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An Albany official explains to happy Niagara Falls officials how creating a tax-free nation in their midst will be really great for them.

# NIAGARA FALLS REPORTER

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MAY 5 - 11, 2016

VOL. 17, NO. 18

FREE

**Union Ignored in State/City Settlement; Will Cost taxpayers; May Change Police Residency**

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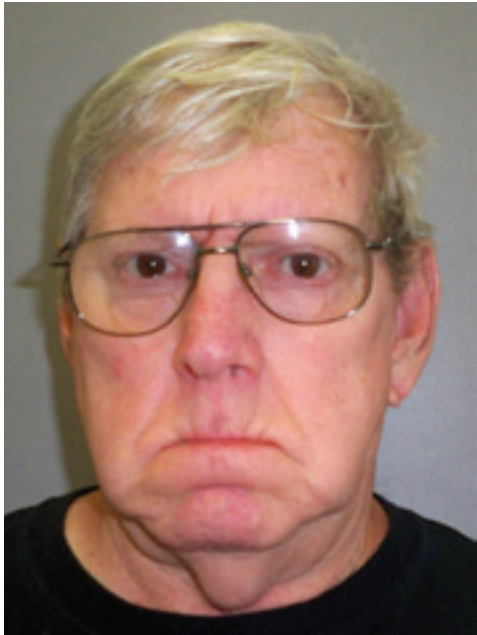
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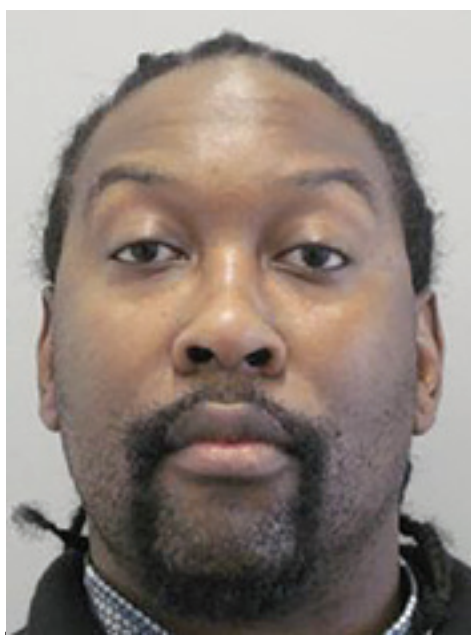
# Sexual Predator Population Explosion In Falls This Year



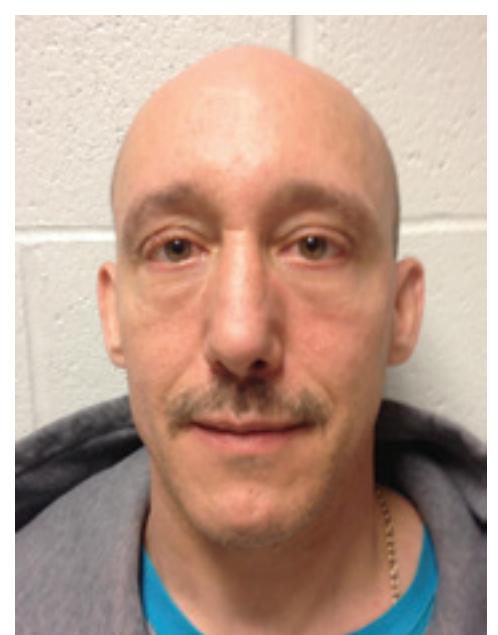
Sex offender David Gossard came from out of state to enjoy the superior benefits that Niagara Falls and Niagara County taxpayers offer those who need or want to live off the labors of others.



Sex offender Anthony King wants to be part of the excitement that is part of Mayor Dyster's new subsidized Niagara - a city of a declining population of taxpayers and rising population of largely tax dependent people such as sex offenders.



With subsidized/affordable housing a major development objective of the Dyster administration, Al Williams, fresh out of prison for his sexual abuse of an 11 year old, found the living easy and inexpensive in Niagara Falls.



Neighbors bring food and flowers to welcome new neighbors. Duane Biro, a registered sex offender, is a new neighbor, the kind elected officials here go out of their way to attract to Niagara Falls which has the highest ratio of sex offenders in New York State - along with the highest tax rates and the highest crime, a handsome trio of accomplishments if ever there was one to put on the mantelpiece of success for this city and its leadership.

## Mike Hudson

The number of registered sex offenders living in Niagara Falls has taken a sharp spike in 2016, shooting up from 164 in December 2015 to 190 this week.

It's entirely possible that perverts represent the fastest growing segment of the city's population.

In Niagara Falls, the odds you're standing next to a molester or rapist at the grocery store are just 1 in 263. In Niagara County as a whole, there is one offender for every 666

people and statewide the average is one for every 833 people.

If anyone should get credit for the city's pervert population explosion it is Niagara Falls Mayor Paul Dyster, who, during his first term in office, said famously that sexual predators "have to live somewhere," as he defended a dilapidated Niagara Street rooming house full of sex offenders from a crowd of angry parents and school district personnel at the nearby Niagara Street School.

When Dyster took office, there were just 70 registered sex offenders in the city, and in

all likelihood that number will be tripled by the end of his current term, even as the general population of the city as a whole has declined by thousands.

And for every old familiar face there are the new arrivals, like 250-pound Al Williams, 44, of 491 81st St. Williams was convicted in 2007 of attempted sexual abuse and sexual contact with a child under the age of 11.

Or Albert Smith, 32, of 816 Lincoln Place, Apt. 1A. Like Williams, Smith likes children, having been convicted in 2003 of having sexual contact with and sexually abusing a girl under the age of 14.

Dyster is always talking about the revitalization of Falls Street and Anthony King, 46, of 2202 Falls Street, Apt. 2 wants to be a part of it. Back in 1992 he was convicted of both forcible rape and sexual abuse but, like the mayor said, he's got to live somewhere.

David C. Gossard, 70, of 1424 99th St., heard such good things about Dyster's Niagara Falls that he traveled from out of state to live here following a felony sex offense conviction and Duane T. Biro, 47, of 7645 Fourth Ave. is another recent add.

There are currently no women on the list of registered sex offenders in Niagara Falls. So, by eliminating that half of the population from the comparison rolls, your likelihood of rubbing elbows with a convicted sex offender shoots up to an astonishing 1 in 131 men. That would constitute a small crowd at a local night club or a portion of the lunchtime rush at McDonald's.

Since no one will hire them and their families often don't want to have anything to do with them, registered sex offenders are completely dependent upon the various social services agencies that serve the Niagara Falls community for food, clothing, shelter, medi-



The elected officials of this city have led the taxpayers of this city - presently the highest taxed people in New York State - to warmly embrace the notion that working to pay for others who do not work is not only their highest ethical responsibility - but the surefire way to get economic prosperity. This welfare not only extends to sex offenders and others who come here from New York City and elsewhere because they do not wish to work - but also to millionaire developers like Mark Hamister who cannot build a simple mid scale hotel without millions of taxpayer dollars. Imagine wanting others to work and slave for you and then be forcibly taxed so you can have a free hotel. This is the new Niagara.

cal care and psychological counseling.

