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User Fee Passes; Voccio Says City Needs to Stop Feeding the Beast



(Cont. on pg. 2)

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SPECIAL EDITION OF THE CRIME
Tompkins Wants Answers from SPCA

By: Tony Farina

With six board resignations this year, it appears there are problems at the SPCA of Niagara once again and Niagara Falls City Councilman Kenny Tompkins is on the hunt for answers, especially when it comes to the almost \$280,000-a-year the city contributes to the shelter.

(Cont. on pg. 4)

Seaman Announces Run for Niagara County District Attorney

By: Staff Reports

Brian D. Seaman has announced his candidacy for the office of Niagara County District Attorney. Seaman served as an Assistant District Attorney in Niagara

(Cont. on pg. 6)

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NIAGARA FALLS

User Fee / Voccio Cont. from Cover

Tony Farina

The Niagara Falls City Council has gone along with outgoing Mayor Paul Dyster's proposal for a garbage user fee (\$181) next year by a 3 - 2 vote, but one of the two city lawmakers who voted against that charter amendment is sticking to his guns about the need to cut spending in the future or face continuing financial problems, user fee notwithstanding.

"I've been saying for some time that we need to put government on a diet," said Republican Councilman Chris Voccio in the wake of last Thursday's vote approving the user fee amendment to help close a projected \$4.1 million deficit. That user fee had been recommended by the city's financial restructuring board.

"It won't happen overnight, but we need to reduce spending," said Voccio in explaining why he joined outgoing Democratic lawmaker Ezra Scott in voting against the user fee. "We can't continue to feed the beast, and I voted against the garbage fee in hopes of forcing a 4 percent cut in spending instead."

Voccio will be joined by newly elected Republican John Spanbauer on the council come January 1, and Spanbauer, a retired college administrator, campaigned on the

idea that there is a need to operate government in a fiscally responsible manner to insure a financial recovery in the coming years.

In his victorious campaign, Spanbauer shot straight from the hip in appealing to voters about the city's need to rethink how it operates, and that includes running government like a business and cutting costs when the money is running out, not just finding new money to cover those costs.

Spanbauer's views on attacking the city's financial crisis would seem to put him in Voccio's corner about the need to look at health insurance and work rules as ways to reduce costs, the "debt diet" that Voccio espouses.

Incumbent GOP lawmaker Kenny Tompkins who along with Voccio and Spanbauer will give Republicans control of the council for the first time in 50 years, has been under fire for supporting the garbage user fee along with Democrats Andrew Touma and William Kennedy, but he says the cuts never materialized that he had hoped would make the user fee unnecessary.

"The level of services to taxpayers would have been seriously diminished had we cut public safety and public works," said Tompkins in explaining his vote in favor of the user fee amendment to raise the

much-needed revenue to close the deficit.

"If we had voted to lay off 30 from public works, 20 police officers, and some from the fire department [younger firefighters would have gone first], we would have hurt the delivery of services that are not good enough now," said Tompkins. Tompkins said those cuts also would have been diminished by higher overtime costs to cover the loss of personnel.

Tompkins says he is looking forward to working with the new administration and the new council in looking for ways to reduce government spending in the days and months ahead. Like Spanbauer and current Chairman Touma, he realizes that many tough political decisions dot the path to recovery and like the user fee, which is used in most cities, will not be greeted warmly by taxpayers and city unions.

There are indeed many challenges ahead for the new mayor, Robert Restaino, and the new council come January 1 as city leaders attempt to navigate a city burdened with, as some observers suggest, a history of poor decision-making and the lack of political will to make the tough decisions that would have made a difference.

While it is certainly not a total



Niagara Falls City Council Chairman Andrew Touma.

remedy for the city's fiscal plight, the new year could get off to a hopeful start if the Seneca Nation agrees to pay the \$256 million an arbitration panel and federal court judge says it owes the state as a result of stopping payments back in 2017.

As Touma stated last week after the council voted on the user fee amendment, lawmakers are hoping to continue to reduce the amount of casino revenue-sharing dollars to the budget if and when the payments resume. In other words, lawmaker would like to use those casino dollars for infrastructure and economic development, as intended under the gaming compact, and not to balance budget as has been the case for some time.

