoli was recognized by the city government as being a valuable resource in need of restoration that could be linked to other city parks. By 1937, city engineers urged abandonment of the idea of Tivoli being a park. John Wolcott interjected that Tivoli is "a park that never was and still isn't."

Mr. Robinson said in 1964 Philip Livingston students used the pond for nature study and sold memberships to the proposed park. Their plan was chartered by the State Board of Regents but the city government never implemented the plan.

"Tivoli has always been a back-water for the city," he said, despite Tivoli being a great place to study urban ecology. University at Albany students have also studied Tivoli.

In 2004, a Patroon Creek Nature Corridor was proposed to connect via a greenway the Six Mile Waterworks and the Hudson River. Among the challenges to such a corridor are Interstate 90, the Amtrak rail tracks and the difficulty of moving pedestrians through the corridor.

He digressed for a minute saying the uptown SUNY campus is almost impossible to ride a bicycle to, riding a bike there is "a life-threatening experience," and a case of "bad planning."

He also said that due to budget cuts and the so-called Sequestration, the United States Geological Services (USGS) has run out of funds to operate stream flow gauges; a gauge along the Patroon Creek is not in use.

He said the Patroon Creek and Tivoli pond are intimately connected. The Tivoli trail system is often impassible due, in part, to heavy, uncontrolled drainage from city streets at higher elevations. He said a 4-foot pipe at the north end of Quail Street dumps vast amounts of runoff and trash into Tivoli.

Soil and vegetation, he said, are the best water filtration system. "Day-lighting" the creek

- removing the culvert that sections of the creek runs through - would improve its water quality.

He said the number of peak water flow events have increased in recent years due to climate change despite the total annual rainfall not changing.

Professor Robinson recommended a plan for Tivoli improvements. These are (1) restore the historical connection between the creek and the pond; (2) manage runoff and restore trails; (3) remedy safety hazards; (4) add recreational facilities; and (5) add educational resources.

He urged the creek be run through the wetlands adjacent to the pond as a way to facilitate cleaning creek water. The creek has been contaminated with mercury from Mereco and pollutants from the now-demolished National Lead factory.

The Three Mile Reservoir - located next to I-90 west at Everett Road - is silting up, he said. Elemental mercury is buried under the reservoir. The Tivoli pond contains atmospheric mercury deposition, but no mercury flow from the upstream Three Mile Reservoir.

He said high levels of road salt found in Tivoli pond are probably runoff from higher elevation shopping malls including Westgate. He said high quantities of coliform bacteria are found in increasing concentrations as water flows down the creek and also in the Tivoli pond.

He urged that students and local residents be put to work carrying out a Tivoli-Patroon Creek restoration.

When asked about the cleanliness of Tivoli pond, he said it does not get flushed enough to be clean. Regarding the city proposal to "Daylight" the creek, he said with the increasing number of peak water flows in recent years and climate change, the creek should not be below ground.

However, Professor Robinson did not endorse the city's creek day-lighting plan. He said, "My real fear is the city will spend lots of money engineering the creek without involving the neighborhood community. The city is not taking a restoration ecology approach that involves hundreds of volunteers. The city does not recognize the importance of community involvement." He concluded saying ecology restoration work may become a growth field of employment. "It is surely needed," he said.

Historic Rapp Road, continued from page 1

community. For example, last year, a family that had lived at 5 Rapp Road for many years lost the home to foreclosure. A "good neighbor" began clearing land adjacent to the house, said he wanted to demolish it, build town houses, and "help the community." Beverly invited him to a community meeting at which he was urged to not raze the home; he may allow a former resident of that home to lease and buy it.

She said 8 Rapp Road was purchased by a NYC resident at an auction; the new owner began demolishing the home. Beverly said 68 Rapp Road, which sits back from the road and is in poor condition, may be torn down. 54 Rapp Road is also in jeopardy. She said the traffic from the SUNY Nnanotech Center has had a huge negative impact on the neighborhood.

Beverly is trying to organize the community. The Daughters of Sarah purchased 58 Rapp Road hoping to demolish it and create a green space. The home is important because a community minister, William Wilborn, had lived there. The community is working with Daughters of Sraah and Historic Albany Foundation to save the home, but Beverly said the Daughters of Sarah may have plans for the whole corridor.

The community intends to establish a 501(c)3 to raise funds to make an offer on properties as they become available. She said, "You must have a reverence and respect for what has been," and said she is often afraid of people who say, "I want to help."

Wrapping up, Beverly said, "We are the first African-American community to settle in the Pine Bush and we are still there 83 years later." The community, once 28 acres, is now less than one-half its earlier size.

Hike, continued from page 1

this one as a branch off from the Old Schenectady Road, then across the Hunger Kill and the Normans Kill and over the Hellenbergh, or the version from Schenectady. Or both in the same year of 1712. Then there are some historians in Guilderland who believe that the Pine Bush version originally proceeded from the Verbergh southwesterly to the spring at the head of Shaker Hollow and thence along the Kaikout Kill to the south side of The Great Dune and along that, instead of the route of our hike.