They represent the top of the pyramid in an economy that is becoming increasingly based on the care and feeding of those who cannot or will not care for and feed themselves.

## NIAGARA FALLS REPORTER

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# Grandinetti Applies For Status As B And B After Facebook Controversy

## Mike Hudson

In much the same way you wouldn't want to give a loaded gun to, there are others for whom a laptop and a Facebook account can provide an avenue leading directly to all sorts of trouble.

Niagara Falls City Councilwoman Kristen Grandinetti has often made headlines with her Facebook postings, particularly those dealing with sexual politics and women's rights.

Her postings have been controversial to the point where Mayor Paul Dyster gave her the order to cease and desist in the runup to last year's primary and general elections. She posted nothing from August until after the elections were over in November.

Dyster's order came after Grandinetti wrote that the Niagara Falls City School District was "borderline criminal" in its' sexual education curriculum, shared a video depicting a group of pre-pubescent girls dropping the f-bomb and regularly promotes Planned Parenthood, abortion rights and lesbianism. The fact that she teaches kindergarten in the school system has been a factor in the ongoing series of controversies.

On Tuesday, Grandinetti posted a defense that had nothing to do with obscenity, sex or abortion. It concerned the fact that,

through the Airbnb program, she sometimes rents a bedroom in her house to tourists visiting the city. Technically, the practice is illegal.

"Everybody can sleep tonight and look for something else to torment me about," she wrote. "I filled out the B and B paperwork with code enforcement...and I will not be giving anyone the names of other airbnb hosts. Because of my position I am subject to SELECTIVE ENFORCEMENT. But it's worth it to be allowed to serve this community as a councilmember."

In the face of mounting criticism on Facebook, Grandinetti has previously asserted her right to rent a room in her home.

"I am not operating a bed and breakfast," Grandinetti wrote. "I rent one room in my house to world travelers through Airbnb. I do not serve breakfast, I do not cook food. I provide a room for someone to sleep and a bathroom to take a shower just like over 200 other people in the city do but because it's me somebody complained. I am asking the other Airbnb people to stand up and be counted. I claim all of my Airbnb revenue on my taxes but I will not pay for nor will I be named as a B and B when I do not serve breakfast or lunch or dinner. If you would like us to register and pay bed tax, then an ordinance/law needs to be written and put into place. Then I will happily comply."

A 2011 New York State law prohibits renting residential units for less than 29 days,

with certain exceptions. The law was put in place because private individuals renting out their spare bedroom for a night or a week don't pay bed taxes. In Niagara Falls, virtually all of the bed tax money – around \$1 million a year — gets handed over to John Percy and his Niagara Tourism and Convention Corp.

Mike Kirsch of the Niagara County health Department said that Grandinetti and all of the other Airbnb providers in the city are violating the law.

"Keep in mind anything other than a hotel, motel, hostel or bed and breakfast is illegal," he said. "This why vacation rentals are often referred to as illegal bed and breakfast or illegal hotels. So if you want to rent a room, or part of a duplex you must be a bed and breakfast."

According to Kirsch, to run a legal bed and breakfast you must meet fire codes, have a licensed architect sign off on fire code, receive an inspection from city code enforcement and get a certificate of compliance, have a Niagara County Health Board inspection, register in Lockport as a business, obtain a state tax number and register to pay the city bed tax.

"If you have not followed this you are an illegal bed and breakfast. The Niagara County Health Board refers to anything other than a BNB as an illegal bed and breakfast," he said. "You would also need a special use permit in most zones in the city of Niagara Falls. They



have done some research on this subject in Niagara Falls. Contrary to popular belief you cannot rent apartments in a commercial apartment building short term. So as can be seen on Airbnb this is a huge problem in the city."

Quite frankly, the Niagara Falls Reporter has to side with Grandinetti and the other Airbnb providers on this one. Property taxes in Niagara Falls are the highest based on value in the entire state of New York, and perhaps the entire country. In our view, a homeowner who occasionally rents a room in an attempt to offset this inequity deserves sympathy rather than finger pointing.

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w/ Creamy Spinach Sauce  
& topped with Mushrooms  
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All Entrees come with a choice of sides:

Mashed Potato - Grilled Vegetables - Risotto - Gnocchi alla Vodka

# Empire State's Hoyt Makes No So Subtle Threats to Town of Lockport Supervisor

**Anna Howard**

The Niagara Falls Reporter has obtained what seems to be “threatening” emails sent by William B. “Sam” Hoyt III, the Regional President of Empire State Development – a taxpayer funded state development agency - to former Town of Lockport Supervisor Marc Smith, who is presently the Coordinator of Economic Development and CEO of the Town of Lockport Industrial Development Agency.

The threatening email to Smith was copied by Hoyt to an extensive list of local economic development officials located across Niagara County, including USA Niagara Development Corp. President Christopher J. Schoepflin and planners in both the Town and City of Lockport as well as County Hall, as well as Yahoo company officials listed as working in the company's Sunnyvale, Calif. headquarters.

One email, which purports to speak on behalf of both Empire State Development and New York State, contains an implicit threat to Lockport's economic development agency: If Smith and other town officials continue to speak to the press about their treatment by Empire State Development, they may find themselves being excluded from future state economic development grants.

“Marc: We must have attended different schools of communications and diplomacy. When I have an objection to or concern about an action taken by somebody I do business with I pick up the phone and call that person,” Hoyt wrote Smith on March 24, before leveling an implied threat: “The fact is The City and Town of Lockport has received millions of dollars in assistance from NYS/ESD prior to you becoming coordinator of economic development for The Town of



Marc Smith flanked by US Sen. Charles Schumer and former State Senator George Maziarz celebrate the coming of Yahoo! to the Town of Lockport. Part of the deal was that Yahoo! was to donate \$500,000 a year to local charities. As only the Niagara Falls Reporter predicted at the time, “local charities” did not mean Lockport - but Albany and the Governor's choice.

Lockport. As long as we continue to have a reasonable partner to work with, I see no reason why that strong working relationship that we have enjoyed would not continue.”

Hoyt, who co-sponsored a 2009 anti-bullying bill while still an Assemblyman, didn't merely stop at threatening Smith for not kowtowing to ESD on the matter, however. He also seems to impose a gag order on Smith's future communications: “I would never begin a discussion by sending an email-- copying many others and alerting the media—using hyperbolic language like ‘repugnant’.”

Hoyt's email, ironically, was sent to a

significant number of people.

What prompted Hoyt's threat to Smith and his entire town?

Smith's offense, it seems, was that he had written to USA Niagara's Schoepflin—who also serves as Empire State Development's Western New York regional director—to protest the exclusion of non-profit groups in the Town of Lockport and the neighboring City of Lockport from applying for money provided by Yahoo for community development. It is worth noting, here, that Yahoo is located in the Town of Lockport's industrial park, and receives a tax free benefit package from the town negotiated by Smith's predecessor as economic development coordinator, David Kenyon.

