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FREE

December 12th, 2018 - December 18th, 2018

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Host Casino Cities Hoping Santa Settles Gaming Crisis

By: **Tony Farina**

Analysis

The three host cities that have received casino payments from the Seneca Nation since 2002 that ended last year are hoping for a Merry Christmas this year in the form of a favorable arbitration between the state and the Senecas scheduled to begin this week on Wednesday



(Dec. 12).

Niagara Falls, which was forced to raise taxes in the 2019 budget to

close a gaping \$13-million deficit, along with Buffalo and Salamanca-

(Cont. on pg. 3)

Spot Coffee and Prosper Brewing to Make their Arrival in North Tonawanda

By: **Nicholas D. D'Angelo**

Downtown North Tonawanda will soon have two huge additions open on Webster Street: the opening of Nano Brewery and the transformation of the former NT History Museum to a Spot Coffee.

In fact, Spot Coffee is not the only addition that we be filling the space formerly occupied by the history museum as there will be. It is



said that numerous tenants will also occupy the space along with Spot Coffee which will act as its anchor. The building as a whole will be

(Cont. on pg. 8)

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The 1st Annual "Rockin' Twangy Blues Holiday Benefit Concert"

A.T.T. Financial Group announces the 1st annual "Rockin' Twangy Blues Holiday Benefit Concert" to be held December 15th at the Niagara Falls Country Club. And it's going to be in honor of Alyssa Justine Cowell. Alyssa Cowell, 26 years old, passed away unexpectedly due to complications with asthma in September, just months after her mother, Karen Cowell suffered from a massive brain hemorrhage, who is still recovering from paralysis and the ability to speak fluently.

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Arbitration Cont.

ca have been hard hit since the Senecas stopped paying the state under terms of the gaming compact because revenue sharing language was not included in the 2016 extension of the 14-year agreement.

State Assemblyman Angelo Morinello (R, C, I, -Niagara Falls), a lawyer and retired judge, was restrained in commenting on the high-stakes arbitration scheduled to start on Wednesday and the state and the Senecas are saying absolutely nothing.

"I trust the process," said Morinello who served for 14 years as a Niagara Falls City Court judge. "I trust the process and absolutely hope the outcome is based on the law governing the issue. It will be a fair process and both sides will have to be prepared for whatever the outcome is."

The outcome is anything but certain and sources say now that both sides have filed all the paperwork necessary to start the

proceeding, the bell is about to ring on what happens next, an arbitration that could spell disaster for Niagara Falls and Salamanca, and have a lesser impact on Buffalo, but an impact nonetheless.

The 2002 gaming compact has provided New York State \$1.4 billion in casino revenue over the last 14 years, according to the Seneca Nation, in exchange for exclusive gaming right to operate the three casinos in Western New York. That \$1.4 billion represents 25 percent of the slot revenues which the state then shared with the host cities.

While the Senecas have stopped payments, saying they are abiding by the compact language, the Seneca leadership has signaled it was willing to negotiate new financial agreements with the host cities for services but none of the cities have pursued that course, leaving the future payments in the hands of the state and the Senecas as they prepare for arbitration. The Sen-



New York Governor Andrew Cuomo's hand-picked attorneys for the re-negotiation of the compact between NYS and the Seneca Nation failed to catch a provision in the legal document that allowed the Seneca Nation to stop payments to their host cities.

eca Nation made its last quarterly payment of about \$30 million last March.

The state and the Senecas have said next to nothing about the arbitration, almost a news blackout, and sources say the state has a very short witness list to press its position that language notwithstanding, the payment structure remains in place. Not so, say the Senecas, saying they have lived up to the agreement and the 2016 extension does not include language for any more payments. The gaming compact will be up for renewal in 2023.

Niagara Falls Mayor Paul Dyster has stood in virtual lock-step with Gov. Andrew Cuomo, as he did in the last gaming crisis, saying the Senecas remain obligated to make payments and he has been assured by Cuomo "that any assertions to the contrary are categorically incorrect."

