

# The News Briefly

## ■ NORTHERN EXPOSURE

### Finding an immigration reform policy that works for Western New York

The talk of the nation right now is the Senate's ongoing debate over immigration reform. Following the House's December passage of the Border Protection, Antiterrorism, and Illegal Immigration Control Act (HR 4437), also known as the Sensenbrenner Bill, a firestorm of protest ripped across the country, primarily in Latino communities. The protests were triggered by the fact that Sensenbrenner's bill, packaged as "immigration reform," was strictly a security bill that planned to deport all illegal aliens and criminalize anyone who offered them aid, including the clergy.

Now the Senate is debating the Sensenbrenner Bill and adding its own amendments to try to come up with a workable new immigration policy. Immigration is an important issue in Western New York, considering our proximity to the Canadian border and our agricultural reliance on mostly Mexican labor. These two factors mean that the best reform locally will include not only strict measures to increase border security but also an intelligent plan that will allow the illegals currently living here to either gain citizenship eventually or join a revamped guest-worker program.

"We don't know for sure, but we think 75 to 80 percent of the workers we have are illegal workers," says Jim Bittner, a fruit farmer from Niagara County. "We want to see borders tightened up, definitely, but we need to come to grips with the people that we have here and what we're going to do about it." In other words, he says, we can't just pack 'em up and ship 'em out. "The House version that was passed would be an absolute disaster for us," Bittner says. "Any crop that takes high labor would be in big, big trouble. Fruits and vegetables and, to some extent, dairy."

Chris Pawelski, a Goshen, New York, onion farmer, agrees with Bittner. He cites an American Farm Bureau study of HR 4437 when he says, "If something like that happened, and they started moving towards enforcement and throwing people out, you'd shut down agriculture in this country, especially the fruit and vegetable farmers. One third of all fruit and vegetable operations would go out of business immediately, and the rest would go out shortly thereafter."

These dire predictions have farmers scratching their heads over how the Sensenbrenner Bill passed in the first place. We're not sure, but Congressmen Tom Reynolds and Brian Higgins might know: Both voted in favor of it, with Higgins representing the only New York Democrat to sign on. Bill Reich, who's been practicing immigration law in Buffalo for 30 years, is just flabbergasted. "The bottom line is that it's unrealistic to suddenly take 12 million people and to think that you can expel all these people, put them at the back of the lines," he says. "We don't have the manpower, the court power, the enforcement power to do that."

Reich says that the only plan that will work for Western New York is one that includes balanced immigration, similar to the plan set forth by Senators John McCain (R-Ariz.) and Edward Kennedy (D-Mass.). The McCain-Kennedy bill allows employers to hire foreigners if they can prove that they can't find American workers for the jobs. It also allows visa-holding guest workers to change jobs and stay in the country to find another job. The most divisive part of McCain-Kennedy is its treatment of the 11 million to 12 million illegal aliens who are in the country now. They would be given a chance to stay and gain citizenship, though they'd have to learn English, pay two large fines—one after three years, a second after six—pay back taxes and pass a background check. "This is not like what happened last time [in 1986],

this is not an amnesty," Reich says of the McCain-Kennedy bill. "It requires a recognition of wrongdoing."

At this point, it's unclear what the Senate will do. McCain and Kennedy are working on a compromise that would give preferential treatment to those illegals who have been in country for five years or more and levying harsher punishments on more recent immigrants. So far, though, they don't have the 60-senator majority necessary to block a filibuster by conservative Republicans. President George W. Bush has urged the already tardy Senate to come to a quick resolution. In the meantime, Western New York farmers and farm workers will watch the matter closely and hope for a reasonable compromise.

—peter koch

## ■ RECYCLING RAILROADS

### North Buffalo's rail-trail could serve as a model or a lesson

"We've really been pushing for the last six years or so," says Pam Beal to the gathered audience, referring to North Buffalo's planned rail-trail. "And we feel a bit like Sisyphus—we keep rolling the rock up and it keeps coming back down."

It's easy to understand Beal's frustration, especially when you realize that this deal has been in the works much longer than the six years she's talking about. "I've been attending these meetings for 30 years," one woman complains while introducing herself at last Wednesday's (March 29) meeting of the North Buffalo Good Neighbor Planning Alliance (GNPA).