Thanks to ESD, non-profits in the Town of Lockport are now excluded from benefiting from the arrangement negotiated by the Town of Lockport—that Yahoo! Pay \$500,000 per year for community charities - even though contemporary news articles suggested that the City and Town of Lockport were to be given preference. Smith had cited those news articles in his email to Schoepflin.

Schoepflin had taken the unusual step of linking the blocking of Lockport from the Yahoo! funds directly to the state's decision to not include Niagara Falls in a funding formula for Seneca Niagara Casino slot



The tone of Sam Hoyt's email to Marc Smith suggests that if Smith is not a good boy going forward there will be no gifts in the town's Christmas stocking this or any other Christmas. Beware Marc!

machine monies in a March 16 email: “One of the lenses ESD used [to determine which communities could apply for Yahoo! funds] related to the distribution of casino revenues in Niagara County,” Schoepflin wrote.

USA Niagara, by the way, was among the entities set to receive funding from the Senecas' casino under legislation advanced by State Sen. Rob Ortt earlier this spring.

The Niagara Falls Reporter is told that Hoyt also contacted City of Lockport officials and made similar not-so-veiled threats about the level of state investment in the heavily blue-collar community of 20,000.

No local officials contacted by the Reporter were willing to speak on the record about the Hoyt emails.

However, the bullying tone of Hoyt's emails raises the eerie specter of a 2014 standoff between the economic development official, seen by many in political circles as Cuomo's enforcer in Western New York, and the Buffalo Common Council. Then, Hoyt found himself publicly apologizing to Buffalo Council Member Joseph Golombek, Jr., for comments he had made regarding the Peace Bridge project that had seemingly dismissed local residents' concerns and those of Buffalo city government.

More ironically, though, Hoyt's emails seem to fly in the face of the bill he once co-sponsored aimed at criminalizing bullying: “Egregious incidents of bullying, both in person and through the use of technology, have increased,” the text of the bill said. “The term ‘bullying’ shall include communications or dissemination of any material through the use of technology or electronic means.”

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State Financial Corp.

# Reporter Called It Back in 2013: 'No Money' for Lockport Charities from Yahoo!

## Frank Parlato

Only the Niagara Falls Reporter called it right, back in April 2013, when we reported on the \$30 million Yahoo! taxpayer subsidized deal and called people “naive” who thought that Niagara County non profits would get any money in return for local taxpayers giving the giant Internet corporation 10 years of tax free status.

On April 30, 2013 The Niagara Falls Reporter wrote:

The Town of Lockport IDA gave Yahoo! a deal that includes zero property taxes for 10 years....

All told, Yahoo! will get \$30 million in county and state sales and property tax breaks, credits against state income taxes and 7,200 kilowatts of half-priced electricity from the New York Power Authority (NYPA)....

Gov. Cuomo required Yahoo to ‘tithe’ back \$3.5 million, to be paid at half-a-million a year over seven years, the spending of which will be overseen by Cuomo appointee Sam Hoyt, regional president of the governor’s Empire State Development authority.



The money will be funneled through the Community Foundation of Greater Buffalo. It struck some naive people as being peculiar that, while Niagara County is making the tax gift, a Buffalo organization is getting the kickback from Yahoo! Inc.

In this case, it is not Buffalo, but Albany. The governor will control which “charities” get the money.

Well we wrote that back in 2013, but no one was listening then. There was too much cheerleading and self congratulations among Niagara officials to read the fine print or listen to our warnings.

Perhaps if more people paid attention to the numerous predictions in the Niagara Falls Reporter – which invariably come true (i.e. that the Hamister Hotel was a largely bogus deal; that the Seneca’s would sooner or later build a tax free gas station; that the Live Niagara plan to pay students to live in Niagara Falls would not attract any students despite the hoopla; that Mayor Dyster was fooling the public about his actual interest in removing the South Robert Moses Parkway; and literally dozens of other accurate predictions) we would be writing a lot less “I told you so’s.”

But we keep on warning the people – particularly the elected officials – and they keep ignoring us.

“Ignorance is bliss”, they say.

But not really.

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# Worst Area for Taxes Requires Government Subsidizes

## Frank Parlato

Consider how stupid this is:

All told, Yahoo! will get \$30 million in county and state sales and property tax breaks, credits against state income taxes and 7,200 kilowatts of half-priced electricity from the New York Power Authority (NYPA).

These giveaways – which will be subsidized by taxpayers - were what was believed to be needed to attract the giant Internet company.

It sounds like a special break for Yahoo! And it is in a sense- but only in New York State and in particular Western New York would this be a real deal.

Half-price electricity in New York only means Yahoo! Inc. will pay about the same rates for electricity that much of the rest of America pays without breaks.

According to Electric Power Monthly, New York State has the highest electrical rates for commercial and residential users in America, with the exception of Hawaii.

In the month of February, 2013, when Yahoo! struck the deal to come here with various elected officials from the governor to town of Lockport officials, people living in the State of New York paid 18.89 cents per kilowatt hour for residential use and 15.50 for commercial. The national average was 11.61 and 10.04.

Yahoo! Inc. uses substantial amounts of electricity and therein lies a hint to the problems facing western New York.

Despite the fact that 70 percent of the



This Yahoo! server coop generates heat, which the cool temperatures of Niagara will help to offset.



Aerial view of the Yahoo! center.

profits that the New York Power Authority makes statewide comes from low cost hydro-power generated in Niagara County, Niagara county residents do not use locally produced hydro power!

Neither do the businesses, unless the governor, who, in effect, controls the local hydro-power by virtue of the fact that he appoints the board of directors at NYPA, decides when a business is worthy to get what he calls "low priced electricity" which is really just normal priced electricity anywhere else.

Without special intervention from the governor, new business cannot start here because of high electricity rates - and that is hard to fathom since this is where true, low-cost

electricity is actually generated.

On top of high electrical rates, New York state residents pay the highest state taxes in the USA and, on top of that, Niagara County property owners pay the second highest property taxes in the U.S. in proportion to the value of their property, according to the Tax Foundation of Washington, D. C.

By giving Yahoo! \$2 million off their state income tax, and 10 years of zero property taxes, the giant internet corporation will not pay the same high taxes that the average small business and homeowner will pay in the region.

The rich get richer.

Moreover, this points out that unless New York government gives breaks to some, while taxing others to the hilt, no new start ups are possible here in this, compared to other states, unlevel playing field.

What the governor did was reduce taxes and electricity enough so that Yahoo! Inc. will pay what they might expect to pay in other

states without incentives.

Of course, the secret of Yahoo!'s desire to expand in Lockport has much to do with cold weather. The Yahoo! center, with its reliance on heat generating computers, can take advantage of Niagara's normally cold climate.

"The use of outside air-cooling for approximately 98 percent of the year eliminates the need for expensive and energy-intensive chillers to keep the servers cool," Yahoo! said in a press release.

Yahoo officials said they would invest \$170 million to expand its data center in the Town IDA Park, adding a new customer call center creating 115 more jobs. At the time of the tax breaks deal, the center currently employed 77 people. About 40 percent live in Niagara County.

It is probably about time to check up on those numbers promised by Yahoo! to determine if they are reaching the promised goals that were in effect the very reason for the tax breaks in the first place.