Salamanca Mayor Michael Smith, himself a Seneca Nation member, has said he's counting on the two sides to settle their

differences although there's no hint that the two sides have been even talking going into the arbitration.

Niagara Falls, against the recommendation of the state comptroller, has been using casino revenue to balance its budgets since 2014 and the loss of the casino money has threatened the city's financial well-being, with even more trouble ahead if there's no favorable outcome.

A source close to the Seneca Nation said if the arbitration process does actually begin this week, a decision could come fairly quickly. Newly elected Seneca President Ricky Armstrong could not be reached for comment.

Especially for Niagara Falls, it could be a sad Christmas if the arbitration process goes sour. Cuomo has already provided a \$12.3-million loan to help close next year's Cataract City deficit to be repaid with a favorable outcome. If no favorable outcome, what then?



The Niagara Falls City Council was put in a difficult situation during budget time as the city faces a \$13 million deficit. The casino money, which would have otherwise been used by the Dyster administration to alleviate such a deficit, is no longer available.

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THE CRIME

WEEKLY HEADLINES

-An Olean woman with a loaded gun in her carry-on luggage July 2nd at Niagara Falls International Airport pleaded guilty to a felony Monday in Niagara County Court before the Honorable Sara Sheldon. Dee Jedrosko, 66, could be sent to state prison for up to four years.

-Two Niagara Falls teenagers who were charged with the theft of a car with a two-year-old child in the backseat have now been linked to a series of car thefts by Niagara Falls Police.

-Niagara Falls Police responded to the 400 block of 12th Street in the early morning hours of Wednesday, December 5th, 2018, after a 911 call stated there was a heated altercation between a father and son that resulted in the father being stabbed multiple times. The father was then taken to Memorial Medical Center and is in stable condition.

-Niagara Falls Police responded to a burglary on 13th Street after a man called 911 stating that he was sleeping on the couch in his living room when he woke up to see a masked man standing next to his coffee table. According to reports, the thief made off with the man's wallet which contained about \$400 cash.

-Niagara Falls Police responded to the 1300 block of Cleveland Avenue in the afternoon hours of Thursday December 6th, 2018, for reports of a stabbing. No life-threatening injuries were reported and the victim was taken to Memorial Medical Center for treatment.

-Niagara Falls Police and Medical responded to Niagara Street near Hyde Park in the evening hours of December 6th, 2018, after a drunk driver caused a multi-vehicle crash causing multiple individuals to be transported to Niagara Falls Memorial Medical Center for treatment.

-Niagara Falls Police responded to the area of 16th and Ontar-

io Avenue for reports of a robbery. According to police audio, Justin Gabby, who is known to beg for money, is a suspect.

-A Niagara Falls teenager, Joshua A. Carr, 18, of Ontario Avenue, pleaded not guilty to a 28-count indictment accusing him of three robberies - including a home invasion - during an appearance in Niagara County Court before Hon. Matthew Murphy who set bail at \$100,000.

-Niagara Falls Police responded to the Tops at 1000 Portage Road after a woman, Michelle C. Santoro, 37, of 72nd Street, attempted to enlist the assistance of a store greeter in a scheme to steal more than \$300 from the store. According to reports, the store greeter immediately went to management who called police.

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Chris's Corner: Delegating the Heavy Lifting

Chris Voccio is a Niagara Falls City Council member and can be reached at ChrisVoccio@gmail.com.



Chris Voccio
NF City Councilman

By the time you read this, the 2019 budget is almost finished. Christmas is fast approaching, as is the New Year. But my hope is that my fellow Council members and I, along with the Mayor and his administration, can soon look ahead to the crafting of the 2020 budget.

In January of this year (2018), it seemed that we all agreed we should work on the budget well in advance of the City Charter-delineated timeline. And yet, the budget was submitted to Council on

deadline. So we don't have a good track-record of working ahead.