But now a sense of urgency has taken over the project to convert a wide, 2.5-mile-long swath of undeveloped former railroad property into a public bike trail, complete with pocket parks. That urgency is fueled by two things—federal funding and outside development pressures.

Five years ago, the city applied for and received \$1.2 million in federal Congestion Mitigation Air Quality funding for the specific purpose of converting that former rail right-of-way into a trail that would benefit North Buffalo and link it

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## ■ RIGHT TIME, WRIGHT PLACE

Curtiss-Wright moved most of its Buffalo operations to Columbus, Ohio, at the end of World War II, taking nearly 35,000 jobs with it. This facility, at 60 Grider Street—which manufactured aircraft engines—hung on for a while, finally closing in 1997. At an on-site press conference on Thursday, March 30, Centerstone Development CEO John Giardino announced a \$22 million plan to redevelop the abandoned factory. The first phase of the project, called Wright Place, will be a state-of-the-art linen processing plant operated by Sodexo, Inc. The laundry will create approximately 160 new jobs—Sodexo already employs 4,000 people locally—and will serve hospitals and hospital systems throughout Western New York. Giardino was joined in the announcement by Emeka Okeani, president of Sodexo Laundry and Linen Services, as well as executives from the Western New York Purchasing Alliance, Buffalo's Catholic Health System, ECMC and Kaleida Health. Mayor Byron Brown also spoke at the press conference. Giardino said that 600 tons of metal and debris had been removed from the building since Centerstone bought it a year and a half ago. Almost all of it was scrapped, he said—there's not much of a resale market in North America for the enormous cranes and trolley systems



PHOTO BY GEOFF KELLY

and presses the factory once employed. Two giant cogs used for pressing steel, such as the one in the foreground of this picture, will be used as landscaping elements near the facility's entrance, a reminder of its past.

—geoff kelly

to the rest of the region. The problem now is that none of the land belongs to the city. CSX Railroad Co. sold the land to the NFTA years ago. Though the NFTA retains rights-of-way access to all of the property, only a third of the land is still in its possession. It sold the other two thirds to developers in the past several years.

Recently Dave Gordon, owner of the 23-acre plot between Starin and Colvin Avenues, put it up for sale as a residential development, with the possibility of building up to 100 single-family homes and 23 two-family houses. Gordon, who purchased the land from the NFTA for \$100,000, is offering the land for \$2.5 million. At the same time, Natale Builders of Clarence has proposed a \$40 million plan to build a mix of single-family homes, senior apartments and townhouses on the NFTA-owned land that stretches east to the LaSalle Metro station.

Now the GNPA is trying to find out how it can make up for lost time. How can they stop development on the NFTA-owned portion? How can they retain a decent right-of-way through Gordon's land for the bike trail? "The bike trail's a done deal," says Beal. "There's no question it will happen."

The questions remaining are how soon, and where?


Many of those in attendance were frustrated with the NFTA, first for doing nothing with the land for years and then for selling it to developers, fully aware of the plans for a rail-trail. That's a reason why the North Buffalo GNPA thinks that whatever it accomplishes with this rail-trail could become a model for other GNPA's and other Council districts. "You'll find this in just about every Council district," said one participant. "Abandoned land, abandoned railroads that have been given to the NFTA. I think it would be wonderful if we could turn all of these into connecting parks and parklands."

The first order of business for the GNPA is to explore gaining control over the use of the NFTA's 30-acre parcel. Several ways of achieving this were discussed, including the city taking title to the land—an unlikely occurrence given the city's fiscal troubles—or the city re-zoning the entire strip and specifying what it can be used for. While a re-zoning plan is drawn up, the city could declare a moratorium on all development in the area.

Other topics discussed included environmental considerations, infrastructure costs of developing the land and the planned connection of the path to the Tonawanda bike path system by a northern spur of railroad right-of-way near Shoshone Park.

Councilmembers Bonnie Russell and Mike LoCurto of the University District and North District, respectively, were both present at Wednesday's meeting, and both vowed their support and due diligence to the matter. At this point, the North Buffalo GNPA seems well on their way to finally bringing the North Buffalo rail-trail to fruition.

—peter koch

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