



### Bidding bingo goodbye?

If a radical proposal to recruit donors succeeds, Corpus Christi Parish and School may be able to end permanently the school's reliance on bingo as a fund-raiser. Page 3.



### Healthy hitters

McQuaid Jesuit baseball coach Tim Jordan has been getting plenty of hitting from his players this season, as the Knights try to rebound from two consecutive losing seasons. Page 12.

# COURIER-JOURNAL

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## City names Holy Redeemer a landmark

By Richard A. Kiley

Landmark preservationists surpassed yet another obstacle Monday, May 9, in their efforts to prevent demolition of Holy Redeemer Church.

By a 7-1 vote the city planning commission approved the the city preservation board's April recommendation that the church be granted landmark status. The planning commission's action means that officials of the Rochester diocese can make no alterations to the 10-year-old edifice without first obtaining the preservation board's approval.

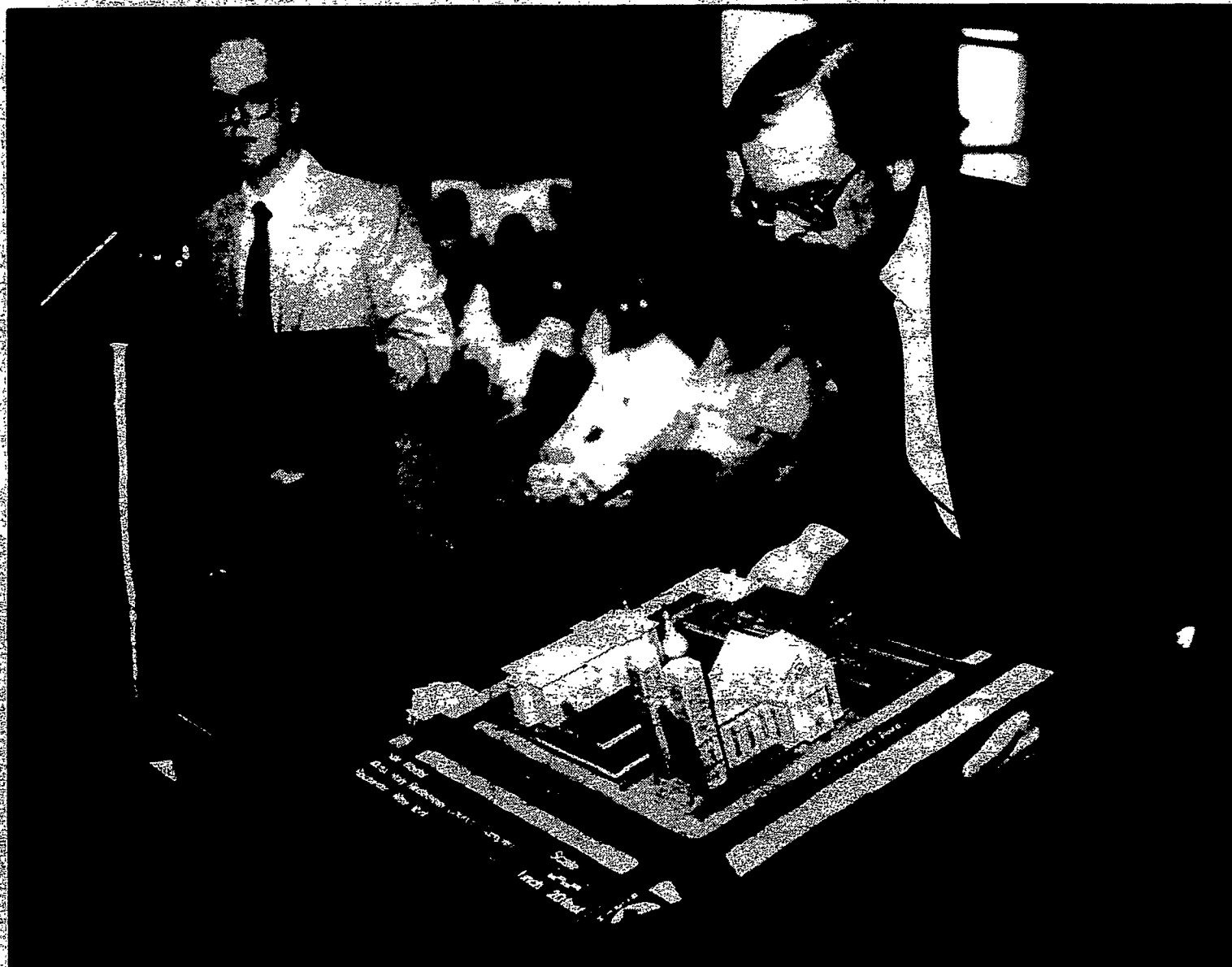
In handing down its decision, the planning commission cited the importance of Rochester's fifth-oldest German church to several ethnic groups and — echoing the preservation board's rationale — emphasized the architectural significance of the church's onion domes.