Making matters worse, 2019 will be an election year, for two Council seats and the Mayor's office. I would hope this wouldn't impact our getting ahead on the budget process, but it could.

More important than getting a head start, we need to prepare to make some difficult decisions. The casino revenue issue could be settled next year, and no matter what the arbitrators decide, it would be beneficial to the city for us to prepare to make difficult but needed cuts to the budget.

If the arbitrators rule in the state's favor, and the city begins to receive an infusion of casino cash, we have to decide if we want to let that cash flow into the budget, keeping city government expense levels where they are now, or if we would rather use that money to rebuild the city. New roads, new sidewalks, dead trees taken down, dilapidated buildings torn down,



economic development initiatives rolled out, etc.

If the arbitrators rule in the Seneca's favor, and the city doesn't receive an infusion of casino cash, then the above-mentioned decision is made for us. We don't get to rebuild our city, and instead we need to cut millions of dollars from our budget.

And if there ends up being some sort of compromise position, where the city gets some casino revenue but not as much as anticipated by some, then we'll probably still have to make substantial cuts to our budget.

The challenge is that the elected officials charged with managing the city are influenced by the municipal unions that represent the vast majority of our city employees. These unions — and I love all unions, union bosses and union members — wield outsized power because of their campaign contributions to the very people who are elected to manage the city.

So my recommendation will be to establish some sort of City Government Efficiency Panel, akin to the Financial Advisory Panel that recommended various steps to the previous City Council, that will be charged with finding ways to reduce our expenses.

This group, comprised of private sector leaders (not necessarily in the city as we could use some outside help), will be charged with looking at our budget, org charts, comparative info from other municipalities, etc. They'll talk with

peer groups and experts in various fields.

I'd like to see some CPA's, some small business people, some leaders of industry, some from academia and other experts. Maybe someone with experience in reducing municipal expenses elsewhere. This group will be charged with identifying expense cuts in the city budget. Not revenue, as politicians are usually good at finding revenue sources. No, expense cuts only.

Because this panel will not be comprised of political people, they'll look at our city budget just as an owner or manager of a business would. They won't be concerned about offending someone's brother-in-law, or someone's cousin, or someone's high school chum.

If we can right-size city government, getting it to the level that our recurring revenues can sustain, then we'll instill confidence in potential investors and developers (and citizens), we'll improve our credit rating and, if we do get some casino revenues flowing again, we can rebuild our city.

The challenge, of course, is whether the mayor will incorporate the recommendations into the proposed 2020 budget and whether the Council will be supportive of the recommendations, despite the heavy resistance that can be expected from the municipal unions. Who I love, by the way.



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ANALYSIS

How Transparent is the NYS Lottery?



Ken Hamilton

WBEN News Radio 930's Tom Puckett reported on Monday that Governor Andrew Cuomo vetoed a bill that would have allowed lottery winners of more than \$5,000 to keep their names anonymous. The governor stated that he thought that the names of the winners should be public so that people would know that there were indeed actual winners, instead of thinking that the state might be pulling something devious. He cited the need for transparency.

Mike Loumas of Buffalo's Financial Guys, a staunch critic of the governor, was outraged. State legislators had passed the bill last June, prior to October's most recent and likely the most famous, or notorious case – depending upon if a relative or friend of yours might have won the nearly \$1.6-billion Mega Millions jackpot. That jackpot was won on a ticket purchased in South Carolina, where the winner could remain anonymous. Loumas indicated in the interview that the concern should be less on who won the jackpot and more on what the state do with their share of the winnings.

Good question!
One of my favorite stories is about when the governor's father was governor. I tell the story of how Governor Mario Cuomo would network all of the public television and radio stations in the state together for his Friday night program Ask the Governor, where the silver-tongued executive allowed folks from around the state to take a chance to call an 800-number and actually do just that – ask the governor.

I tell of the night that I actually got in, and the conversation went as follows:

Ken: Governor Cuomo, I thought that the money from the lottery was supposed to go to education?