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

Next Dinner Dates
Wednesday, September 18
Wednesday, October 16
Wednesday, November 20
*Please note, the correct date for the
November dinner is
November 20*

Local Food Waste Update

by Sheree Cammer, Troy Compost volunteer

Easily compostable organic waste is generated at the rate of an estimated 3/4 pound per person per day in the USA, according to the Environmental Protection Agency.

Crisis or opportunity?

It's up to us.

Inter-Municipal Organics Waste Initiative

A resolution approving the City of Troy joining the Inter-Municipal Organics Waste Initiative (IOWI) and endorsing the IOWI Application to NYSERDA's Cleaner, Greener Communities Program Phase II was passed by unanimous vote by the Troy City Council on August 8. Watervliet Mayor Mike Manning had presented details on the IOWI and Watervliet Organic Waste (WOW), Watervliet's pilot food waste program, at the July 25 Troy City Council meeting. Watervliet had expected to cut 30% volume from their general waste when they started WOW. So far, the result is slightly better with some households reporting zero waste using the composting and recycling programs together. By the conclusion of the pilot, several thousand tons of material had been diverted from the landfill.

Troy head of Public Works Bill Chamberlain noted that the IOWI for Troy would be a 2-year trial involving local food waste hauler Empire Zero bringing curbside food waste from 150 residences and 50 businesses to Schenectady Soil and Water Conservation District's compost facility. Chamberlain reminded the Council that the program would save the City money on tipping fees and overall.

The following is from a Times Union article announcing the grant application (<http://www.timesunion.com/local/article/New-industry-seen-for-trash-reduction-4723278.php>)

Mayor Manning stated, "This grant (in) the Capital District (will) seed a new industry that can serve all 160 municipalities." He noted that the grant would permit Watervliet's composting program to include an anaerobic digester to produce energy and would permit Schenectady County to expand its composting site. Manning noted, "Composting and digestion sites can be small and compact and can be sited in communities of all sizes." Troy Mayor Lou Rosamilia said, "The grant will allow the city to implement a pilot composting program ... and provide the city with enough data to make an educated determination on the potential for expansion of the program."

Food Waste Collection Expanding in the Capital Region

Empire Zero announced on its facebook

page and website that the pilot curbside food waste program in Bethlehem was ending, and that Empire Zero is expanding the program into other parts of the region. except the downtown area of Albany. For that area of Albany, Empire Zero recommends trying the Radix Center <http://radixcenter.org/>.

The Empire Zero program provides two 5-gallon buckets and compostable liners. All food waste is accepted, including meats, dairy products and bones, picked up once a week. Every month a free bucket of fresh compost is given to the customer. Empire Zero brings the material to one of our local compost facilities where they turn it into beautiful black gold. Details at empirezerowaste.com/empirezeroresidentialcompostprogram/

Troy Compost

Volunteers of Troy Compost have been working for many months on food waste and recycling for the City of Troy. Our next meeting for anyone interested Wed., Sept. 11, 6 p.m.

Contact troycompost@gmail.com or 518-308-8816 for the meeting place or more info.

Troy Compost's food scrap collection from market goers and some vendors at the Troy Farmers Market began Saturday June 8, and has continued every Saturday since. Food scraps of any kind are currently accepted. Special biodegradable compost bags are available at Pfeils hardware <http://www.pfeilhardware.com/> Plastic, metal, glass, paper, cardboard, and other contaminants are not acceptable. The food scraps go to a local farm, where they are composted. A typical collection each Saturday lately totals 40 gallons or more of food waste. Volunteers are invited to contact Guy at schafe@rpi.edu.

Road to Justice, continued from page 4

all know that, due to the American invasion and occupation of Iraq, there is daily fighting between Sunnis and Shiites, and between Arabs and Kurds. So the government put one Iraqi Shiite with one Sunni and one Kurd (me). So every day, when we hear the news reports, they hope we get mad and fight each other. But we are very close friends and joke together."

Still, the fate of his family gnaws at him. "How can I find out if my family is all right? I have not had contact with them in two years! I left my sick wife and four young children. I left them with nothing. How will they survive?... They are not citizens of any country in this world... What will happen if they are deported? Where can they go?"

Aref has survived, he writes, through his faith in God. "Most people here have similar

and even worse problems than me," Aref writes towards the end of his long letter. "If not for our faith in God, we could never survive this. But still we are all living in peace and trying to smile and respect even the non-Muslims among us. What kind of danger do we pose and what kind of terrorists are we?"

We believe it is possible at Aref's trial that the judge and the jury were caught in the web of an FBI mistake. Aref, as an imam, following Muslim custom, witnessed a loan for a member of his congregation, as he had many, many times before. It was not disclosed at trial that the FBI's key witness, who set up the sting, was facing conviction of other crimes and working as part of a plea bargain.

Nor did the government disclose the existence of an NSA recording of the 2004 meeting between Aref and Mohammed Hossain, a pizza-store owner whose loan Aref was witnessing. That recording, Aref's motion contends "would have shown conclusively that Aref was never told the meaning of the code word for 'missile' that day, thus directly affecting Aref's conviction."