In this interesting play off on the similarly sounding Niagara and Viagra – and the latter's purpose: to make impotent men potent – at least temporarily- the great lampooner, Gerald Skriin presents a stunning visual commentary on what is soon to be a prime example of impotence – the new and soon to be hauntingly empty train station on Whirlpool St. Metaphorically, Viagra is taxpayers' money which subsidized the \$44 million train station which will service a mere 60 riders per day. There was no need to build a 20,000 square foot train station – since the current 800 square foot train station [which does not cost taxpayers anything] is large enough for the small numbers that ride a train in or out of Niagara Falls daily.

Like Viagra, a large dose of taxpayers' money can make the new train station seem potent – for a time - but what goes up must come down.

Even if its creators, Senior Planner Tom DeSantis and Mayor Paul Dyster can get it [the train station] up – for a while – it was propped up by taxpayers dollars and not by any true need for a larger station to accommodate riders who aren't there.

Like Viagra the new train station side effects are [when taxpayers see the costs and how it empty it will be]: Headache; Flushing in the face, neck, or chest; Upset stomach, indigestion; Abnormal vision; Nasal congestion; Back pain; Muscular pain or tenderness; Nausea.



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# Warshaw Costs Climb As PERB Rules Against City On Police Pact

## Mike Hudson

The \$400,000 paid to Warshaw and Associates to transform the Niagara Falls City Police Department into a kinder, gentler organization under an agreement reached between Mayor Paul Dyster and former Attorney General and current Governor Andrew Cuomo five years ago may just be the tip of the iceberg insofar as costs that will be borne by city taxpayers.

A resolution, quickly and quietly tabled by the City Council earlier this week, provided a hint of the hidden costs yet to come.

And sources close to the situation say the additional funding called for in the resolution is only the beginning.

Dyster's communication started off cheerfully enough.

"As you know, between November 2010 and November 2015, the City of Niagara Falls was a party to a Stipulated Order of Consent with the New York State Office of the Attorney General which required the city to undertake the review and reform of its Police Department policies and procedures," he reminded the Council. "Overall, this process has been a success in that the Police Department has significantly strengthened its policies in the areas of diversity, community policing and use of force and have made a positive impact both in the department and

with the general public. These benefits were noted by the office of the Attorney General at the conclusion of the Consent Order."

The Attorney General failed to note that, over the same period, crime in the city skyrocketed, to the point where Niagara Falls was named the most dangerous city in the state of New York and one of the most dangerous in the entire country by numerous online news outlets.

And it gets worse. Because of a complete communications breakdown between the administration and the city's two police unions, many of the changes recommended by Warshaw and implemented by the administration were at odds with negotiated union contracts.

"Unfortunately, in order to implement the departmental changes within the time period required by the office of the Attorney General, there was no opportunity to negotiate those changes with the city's two Police Unions as required by the Taylor Law," Dyster wrote. "Conflicts arose with the unions in the areas where the new departmental practices conflicted with terms contained in their collective bargaining agreements with the city."

Wouldn't you know it? Union members filed a complaint.

"As a result, the New York State Public Employment Relations Board (PERB) recently ruled that the city committed an improper practice in a proceeding brought by the Niagara Falls Police Club and supported by the Ni-



agara Falls Police Captains and Lieutenants Association," the mayor admitted. "PERB directed the city to rescind a number of the policy changes made pursuant to the Consent order; however doing so would put the city back into the same position it was prior to the consent order in 2010."

Administration officials finally agreed to meet with the cops, something that probably should have happened before the trouble began.

"Instead of taking a step backwards, the city met with both the Police Captains and Lieutenants Association and the Police Club to discuss the impact of the PERB decision on the new departmental policies," Dyster wrote.

The resolution was accompanied by a Memorandum of Understanding with the Captains and Lieutenants Association that called for pay increases totaling five percent over the next two years and 400 hours of compensatory time for additional work necessitated by compliance with the Warshaw directives.

In a city where police brass routinely pull down \$100,000 a year and more, the cost would be significant. And the much larger rank and file Police Club was not even addressed in the resolution.

"While the proposed agreement will result in a modest financial impact, the provisions of the same allow for a deferral of payments to allow the city financial flexibility over a period of years," Dyster wrote.

In 2011, Dyster told the Council that it would cost the city about \$57,000 for the three months believed to be necessary to complete the consent order-required revisions. Where that figure came from is anyone's guess.

Dyster sold city cops down the river when he entered into the consent order with the state based on 30 citizen complaints against the police – which were never made public – alleging that officers in the department were biased against black people.

One source who has seen the complaints told the Niagara Falls Reporter that they run the gamut from use of unnecessary force to one where a woman complained that the children of a neighbor who happens to be a police officer have repeatedly kicked a football into her yard.

Warshaw had close political ties with the Cuomo administration. He served as the Rochester chief of police until 1998. His deputy chief, Robert Duffy, then became police chief and later mayor of Rochester, publicly referring to Warshaw as "my dear friend."

Duffy later served as lieutenant governor under Cuomo.

Police department sources told the Reporter that one of the most onerous provisions of the Warshaw recommendations is the way in which citizen complaints are handled by Internal Affairs investigators. Formerly, the officer was made aware of the complaint and



Mayor Paul Dyster negotiated a settlement with the State Attorney General concerning changes in the Niagara Falls Police Department based on advice from a police monitoring company Warshaw and Associates closely connected to the governor. Unfortunately, Dyster neglected to bring the Police Union into the negotiations - a violation of law - and an act so slovenly - that it will cost the city millions and likely end residency requirements for cops in this city. If Dyster were in the private sector he would be likely fired for this act of incompetence. As it is, the police will get a raise, and bonuses, the taxpayers will pay and Dyster will call it a victory and boast about it should he run for a 4th term.

allowed to present his side of the story at the beginning of any formal probe.

Now, the officer is "targeted," kept in the dark about the nature of the investigation until all witnesses have been interviewed and all damning evidence gathered.

The sources also report that, in addition to pay increases and compensatory time, rank and file officers want an end to the residency requirement for police personnel for those with at least 10 years' seniority.

Currently, as many as 65 of the city's 157 police officers live outside the city in what amounts to a "don't ask, don't tell" administrative policy, but some fear that relaxing the residency requirement would result in the further flight of hardworking economically stable individuals and families away from the increasingly poverty stricken city.

One thing is certain. The Council didn't want to touch the Dyster resolution with a bargepole. The matter was put to rest so quickly that the public in attendance at the meeting seemingly didn't even know it was under consideration.



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# NATIONAL FUEL

## New York Consumers To Get Rate Increase While Pennsylvanians Get Decrease

### James Hufnagel

National Fuel supplies natural gas to over 730,000 residential and corporate customers throughout Western New York and northwestern Pennsylvania. The Williamsville, NY-based oil and gas concern is vertically integrated across five business divisions: Exploration & Production, Pipeline & Storage, Gathering, Utility, and Energy Marketing, all operating largely within the Buffalo metropolitan area.

National Fuel filed a request late last week with the New York State Public Service Commission to increase utility base rates for New York customers. If approved, it will result in a 7.2% increase in delivery rates, an additional \$5.75 a month on a typical gas bill, from approximately \$80 to \$85.75.