NIAGARA



REPORTER

Frank Parlato, Jr.
Publisher & Editor in Chief

Nicholas D. D'Angelo
Managing Editor

P.O. Box 3083, Niagara Falls NY 14304
(716) 870-1175 niagarareporter@gmail.com



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HAMILTON: Are Tompkins' Voters Looking for the "Morning-After the Vote Pill?"



Ken Hamilton

The vote on who would make the sub-decision on raising taxes or paying a garbage fee was up to the voters; however, with that said, I think that the council made the wrong decision: the garbage fee only represents the seemingly long habit of trashy-thinking that city councils have long used to create the problem of having to vote on it in the first place. It doesn't solve a fundamental problem, it just gives room to make more fundamental mistakes.

But with that said, and with the newly-reelected Niagara Falls Republican City Councilman Ken Tompkins being the swing vote, despite local newspapers heralding the semi-historic news of 'the first time in decades that the council has had a Republican majority', even that represents another problem borne of faulty-thinking.

In Tompkins' case, one has to wonder if the outcome would have been any different regardless for whom voters voted -- in this council, or in the councils to come.

Let me start by saying that I really, really wanted to blast Tompkins for his vote for the extra burden on city residents. But in the course of his phone interview about it, the

sub-issues of why the garbage fee seemed necessary arose, particularly in his justification for further burdening the homeowners and landlords with paying for a service for which they had long been paying through their taxes. In so doing; it all reminded me of the transition from the city's water department to a water board.

It is evident that few, if any of the city's politicians understand the fundamental purpose for why the city even exists; and if they did, then things like the water board, the garbage fee-in-lieu-of-taxes, HOPE-VI, the train station, and even conversations of when to build or to place statues and old chimneys wouldn't be an issue.

When the garbage totes were implemented, the city did "look" a lot better. But when the city was incorporated on that March 15th, St. Patrick's Day back in 1892, it wasn't a very pretty place to begin with. No one incorporated it for the purposes of aesthetics, it was incorporated for the purposes of business, and the gorge would soon be lined with factories and railroads, and the upper river with and north-end with smoke-belching chimneys.

Now do we have to pay double for sanitation, health and safety?

The purpose of cities collecting garbage and trash was and is for the purposes of health, sanitation and safety. The cost of not picking it up and burning it, preventing epidemics, far outweighed the cost of so doing. That's why it was fairly-paid with resident's taxes, because of the public good that it provided -- much as does streets, sidewalks, and the

public safety of firefighting and policing. It would be great if those sub-set of criminals that drive up public safety cost had to also carry the burden of paying for it, but that ain't going to happen because they are unwilling to do so; but we can count on good citizens paying their garbage fee, can't we? What next: a sidewalk fee for baby buggies and a street fee for automobiles?

And then there's the idea that there is a Republican or a Democratic way of micro-managing a city. There isn't, but the political philosophy of a conservative or a liberal way of spending certainly holds sway -- but even that has to be considered before any spending is done at all. We must stop this party affiliation thinking and expectations and begin to hold close to how the city charter says that we are supposed to run it. City councilmen and any candidate should be able to quote the charter in the same way that an old circuit preacher can quote the Bible, otherwise none are fit to be a councilman -- and our city reflects that.

But we also have to have council people who understand the history of the city to stop repeating the mistakes of the past. Tompkins said in his interview that he is a registered Republican, but he must make his decisions outside of party-think for what he feels is the best for the city. Kennedy said likewise in his texts, nobly adding, "... I have to govern as if I'm not going to get reelected." And he may not.

Tompkins indicated that a raising of taxes to cover the trash pickup would likely lower the city's bond rating to "junk bond status", making it harder for us to borrow money and would further raise our interest rates." He's right, and that's the same argument that I heard under the Elia administration in discussions about divesting the water department. And here we are, doing it again to solve the problem of doing it in the first place!

By spinning off water board debt, the city's credit rating rose and it was able to borrow even more money at a lower rate, with significant savings to the city. But don't you think that good budgeting and



Niagara Falls City Councilman
Ken Tompkins.

reducing the amount of borrowing, and the need for it, would have been a much better way to raise the city's credit rating.