Cuomo: Don't you believe that it goes to education?

Ken: No!

Cuomo: Have you ever purchased a lottery ticket?

Ken: Yes I have.

Cuomo: Did you win?

Ken: No.

Cuomo: Well, didn't you LEARN anything?

Now to tell the truth, the call never happened – it was something that I made up years ago when Mario Cuomo was doing his show. But it does raise the same question that Loumas has: What does the state do with the money? I only have two good years of Niagara University



accounting education, and that was up to intermediate accounting, and that is good enough to teach you to read and understand most business accounting forms and transactions. But business accounting and accounting for non-profits and governmental accounting is as the character Homey often said in the old television program In Living Color – “It's a whole nudder-thang!”

The state's website to examine the records is found at: <https://gaming.ny.gov/pdf/Annual%20Report/2017-18%20CAFR.pdf>. Good luck, though. It is labeled as the Comprehensive Annual Fiscal Report 2018 for the Fiscal Years Ended March 31, 2018 and 2017. From the title, it is hard to tell if it is a two-year report or for the period between the Marches of 2017 & 2018; but no matter, the data therein is what's most telling.

The verbiage says that the law limits administrative expenditures on Lottery operations to 15% of traditional lottery game sales, and that administrators had a surplus of \$426.45-million for the period ending March 31, 2018. That's a good thing, as that money is turned over to education. But the financial highlight said that New York Lottery revenues totaled \$9.974 billion, while net proceeds earned for Lottery Aid to Education reached only \$3.372 billion for fiscal year 2018.

Here's how that happened. According to the graph on the page, if the direct operating expense was \$6,478B, I would have to assume that it was prizes paid out. There was \$127-million in indirect operating expenses, which I assume was advertising and such, but I am not sure. Through some other mumbo jumbo, after school distribution, the

state made \$351M.

Niagara County took in \$47,923,785.40 in 2017-18, and \$1,048,654,369.48 since 1977. Likewise Barker took in 1,160,304.52/ 15,778,268.59 respectively; Lewiston-Porter 2,637,533.12/63,204,189.64; Lockport 8,175,829.56/174,800,288.72; Newfane 2,647,493.27/64,966,042.56; Niagara Falls 14,262,475.05/293,306,677.67; Niagara-Wheatfield 5,266,395.99/113,840,685.64; North Tonawanda 5,971,083.91 /146,283,180.24; Royalton-Hartland 2,108,581.46/53,439,748.61; Star Point 3,728,562.66 /75,519,732.36; and Wilson \$1,965,525.86/\$47,515,555.45.

Odds are that more than 50% of the money came out of the pockets of those in NYC-area, where seemingly the most winners are. But argument could also be made that despite the amount coming back, if the money that was spent on lottery was instead circulating through the local economy it might have better served upstaters.

Regardless, of what the state made, and who knows where that went, we have to go back to the governor's argument of transparency. The official lottery page lists where the school money went in Niagara County and other areas, but there is still the issue of transparency. There are scores of pictures of winners on the web page, but there are still no names. I prefer that the governor had signed the legislation and opened up transparency in other areas of government, like the \$351M.

Well, did we learn anything?



New York Governor Andrew Cuomo vetoed a bill on Friday, December 7th, 2018, which would have allowed lottery winners to remain anonymous.



NORTH TONAWANDA

Spot Coffee and Prosper Brewing to Make their Arrival in North Tonawanda Cont.



called "DestiantioNT."

As reported during the summer, Real estate developer and investor Ralph Dailey bought the building at an auction in July for about \$499,000.

The North Tonawanda

History Museum which had previously occupied the spot went through foreclosure after falling behind on mortgage payments. As detailed by the Niagara Reporter previously, the museum has since moved to 712 Oliver Street.