The price hike is projected to enhance National Fuel's annual revenue by \$41.7 million a year, a 7.9% boost to its bottom line.

At precisely the same time National Fuel was petitioning for a rate increase in New York, it was acting to lower rates in Pennsylvania. On Friday, National Fuel submitted an application to the Pennsylvania Public Utility Commission seeking to lower consumer and business gas supply charges by 6.46%. Taking immediate effect on Monday, May 1, the average Pennsylvania gas bill was reduced by \$3.46, from \$53.55 to \$50.09.

National Fuel justified the New York increase in an April 28 press release, pointing out that the upward adjustment will be the first time it has



National Fuel's sprawling campus in the north suburbs (left) has been a frequent target of protests over the years, over fracking, consumer policies and more recently, the construction of obtrusive pipelines through the small towns and farms of Niagara County.



increased utility base rates in more than 9 years, since 2007, "...its customers not experiencing any delivery rate increase for nearly 10 years... Key components of the rate proposal are the continued system modernization of National Fuel's pipeline infrastructure..."

On the other hand, the very next day, a second press release reassured Pennsylvanians that their gas prices would remain unchanged: "National Fuel hasn't sought to increase the delivery service charges paid by its residential customers in more than 8 years, even while consistent investments in pipeline safety and system modernization have continued."

To summarize, National Fuel's business pol-

icies appear to reflect "a tale of two states". A natural gas price increase is levied on Western New York, the stated purpose of which is to underwrite modernization of pipelines, while rates are lowered in Pennsylvania, where pipeline modernization is continuing unabated, as laid out in two press releases issued within 24 hours of each other.

As a top fracker, National Fuel has lately been victimized by its own success. Gas drillers have extracted so much of the fossil fuel from the Marcellus Shale formation in Pennsylvania that a massive supply glut has resulted, depressing prices and negatively impacting the company's net income. In fact, National Fuel reported a consolidated net loss of \$147.7 million, or \$1.74 per share, for the 2nd quarter of 2016 alone, its Exploration and Production (fracking) segment hemorrhaging capital.

In spite of this recent poor performance, shareholder dividends have risen every year for the past five decades, including a 2015 \$1.58 per share dividend and a quarterly dividend of \$0.395 paid last month. Clearly, National Fuel has chosen to finance the "continued system modernization of National Fuel's pipeline infrastructure" at the expense of New York (not Pennsylvania) ratepayers, rather than inflict dividend cuts on its investors.

It's no secret that National Fuel intends to



The cover of National Fuel Gas' 2015 annual report shows a pipeline running directly into a scenic rural town and two helmeted workers walking along it for perspective.

pick up its long-term financial slack by exporting fracked gas to Canada, and to accomplish that goal, is implementing an aggressive build-out of pipeline through Niagara County communities, to appreciable pushback from local citizen groups including the Pendleton and Wheatfield "Action Teams", together comprising nearly a thousand members on Facebook. National Fuel is on the verge of constructing a noisy 22,000 horsepower compressor station in the town of Pendleton and a carcinogen-emitting dehydration station in Wheatfield to support its Canadian pipeline link.

Of course, this is the "pipeline infrastructure modernization", cited repeatedly in National Fuel annual reports, press releases and on its web site, that it intends to complete on the backs of New York, but not Pennsylvania, ratepayers.



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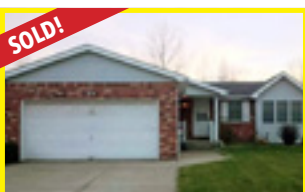
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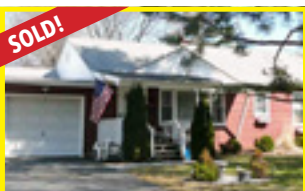


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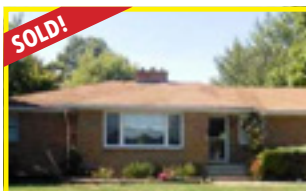


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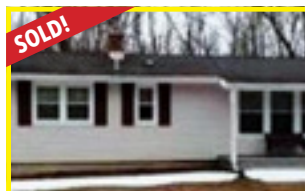
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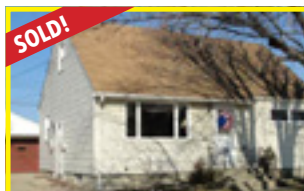
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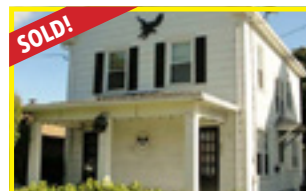
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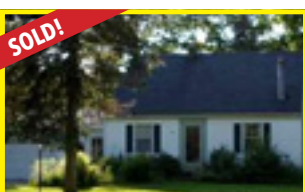
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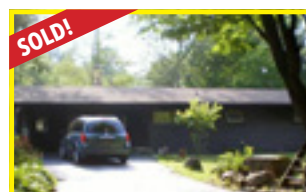
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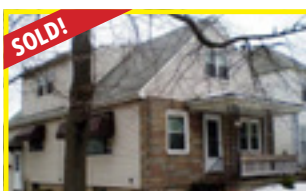
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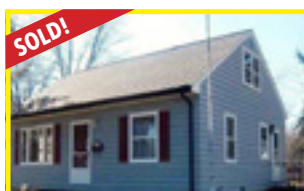
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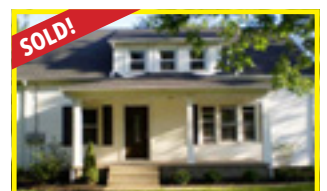
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# Senecas Say Damn The Torpedoes To Local Businesses, Full Speed Ahead!

**Mike Hudson**

They said it couldn't be done. Or, rather, they said it wouldn't be done. When leaders of the Seneca Nation of Indians were gifted with 50 acres of prime real estate in the city's tourist district, along with the multimillion dollar convention center for use as a casino that opened in 2002, they swore up and down that a tax free gas station and smoke shop just wasn't in the cards.

For some odd reason, we here at the Niagara Falls Reporter didn't believe them.

Late last month, the Senecas broke ground for their new gas station and smoke shop, on Niagara Street very near the site of the old Pizza Hut restaurant that was put out of business when the state gave the Seneca Nation the land.

Doesn't that beat all?

"Determining the future use and development of our sovereign lands is the right and responsibility of the Seneca Nation," said Mo John Sr., Seneca Nation president. "This project is in keeping with those sovereign rights as recognized by the federal government. Furthermore, we believe it can be a catalyst for additional development along the Niagara Street corridor."

"We aim to be a good neighbor and a strong partner," he added.

Seneca Gaming Corp. head Barry Snyder, who was the nation's president when the casino deal went down and swore by everything that is holy that no gas station / smoke shop was being contemplated, hailed the news.

Several factors, he said, including a strengthening local economy, played a role in deciding to build the retail outlet. Snyder pointed to several new private- and public-sector developments in Niagara Falls including new hotels and renovations to the state park.

"There is great opportunity now to establish the area on the east side of the Seneca Nation's territory as a true gateway to the city," Snyder said. "We're happy to be taking this first step in that direction."