What most citizens don't realize is that the citizens are not the city any more than being registered into a party makes you a member of that party. In both cases, not only are "the elect" are either the city or the party -- sometimes both, but all that the citizen or registrant get to do is to vote for and to pay the bills of both. Now with higher water bills, higher tax bills and a garbage tax (would a rose by another name not smell as sweet?), it is the citizens' credit rating that takes the hit. The garbage fee will just be another double whammy to the dwindling taxpayer.

Much more needs to be said on this issue, and it will be said; but for now, perhaps we need to hear the outgoing Councilman Ezra Scott, who came in doing most things wrong, but sadly is leaving while he is doing most things right.

Scott said that the reason that the council tabled the resolution about the garbage fee was to give the mayor the time to come back to the table with a balanced budget -- without the fee; but failing to do so, he understands but don't agree with his colleagues who voted their conscious; he just thinks that an evaluation of the root causes of the need for one needs to be explored and rectified. I agree.

In the meantime, the only morning-after pill for an elected official is the next election; let's take a smart pill and fix our thinking!



The Niagara Falls City Council approved the garbage "user fee" by a vote of 3-2 last week with councilmen Kennedy, Touma and Tompkins voting to pass it into law.



THE CRIME

SPECIAL EDITION OF THE CRIME CONT FROM COVER: Niagara County SPCA



"They [SPCA officials] will be coming before the council at our last meeting of the year on December 11," said Tompkins, "and we would like to know how our money is being spent there. They are not providing the required documentation to explain how our taxpayer money is being spent and we want answers."

In fact, said Tompkins, not only is the documentation not being provided, but there are different sets of numbers on the number of animals being put down at the "no-kill" shelter.

"I want to hear what's going on there," said Tompkins who said in addition to the council session, he will be conducting his own reconnaissance to try to get to the bottom of things at the shelter that has had problems in the past.

In the current upheaval, former Executive Director Amy Lewis has criticized the current director, Timothy Brennan, for his alleged lack of management skills as well as a lack of transparency at the shelter. Brennan, with background as a fundraiser, took over the shelter last year with no experience in animal management.

Brennan has called his critics uninformed who think they know more about animal welfare than the professionals at the shelter.

But while the bickering and resignations undercut the shelter's credibility, there is more. Animals have been put to death without the required approval of the euthanasia committee and one dog was put down in a kennel rather than in the infirmary, a husky named Rez.

The board under Chairwoman Susan Agnello-Eberwein has told the Niagara Gazette that a new qual-

ity assurance committee has been established to help improve conditions at the shelter.

The new committee should start by insisting on full disclosure about what goes on at the shelter where hundreds of animals are taken in with the hope that good homes can be found for them.

The animals at the shelter are defenseless and rely on the care and handling of the people there for their lives. The public needs to be informed about the quality of that care and the effort being made to live up to the "no-kill" name and find homes for animals who would bring joy and happiness to many a lonely owner looking for a companion.

The Niagara Reporter strongly supports Councilman Tompkins' efforts to get to the bottom of the bickering and name-calling at the shelter and protect the public's investment in this important community resource.

Unfortunately, horror stories at animal shelters are not uncommon, and the very nature of the life-and-death goings-on at shelters are not for the faint hearted. But honesty and transparency are vital to protect not only the public and donor investment that makes the shelters possible, but also the welfare of the helpless animals that wind up there.

The fighting between the former director and the current director, the resignations and finger-pointing by departing board members, and the discrepancies in euthanasia numbers should be a wake-up call for all involved. Let's hope at the December 11 council meeting, the SPCA is ready with answers for the road ahead.

WEEKLY HEADLINES

-Niagara Falls Police responded to the 1900 block of Niagara Street in the afternoon hours of Monday, November 25th, 2019, for a welfare check. According to 911 callers, a man was throwing poop out of his window. No arrests were made.

-Niagara Falls Police responded to the 2200 block of Falls Street in the morning hours of Wednesday, November 20th, 2019, after reports of a stolen vehicle. According to police, they found a vehicle matching a description for one that was stolen. Police are continuing to investigate the incident.