Father John M. Mulligan, director of the diocesan Division of Urban Services, said he had hoped the commission would place higher priority on the needs of the neighborhood around Hudson and Clifford avenues than on the building's architectural merits. In an interview Monday night, the priest reiterated his claim that the proposed Redeemer Center, which would house an array of not-for-profit organizations, would be "in the long run counterproductive to the nearby area."

"I'm somewhat disappointed and a little surprised there wasn't more consideration given to how it fit in with the neighborhood plan," Father Mulligan continued. "Such dense usage of the parcel would create problems (commission members) didn't discuss at all."

Jose Rivera, the sole dissenting member of the planning commission, expressed reservations about the possible development of the church building and referred to testimony given by Father Laurence Tracy, pastoral assistant for the Spanish Apostolate. During an April 18 public hearing, Father Tracy had questioned whether agencies in the proposed Redeemer Center would be able to offer anything different than the services already provided by the Ibero-American Action League, whose offices are adjacent to Holy Redeemer Church.

Father Mulligan said that he was also disappointed that planning commission members put so much credence in a verbal proposal the landmark society had made to the priest in mid-April. According to Frank Crego, president of the landmark society's board of trustees, the society offered to take from the parish all financial responsibility for the Holy Redeemer buildings and property. Crego said that, even if the church were eventually razed, the organization's offer would spare the parish approximately



During a public hearing April 18, architect Jim Yarrington (left) tells the city's Planning Commission and Preservation Board about plans for using the Holy Redeemer property, while Henry McCartney, executive director of the Landmark Society displays a model of the proposed Redeemer Center. On Monday, May 9, the planning commission voted 7 to 1 in favor of designating the building as a landmark.

\$70,000 in demolition costs.

"They (planning commission members) felt the proposal met any problems raised, but that was a verbal proposal at a breakfast meeting," Father Mulligan said, noting that the landmark society has never put the proposal in writing.

In an interview after the May 9 meeting, Henry McCartney, executive director of the Landmark Society of Western New York, said that the society would like to negotiate further with the diocese before issuing a written proposal. He added that the society is

presently appraising the Holy Redeemer parcel to get a better idea of what the land is worth.

"We can put something in writing, but we really don't know what they (the diocese) want," McCartney said. "We'd like to try more dialogue with the diocese and see if we can resolve this thing."

Jim Boehler, chairman of Friends of Holy Redeemer, a grass-roots group of Rochester-area citizens trying to save the city church from demolition, rebutted Father Mulligan's remark that the proposal would

have to be in writing to be considered a sincere offer.

"Frank Crego talked about that (the proposal) under oath. (Father Mulligan) is nitpicking," Boehler said. "The offer keeps being sweetened and there's no takers."

Boehler said his group will sit and wait for any further action by the diocese.

"At this point we're democratic and open to suggestions," he said. "We're very thankful and delighted with the decisions so far. We feel now that the postcard campaign

Continued on Page 16

## Trial resumes in anti-abortion protest suit

By Lee Strong

Testimony resumed Monday, May 9 in the Genesee Hospital's legal effort to bar anti-abortion protesters from entering hospital grounds. But later that same day the hospital's attorney asked that the case again be postponed when she learned that certain witnesses would be unavailable to testify.

Testimony is scheduled to resume before State Supreme Court Judge Myron E. Tillman on Thursday, May 12.

The hospital is asking the court to make permanent a temporary restraining order issued in February, 1987, prohibiting anti-abortion protesters from entering hospital property during protests.

The civil suit focuses on the activities of Father Anthony P. Mugavero, parochial vicar of St. Theodore's Church, Rochester, and

Project Life Director David Long. Both men were found guilty in criminal proceedings last September of violating the 1987 restraining order.

Preliminary testimony in the civil trial had begun Thursday, April 7, but was postponed Friday afternoon, April 8, because of a conflict in Judge Tillman's schedule.

According to Joyce R. Parker, an attorney for the hospital, the goal of the case is to "restrict picketing so that the protests do not interfere with hospital operations."

Parker said the trial is not an anti-abortion action, nor an attempt to restrict freedom of speech.

Scott Smith, the attorney representing Father Mugavero, said the hospital's case is based on the contention that its grounds are private property from which it can legally bar

whomever it wishes.

The anti-abortion activists, on the other hand, contend that the hospital is, in part, public property.

"Part of our claim is that picketing and sidewalk counseling on the grounds of the hospital — but outside the doctor's offices — is protected under the New York State Constitution," Smith said.

To support that claim, Smith and David Long, who is representing himself, entered into evidence various documents showing that the hospital has received state and federal funding. This evidence demonstrates "state action" in hospital affairs, Smith said.

Smith asserted that when a private agency or individual is so involved with the state that its actions are, in essence, actions of the state,

Continued on Page 4

### Index

Around the Diocese	Page 2
Calendar	Page 8
Classifieds	Page 17
Columnists	Pages 14-15
Echo	Page 9
Editorial & Opinion	Page 18
Local News	Page 3-4
Sports	Pages 12-13
World & Nation	Pages 5-7