The Niagara USA Chamber of Commerce, Niagara County's leading business advocacy organization, has come out strongly against the plan to open the 24-bay gas station on sovereign land within the city of Niagara Falls.

"While we respect the rights of a sovereign nation, the negative impact that a tax-free gas station would have on local convenience stores, businesses and the city and county would be devastating," a prepared statement from the organization stated.

Others are opposed as well.

Likely victims of the Seneca plan include the Star food Mart, which serves up gas and cigarettes at Fourth and Main, the Citgo Mart at Seventh and Main, the Mobile station at 10th and Pine and the Mobile station at 29th and Pine.

The 7-Eleven, almost right across the street at 402 Niagara St. and Andy's Quick Stop at 18th and Niagara will also feel the effects of the cut rate cigarette trade.

And who will make the trek out to the



Proposed site of the tax free Seneca gas station.



Seneca wants more: After building a tax free casino and hotel with a cadre of tax free businesses inside the Seneca Nation is now building a tax free gas station and smoke shop in downtown Niagara Falls.

Tuscarora smoke shops and gas stations such as Smokin' Joes and Randy's once bargain basement gas and smokes are available right in downtown Niagara Falls?

Originally, Seneca officials said they would sell gasoline and cigarettes at

"competitive" rates. They've since modified this, but why is there any reason to believe anything they say when they said they weren't going to open a gas station / smoke shop to begin with?

"There is nearly a \$5 difference in the

price of a pack of cigarettes between New York retailers and Native American smoke shops," the Niagara USA Chamber's statement read. "While the merits of New York's tax policy can be debated, local retailers are caught in the middle. While they must comply with New York state regulations, their neighbor can conduct business virtually unimpeded by such burdensome regulations and taxes. This is simply unfair."

They also can chop off 42 cents per gallon in New York State gasoline taxes – a hefty sum that will make competition impossible for American taxpaying gas station owners.

In 2012, the Seneca announced that they wanted to build a gas station and smoke shop, but were met by resistance from Albany. Howard Glaser, former director of state operations under Gov. Andrew Cuomo, wrote that such an operation would fall outside of the "traditionally associated with the operation or conduct of a casino."

"This was the agreement that was bargained for by a Seneca delegation, signed on behalf of the Seneca Nation by (former) President Cyrus Schindler and ratified by referendum of the Seneca people," Glaser wrote in 2012. "Regardless of any complex legal issues, I share the community's deep concern about the potential impact on small business that the potential Seneca operation may have."

The Seneca backed down, in what current tribal President Mo John now characterizes as a mistake.

Asked about the situation by the Niagara Gazette in March, Cuomo was circumspect, to say the least.

"We're reviewing it now and we're going to speak to all parties before we have an opinion," Cuomo said.

No such opinion has yet been rendered, even though construction is proceeding apace.

Paul Poulos, 86, has owned the Star Food Mart on Main Street for 63 years.

"They're going to drive more people down Niagara Street, but for who? Themselves?" Poulos said. "If it gets to that point, I'll make my place into a parking lot."

In a prepared statement, Jim Calvin, the president of the state Association of Convenience Stores, called the plan "a poke in the eye to struggling non-Indian retailers" and, in terms of economic development, a "wolf in sheep's clothing."

"The Senecas seek to monopolize the retail gasoline market in Niagara Falls with pump prices that are dramatically but artificially lower," he said. "Cannibalizing an existing industry by thumbing one's nose at state and local taxes and regulations should not be allowed to pass as positive economic growth for Niagara Falls or any other New York State community."

Calvin estimated the sales tax loss at each gas station business would amount to a minimum of \$250,000.

"That would mean forfeiting motor fuel tax revenue earmarked for maintenance and repair of roads and bridges across Western New York, as well as the loss of sales and jobs at surrounding non-Indian gas stations and convenience stores," Calvin said.

# Seneca Smoke Shop, Gas Station To Open In June – Is Mall Far Behind?

**Mike Hudson**

Back at the dawn of the new century, the Niagara Falls Reporter was a lone voice in the wilderness, daring to ask the question others dodged.

Would a gas station and smoke shop operation be part of the Seneca Nation's master plan for the development of the 50 acre parcel of prime real estate they were gifted in the heart of the city's tourist district?

The answer, from everyone who pretended to know, was a resounding no. Cyrus Schindler, then Seneca president, acted as though he was insulted by the very thought, given that he was presiding over the opening of a casino that would take in \$1 million a day.

A portion of the compact reads that the Seneca can conduct "any form of Class III Gaming on Nation lands pursuant to this Compact; provided, however, that this Compact shall apply to operation of such enterprise, business or activity only to the extent that such operations are directly related to Class III Gaming undertaken by the Nation pursuant to this Compact."

In the past, many have interpreted this language to disallow a gas station on the Seneca land, and in 2012, the state used the provision to stop a previous smoke shop / gas station initiative.

In all likelihood, the Seneca "energy station" on Niagara Street is not the end of the

tribe's plans for branching out into businesses unrelated to gambling, but only the beginning.

Again, the Reporter has been at the forefront when it comes to predicting the all too predictable expansion.

The Reporter published this in 2007:

"Seneca... has opened a buffet, a pub, a 'high-end' steakhouse, an Italian restaurant, an Asian restaurant, a glamour spa, a conference center, a bistro, a coffee shop, a nightclub, electronics, jewelry, clothing, souvenir and multiple gift shops, and a 26-story, 604-room hotel. All tax free. More stores, more hotels are coming. And when the 50 acres are filled, the insane Seneca/Albany compact provides for acquiring additional, adjacent land -- to remove from the USA -- for more tax-free Seneca businesses. A smoke shop is anticipated, a gas station, a mall and ironically -- a convention center. Soon, if we don't stop them, they will own the whole town."

When you don't have to pay property tax, and you don't have to pay sales tax, and you don't have to comply with costly building codes there's plenty of money lying around to finance new construction.

And the Seneca operation will be competing against local businesses, which labor under the heaviest tax burden anywhere in the state, and perhaps the country.

"This won't benefit an already impoverished city," Niagara USA Chamber of Commerce spokesman Kevin Schuler



This egregiously politically incorrect cartoon was published back in 2006 to demonstrate the inequities of the Seneca compact with New York State which punished Niagara Falls as it enriches Albany and the Seneca by allowing a group of people by race to operate tax free while dumb Americans who live in Niagara Falls pay the highest taxes in the highest taxed state in America! Where are our elected leaders in opposing this?

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told the Reporter in an exclusive interview. "I know they want to do some development, back in 2002 they had all sorts of plans, but is a gas station and smoke shop the best thing? I don't think so."

Schuler said the taxes and regulations non-Indian businesses must work with creates a colossally uneven playing field here.

"While the merits of New York's tax policy can be debated, local retailers are caught in the middle," he added. "While they must comply with New York State regulations, their neighbor can conduct business virtually unimpeded by such burdensome regulations and taxes. This is simply unfair."

The city, already teetering on the edge of bankruptcy, would lose vital sales tax revenue

on gasoline and retail purchases at the Seneca tax-free location. As local businesses lose customers to a tax-free gas station, the amount of sales tax revenue paid to the city and county will drop in proportion.