If Aref had been part of a terrorist plot, of course he deserves to be punished. But what if he is innocent?

He deserves a fair trial that allows for formerly withheld information to be introduced. If he is found guilty, so be it. There is no harm done; he will continue to serve his sentence and we can rest easy he was given a fair hearing.

If Aref is found innocent, he will never get those lost years back but he will have a chance to clear his name, provide for his family, and build a future.

We, as Americans, need to stand up for those whose rights may have been trampled. We'll be the stronger for it.

"We look and wait for the American people to wake up and look at what their government is doing," Aref wrote from jail. "We came here legally, mainly as refugees, in order to live free."

He concludes with these questions:

"Is it true that all humans are equal?"

"Is it true that everyone is free to choose his faith?"

"Are human rights really protected by law?"

We'd like to answer those questions with a resounding yes.

"We hear this but we would like to see it," writes Aref.

So would we.

Editor's Note: The Altamont Enterprise reports the news thoroughly and truthfully. In my opinion, it is the best newspaper around and it is easy to get the paper mailed to your door- LJ

The road to justice is paved with truth

an editorial by Melissa Hale-Spencer, reprinted from the Altamont Enterprise, July 18, 2013

*First they came for the socialists,
and I didn't speak out because I wasn't a socialist.
Then they came for the trade unionists,
and I didn't speak out because I wasn't a trade unionist.
Then they came for the Jews,
and I didn't speak out because I wasn't a Jew.
Then they came for me,
and there was no one left to speak for me.*
— Martin Niemöller

In 2006, federal Judge Thomas J. McAvoy told a jury hearing a case against Yassin Aref, an imam from Albany, “The FBI had certain suspicions, good and valid suspicions for looking into Mr. Aref, but why they did that is not to be any concern of yours.”

The jury found Aref guilty of 10 of 30 counts, including money laundering and supporting a known terrorist organization.

Now, as you read this, a small band of Aref supporters is making its way by foot from Albany to Binghamton, where Judge McAvoy sits, carrying a petition, asking him to consider Aref's motion to re-open the case or dismiss the terrorism charges against him.

We hope the judge hears their pleas.

Aref had filed a Freedom of Information Act request and obtained a document, heavily redacted, that shows he was misidentified as a Pakistani Al Qaeda agent. “We believe the government supplied this erroneous (and previously classified) information to both the trial and appeal courts, or at least told them falsely that he was involved with Al Qaeda...,” the motion says. “It was probably the true impetus for the trial judge's

instruction to the jury in 2006 that there were ‘good and valid’ reasons to target Aref.”

The motion makes several other points, including an assertion that Aref is actually innocent and concludes, “Surely there is no security interest involved in targeting and convicting the wrong person.”

None of us, as Americans, are safer if a person is wrongfully jailed. Rather, such a miscarriage of justice undermines the life, liberty, and pursuit of happiness we all hold dear.

As recent revelations about the National Security Administration and its covert operations continue to reverberate, we should all take heed.

If innocent, Aref has already served too many years of his 15-year sentence, a number of them in the severe confines of the Communication Management Unit in Terre Haut, Ind., known as Little Gitmo. With mostly Muslim prisoners, the CMUs strictly limit family visits and contact with the outside world, including letters and phone calls, set at just a fraction of those allowed for the general prison population.

Aref wrote from the CMU to Daniel VanRiper, the husband of Albany activist Lynn Jackson, who is spearheading the petitioners' walk to Binghamton, which she calls the Journey for Justice.

“As a Kurd, born and raised in Iraq,” Aref wrote, “I really understood what it was to be a second-class citizen, and I knew what discrimination meant.” Driven from Iraq, Aref finished college in Syria, where he had three children.

When, in 1999, his name was approved for residency in the United States, he wrote from jail, “I thought I was going to get my freedom

back. My children would learn what it was to have a normal life.” He realized it would take time to learn the language, get a good job, and become a citizen.

“Before any of that happened, there was 9-11, which really changed things,” Aref wrote. “There was discrimination, racism, and accusing the foreigner.”

He does not complain from jail about the leaking roof, tiny cell, intense heat, or food past its stamped date.

“I grew up in a poor family in a very poor area in a real difficult time,” he writes. “My illiterate father taught me to never complain about the food, to eat whatever you get and thank God for providing it.”

Although the lack of emergency medical attention at the CMU is troubling — with a death by heart attack and a near-death of a diabetic, he reports — what bothers Aref the most is the lack of contact with his family. “All our visits, even with family, must be through glass,” he writes, noting that a 900-mile journey for his penniless family that must live on charity is hard enough.

Stating, “Family is the cornerstone of the community,” Aref writes, “Stopping me from hugging my baby has nothing to do with national security.”

Aref also writes of himself and his fellow prisoners, “The government has been trying to put pressure on us and goad us into acting violently so that they will be able to justify their claim that we are dangerous. But the government has failed,” he writes, claiming guards say the unit is the most peaceful they have seen.

Aref gave this example, among many: “We
continued on page 3

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