The second major addition to Webster Street, Prosper Brewing, is just about ready to open up shop. Despite continuing to await their liquor license to arrive, owners Timothy Berg and Kevin Whipple say that they are excited to share their passions for brewing with North Tonawanda residents.



The former site of the North Tonawanda History Museum on Webster Street will be the new home of Spot Coffee.

Of the many special things Prosper will offer, they will brew and serve such beers as porter, stout, blonde ale, orange pale ale, Vienna lager, Munich Dunkel and maybe a sour Berliner Weisse.

The brewery fills the former Hodgepodge Gift Shop which then flirted with being an Uncorked wine bar.

Overall, Prosper will have twelve taps. Two of which owners are hopeful with be for reserve hard ciders.

Prosper will also have a

tasting room which will seat forty people. A neat detail about this room is that it sits with the brewing tanks in full view. There will also be a small menu of which people can order food.

The brewery is named after a French immigrant, Prosper Peuquet, who was a brewmaster in the Tonawandas more than two hundred years ago.

Some of the changes you will see inside the brewery are tin ceilings, tongue-and-groove walls and subway tile.

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PROSPER BREWING

North Tonawanda Holiday Blood Drive

Brendan McDonough



Did you know that one pint of blood can save three lives? Members of the American Red Cross say blood donations are needed now more than ever as during the holiday season blood levels tend to reach low levels because people are



out shopping and doing other things and sometimes forget about donating.

Over the weekend church leaders at the Nash Road Church in North Tonawanda held a blood drive where they are hoping that in addition to giving gifts this year people will take time to give the gift of life.

“This is that time of the year when we should be looking at how can we give that gift to other people,” said Pastor Jeffrey Cappello. “It is a very busy time of year that is for sure, that is why I am hoping as we take that time, that we can sit back and take a breather and remember that this season is never about us but instead about what we do for other people.”

Members of the American Red Cross say O-negative is



the type of blood that is needed the most. In addition to people shopping they say the weather can also be a factor in the reason why people don't come out.

“It is a very rewarding gift to give blood because you know instantly that you have done something to help some-

one and you have done something good in this world,” said Paul Mazuriek, Red Cross.

Mazuriek says people with O-positive blood can serve 84% of the population.

For more information on where you can donate you can visit the Red Cross web site at www.redcross.org.

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Platter's Chocolates Annual Christmas Bash

Brendan McDonough



Platter's Chocolates is more than just a place to enjoy sweet treats this holiday season. This past weekend North Tonawanda's largest chocolatier held its annual Christmas Bash.

Organizers have been hold-



ing the event for the past three years and say that it has become a community tradition.

This year there was a line out the door for people waiting to see Santa and Mrs. Clause. Also in attendance was Balloon Brothers; twisting balloon into all kinds of shapes, for the kids to enjoy. There was also a magic show and carriage rides.

It's all for free and organizers says it's the sparkle in the eyes of children who attend that make it all worth it.

"When I was a kid, I remember my mom use to bring me to things like this and it was such a special time and that whole environment of peaceful, family and love,"



said John DiGuseppe, VP of Business Development. "To see kids with their eyes wide open is amazing, because it is a tougher world today and I see myself and my family when we were that age and it's just nice that we can bring

them a little bit of that."

Organizer says they also wanted to give something back to the community and residents because people across North Tonawanda have been so good to them.

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7th Annual Trunk Show at the Carnegie Art Center



Brendan McDonough

Instead of heading to mall community leaders in North Tonawanda hoped people would stop at the Carnegie Art Center over the weekend where more than twenty vendors from throughout the community were selling unique items.

From paintings to ornaments there was surely something for everyone to enjoy.

It was all part of the 7th annual trunk show. They say what is different here is that all of the items for sale are hand-

made and made locally.

“This a great way to shop local and support artists, and the money they make today they will spend locally as well, so that money is recycled into the community,” said Natalie Brown, Event Organizer.

For more information about the vendors that were at the show you can contact Natalie, at the Project 308 Gallery on Oliver Street.