"Unless the state were to compensate the city for this lost revenue the economic hit will be another roadblock to the city's recovery," Schuler said.

Land ceded to a foreign nation is property tax-free forever. Items that used to generate sales tax are now purchased sales tax-free in a neat 50-acre zone. Yet locals still pay for roads, sewers and water lines that lead to the Seneca land, and pay for increased criminal justice and social welfare costs associated with casino-fueled gambling addiction.



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# Nikola Tesla sculpture to Remain in State Park

**James Hufnagel**

Even though the Niagara Falls City Council, the Niagara County Legislature and the Niagara Falls National Heritage Area board all passed unanimous resolutions requesting that the famous sculpture of inventor Nikola Tesla be gifted to the city of Niagara Falls and installed at a place of honor in the city, the actual location of his accomplishments, State Parks last week announced that work has begun to relocate the statue to Stedman's Bluff, at the brink of the falls, in the Niagara Falls State Park.

Had the Tesla sculpture been ceremoniously turned over to the city of Niagara Falls, it would have made international headlines. What a sad outcome.

State Parks' press release read in part as follows: "The methodical and multi-step process... will provide the monument honoring the famed inventor a one-of-a-kind view overlooking the American Falls at Stedman's Bluff. The tribute to Mr. Tesla... will serve as a principal focus in the prominent, inspirational and redesigned Stedman's Bluff setting with views of the American Falls, Luna Island, Prospect Point and the Niagara River... Attention to the monument includes freeing the statue from its concrete base, installation of new supports, special care and cleaning and the reestablishment at Stedman's Bluff. Once repositioned within the park, the statute will become more accessible for all visitors with seating along the base perfect for photographs and reflection."

"The work is expected to be finished in June as part of a \$70 million revitalization at the state park."

Actually, Gov. Andrew Cuomo is spending \$50 million, not, as the press release asserts, \$70 million, to "revitalize" his Niagara Falls State Park. Apparently for the sake of simplicity, State Parks lumped in the \$20 million spent to "revitalize" the south Robert Moses Parkway.

In addition, the base of the sculpture is black granite, not concrete as the press release says.

The reason the city lost out on an opportunity to obtain the Tesla sculpture, which is estimated to have a value in the hundreds of thousands, is because Mayor Dyster fought the initiative from the start. Dyster morphed the original proposal from siting the sculpture at a secure location anywhere within the city,

to installing the sculpture on Buffalo Avenue contingent on establishment of a museum there, at the original 1890's Tesla generating station, another pie-in-the-sky project like the Niagara Experience Center, Aquafalls and Oz. The fact is, Dyster's "big money" masters, Cuomo, State Parks, Maid of the Mist and Delaware North, in the final analysis, don't really want competing attractions in the city.

Besides, the Mayor already had in mind a masterpiece, a timeless work of art, the Boundary Waters sculpture, for an unveiling downtown. Like some kind of Renaissance art patron commissioning a tribute to himself, Dyster enlisted the services of an out-of-town "artist" to create a lasting memorial to his greatness. The difference between Dyster and the medieval aristocracy however, is that they actually paid for their vanity themselves. Dyster is spending \$435,000 of OPM (other people's money) including the city's \$50,000 contribution, to commemorate his leadership for future generations. Assuming it's not hauled off for scrap the day after Dyster leaves office, that is.

A former administrator of Niagara University's Castellani Art Museum, Kim James Yarwood of Grand Island, rendered his expert opinion on the fate of the Tesla sculpture as a comment left on the Buffalo News web site (edited for clarity):

"In 1975, the federal government, not our state government or local politicians or Parks administrators, was offered a wonderful bicentennial gift from the Yugoslavian (now Serbian) government to honor their native born Tesla and his contributions. The sculpture was intended at first to be located within the city of Niagara Falls, but for security reasons was placed in front of the Powerhouse Arch on Goat Island.

"This sculpture of Nikola Tesla is the second casting of three identical works



"I think it's a perfect move for the State Park, that it stayed in the state park and is moving to this location." - John Percy, President and CEO of the Niagara Tourism and Convention Corp., last week.

created by the famous East European/Croatian sculptor Frano Krsinic. This monumental sculpture is considered one of Krsinic's masterworks, among others displayed in major museums around the world, and is honored by tens of thousands of Tesla admirers as the greatest work of fine art made in Tesla's image & name. Probably worth millions!

"To think that a handful of Parks administrators, sitting in their little office, have any right to displace this sculpture on a whim, sending it to a hidden bushy berm called Stedman's Bluff, is a thoughtless insult to both the Serbian Government, the artist Frano Krsinic and to Tesla himself.

"To make things worse, this masterpiece will be removed from its well-designed

granite pedestal and then bolted down to a landscaping rock like a common garden Gnome and as a plaything for tourists. The sculpture is already damaged from millions of photo-shooting folks with no interest in Tesla!

"Thousands of dollars were allocated for its restoration, where did that money go? Cleaning is not restoration! The destruction of the sculpture's artist-designed pedestal should create a lawsuit in itself!

"Ask yourself, what connection does this sculpture have to the Stedman family and their bluff... NONE? And why didn't the planners include this sculpture in their original design for renovating Goat Island?

"Maybe the Serbian government should step in and take their bicentennial gift back and give it to some deserving place..."

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 Dine-in ONLY.

**20% de descuento en el total de la cuenta**

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**LUNCH SPECIAL**  
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 everyday

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Todos los Días tenemos especiales a la hora de lunch de 11am - 3pm \$2off.


**We also have an American menu & a kid's menu.**

# Johnny G. Destino


for **BOARD OF EDUCATION**

"It's time to renew our efforts to restore vocational education to Niagara Falls. Let's work together to make sure our children have the same options and opportunities we had growing up."

**Remember to vote**  
**TUESDAY, MAY 17**



- IMPROVING ACCESS TO VOCATIONAL EDUCATION
- INCREASING COOPERATION BETWEEN CITY AND SCHOOL DISTRICT
- RENEWING DEDICATION TO PHYSICAL EDUCATION FOR CHILDREN
- USING INCREASED STATE FUNDING TO RESTORE CLASSROOM STAFFING
- PROVIDING VETERANS TAX CUT



**Destino**  
 BOARD OF EDUCATION

# ‘I Doubled my Business Through the Reporter’ Lou Avino Isn’t all About Gutters 40-year Falls Legend Keeping On

## Mike Hudson

Get your mind out of the gutter!

When people in Niagara Falls think of Lou Avino, they think of gutters. For more than 40 years Lou’s been climbing the ladder of success onto the rooftops of Cataract City homes, cleaning the gutters befouled by the leaves dropped by the city’s majestic maple, oak and fruit trees. “Regular gutter cleaning prevents wood rot, water damage, fungus, mold, bacteria, nesting roaches and insects and sagging and detached gutter. Clean your gutters regularly and prevent damage and save your dollars.” says Avino.

But there’s more to Lou than that.

Much more.

Siding, house painting, home repair, Avino is kind of a one stop shop for just about anything you might need done around the house.