-Niagara Falls Police responded to Cataract Elementary School in the early morning hours of Wednesday, November 20th, 2019, after reports that a 4-year-old had marijuana in their bookbag. Police later discovered that the marijuana belonged to the child's grandmother.

-Town of Niagara Police responded to a string of shoplifting incidents at Wegmans in the afternoon hours of Wednesday, November 20th, 2019. According to police, the suspect was a male in his 40's who was putting items such as meat inside bags. The suspect took off from the store on foot before getting on a bicycle riding towards Niagara Falls Boulevard. Police caught the suspect in the parking lot of Arby's without incident.

-Niagara Falls Police responded to the DiCamillo Bakery on the 1700 block of Pine Avenue in the early morning hours of Sunday, November 24th, 2019, after an attempted armed robbery. Police are investigating the attempted armed robbery that included a suspect with a long knife. Witnesses, however, state that the suspect did not get anything. Witnesses described the suspect as a black male, around 6 foot 2 inches tall, wearing glasses, a tan windbreaker jacket with a neon orange and white shirt underneath, black pants, a knitted hat, and something covering his mouth. Officer Booth and his K9 responded to the location in an attempt to search for the suspect but were unsuccessful. No one was injured.

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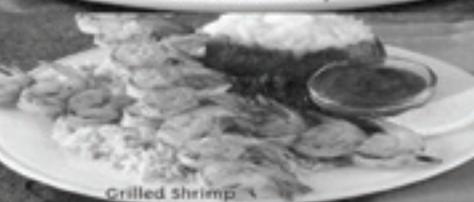
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Seaman Announces Run for DA Cont. from Cover



Former county prosecutor Brian Seaman.

County from 2006 through 2013, and prosecuted a wide variety of felony crimes ranging from white collar financial crimes to violent crimes, including assaults, robberies, burglaries, and homicides. Prior to his service as an ADA, Seaman was a law clerk to a United States Magistrate Judge in the federal court system. Currently, he is a partner in the law firm Seaman Norris LLP and serves as municipal counsel to several Niagara County municipalities.

In announcing, Seaman said:

Being an ADA was the greatest honor of my career and I always hoped that one day I would have the opportunity to lead our excellent and professional District Attorney's Office in Niagara County. As an ADA I was able to assist in bringing significant justice to the victims of crime and their families, and use my legal skills to positively impact Niagara County communities.

As an ADA, I earned the respect

of law enforcement professionals as well as the legal community through my hard work and dedication, my ability to understand and weigh complex issues, and my willingness to prosecute a case fully, no matter the effort required. If elected, these are the same qualities I will bring to the tough and important work of the Niagara County District Attorney's Office to ensure that those who commit crimes are brought to justice, and to keep our community safe.

Seaman was born and raised in Niagara County and graduated from Lockport High School in 1994. He received his bachelor's degree from the University of Notre Dame, cum laude, and his law degree from Loyola University Chicago Law School, magna cum laude.

Seaman resides in Youngstown with his wife Donna and their seven children. They are active parishioners of St. Peter's Church in Lewiston.

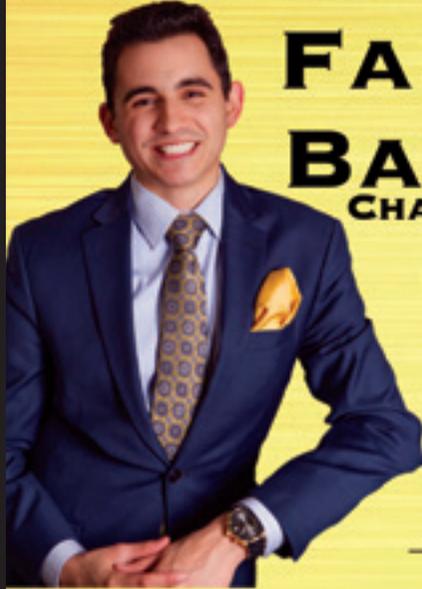


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The Union, Pension and Training Offices will close at noon on Wednesday November 27 and fully closed on Thursday November 28 & Friday November 29 for the holiday. For all active and retired members, please call Dianna before the close of business Wednesday November 27th to RSVP for the LECET Christmas Party which will be on Saturday December 7th from noon until 4PM.



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