Next year they are hoping even more people come out to support the community and the local artists.

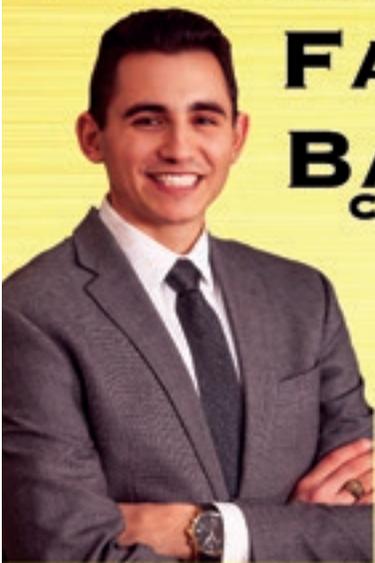


Reducing Risk for Lower Back Injuries

Back injuries, especially those affecting the lower back, are the most common injury in construction. Lower back pain is a leading cause of lost workdays and disability. Many construction workers develop lower back pain as a result of tasks that require excessive force, such as lifting, and prolonged awkward positions or repetitive motions, such as tying rebar. The resulting pain can range from a dull, constant, burning ache to a sudden, sharp sensation that radiates into the legs and feet and can be incapacitating. While it can be debilitating, lower back pain isn't always serious. Rest, ice, compression and elevation (RICE) and over-the-counter medications, including acetaminophen and non-steroidal anti-inflammatory drugs (NSAIDs) such as ibuprofen, naproxen and aspirin can often help someone recover in a matter of weeks. Lower back pain often gets better on its own over time with proper rest. But sometimes lower back pain lingers. If it continues past three months, it's considered chronic. In these instances, physical therapy and complementary health approaches, including chiropractic care and massage therapy, can often help people manage. Surgery is usually a last resort as there is no guarantee it will be effective. When it comes to lower back pain, there's no silver bullet. If you experience chronic lower back issues, it's wise to try different solutions and do what works best for you and your recovery.

As many people know from experience, sometimes lower back pain can seem to develop out of nowhere. This is especially true among older workers, those who are overweight and those with sedentary lifestyles. Sitting is especially hard on the lower back because it puts excess pressure on the joints, muscles and discs. Research finds that 80 percent of adults will experience lower back pain at some point in their lifetime. The first episode usually occurs between the ages of 30 and 50 and is often a byproduct of aging. As people grow older, flexibility and muscle tone decrease and discs dry out, making them brittle and more susceptible to injury. The senior years are also when common conditions that can lead to back pain, like sciatica and spinal stenosis, are more likely to develop. All workplace injuries, including lower back injuries, can potentially contribute to the opioid epidemic because workers who are suffering from pain are often prescribed these powerful drugs and some become addicted. When workers are aware of all of the non-addictive options for pain management, they can devise a treatment plan with their health care provider that does not involve being prescribed a highly addictive opioid, which could show up on a drug test and possibly get them taken off a job. Awareness of all the treatment options can reduce their risk for becoming addicted to opioids.

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CHAPTER 7 & CHAPTER 13

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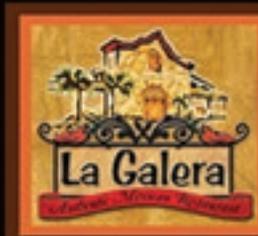
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- REPLACE SMOKE DETECTOR OR CO (4)
- RE-ROUTE CABLE FOR TV
- FIX HOLE IN WALL (UP TO 12")
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- MOVE FURNITURE IN HOUSE
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- FIX GARAGE DOOR
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- REPLACE SHOWER FIXTURES
- CLEAN WINDOWS (4, DOUBLE HUNG)
- REPLACE LIGHT FIXTURE (2 PER CALL)
- FIX ROOF LEAKS (1 SQUARE)
- INTERIOR PAINTING (1 HOUR)
- VEHICLE TOW WITHIN 15 MILES
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