Plus he’s a super nice guy. Old school. Gruff but always a gentleman, a jack of all trades who is atleast as responsible for keeping Niagara Falls looking nice as anyone



Guys you can trust. Lou with his long time helper Paul will come to your house and handle any repair.

with an office at City Hall.

He says advertising in the Niagara Falls Reporter has doubled his business over the past year.

“Since I started advertising in the Reporter, my phone is always busy. After all, everyone reads the Reporter. I find by being steady in the paper, the calls keep coming.”

Avino’s reputation however often precedes him. He’s a guy who gets the job done right the first time.

“Lou’s been working on my house since forever,” said one satisfied customer, a widow whose children have fled the city. “When he comes I always bake a rhubarb pie. He loves rhubarb pie.”

For his own part, Avino is modest.

“I do what I do, you know? It’s not rocket science,” he told the Reporter. “I’m a simple man who does what he does.”

Like many in Niagara Falls before him, his work ethic is pretty much what sees him through.

Give him a call, should some household problem get the better of you. He’ll pick up the phone himself. It’s 716 579-7397. Do yourself a favor.

## Carm Rotella

Niagara Falls Board of Education

*Committed to Children, Education, and the Community*

*“I am committed to providing quality education at a reasonable cost to our taxpayers.”*



Carmele Rotella

- An advocate for children
- Dedicated to fiscal responsibility
- Lifelong city resident and taxpayer
- Proven community leader
- Experienced Board member
- Accountable and accessible

**Your Vote Will Make A Difference!**

**VOTE May 17**  
**Polls open 12 noon to 9 p.m.**

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# Special Grand Jury to Be Impaneled in Pigeon Case

## Tony Farina

We have learned that State Atty. Gen. Eric Schneiderman is expected to impanel a special grand jury in Buffalo on Monday (May 9) with the sole purpose of investigating former Erie County Democratic Chairman Steve Pigeon's political activities, a continuing probe that follows the seizure nearly a year ago of computers and a cell phone belonging to Pigeon during a surprise raid at his waterfront residence.

Sources familiar with the Schneiderman investigation say as many as four judges are linked to the case who reportedly received emails from Pigeon which were recovered by investigators with the seizure of Pigeon's computers and cell phone last May although at least one legal source suggested prosecutors may be reaching to make anything out of the emails reportedly sent by Pigeon.

Pigeon has been a frequent target of his political enemies over the years but has never been charged with a crime and has repeatedly denied any wrongdoing in connection with his campaign fundraising activities for candidates and causes he supported. Pigeon certainly has had a less than friendly relationship with Atty. Gen. Schneiderman since the two clashed when Schneiderman was serving in the State Senate during the 2009 coup led by Pigeon and former gubernatorial candidate Tom Golisano that briefly controlled the chamber and was opposed vigorously by Schneiderman.

Pigeon could not be reached for comment on Wednesday but his attorney, former Atty. Gen. Dennis Vacco, declined comment on the rumors swirling in connection with the



Bad Blood? New York State Attorney General Eric Schneiderman tangled with Steve Pigeon on the political front when Schneiderman was a state senator.



Longtime political consultant and attorney G. Steven Pigeon maintains he has done nothing wrong.



Former US Attorney and NY State Attorney General Dennis Vacco represents Steve Pigeon.

Schneiderman investigation that includes the names of several local judges.

We have learned that at least one local lawyer was contacted by an FBI agent from the Buffalo office last week concerning emails

involving State Supreme Court Justice John Michalek who has reportedly retained legal counsel in the case as has his clerk although a spokesman for the attorney general declined comment on Wednesday in connection with the investigation.

There have been reports circulating that Schneiderman would be coming to Buffalo in the matter in the next several days but his office said on Wednesday that the attorney general does not have a Buffalo trip on his schedule in the short term.



"Such was the will of the Father that his Son, blessed and glorious, whom he gave to us, and who was born for us, should by his own blood, sacrifice, and oblation, offer himself on the altar of the cross, not for himself, by whom "all things were made," but for our sins, leaving us an example that we should follow his steps."

St Francis of Assisi

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**Wings... Get 'em To Go!**

**\$2 OFF 50 Wings**      **\$1 OFF 20 Wings**

Call ahead for Fast Pick-up. Valid on 1st bag only. Not valid w/ Monday Wings Promotion

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Ages 8 - 12 : \$4.99  
Limit 2 per Adult meal purchase at regular price.

**PONDEROSA**

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**\$6.99 Lunch Buffet**  
**\$9.99 Dinner Buffet**

Lunch valid Mon-Fri: 11am - 4pm, Dinner valid Mon-Sat after 4 pm; all day Sun.

**PONDEROSA**

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**\$6.99 Breakfast Buffet**

**PONDEROSA**

Cannot be used in combination with any other coupon, discount or promotional offer. Tax not included. Valid for up to party of 6 at participating Steakhouses.



*Here is a question/problem a reader asked:*

*My name is M.A.*

*I had an auto accident in 2014. The other driver was at fault.*

*I went to an attorney who advertises on billboards [I don't want to mention his name].*

*My attorney said he won't charge me a fee unless he wins the case. Then he said he wants 40 percent of what we win. Now it is two years later and he doesn't always return calls. Last week he said I should not take this to trial and to settle for about half of what he originally said I would get. The settlement he said was all the insurance company will ever offer which is \$200,000. [He gets 40 percent of that.]*

*How do I know if this is fair?*

*With doctors you can get a second opinion, but my lawyer said he would be insulted if I got a second opinion from another lawyer. So I am asking you Judge Bayger- can you give me any advice?*

Dear M.A.,

Your problem has many facets, so I will try to address the many aspects of your issue.

Your letter does not identify your age, which may be an important factor in determining the fee. A driver under the age of 18 is considered an infant in the eyes of the law, and the fee would have to be approved by the court.

According to the Rules of the Unified Court System, an attorney can charge you if he or she wins the case. That is called a contingency fee, and it is a percentage of whatever you get after a trial or settlement of your case. The percentage is 33.33%. When it comes to fees, all attorneys are governed by the same Rules of the Unified Court System. No matter whether you get the most qualified or the least qualified attorney, they both must charge the same, which would be 33.33%.

Getting a second opinion is always a good idea when you are trying to make the right decision and for the sake of your peace of mind. This applies whether you are hiring a

doctor, lawyer, or anytime you are consulting a professional. You can always change at no extra charge to you.

Remember, despite what work that may have been done by the first attorney, he or she will be paid out of the same 33.33% that any subsequent lawyer would receive. The second attorney would receive the balance of the fee. There is no additional fee to you for changing attorneys.

The biggest mistake people make after an accident, while in a state of shock and anxiety, is that they immediately retain a lawyer they've seen on TV or a billboard without checking into their qualifications. Every lawyer has an obligation to supply an injured person with their educational background and experience.

My advice to you would be to get a second opinion from an attorney that you are satisfied is outstanding in the field. Only a highly experienced attorney in personal injury law can properly evaluate whether or not an offer is fair and reasonable based on the unique circumstances of the case. Without knowing all of the facts, I cannot speculate whether to settle was the proper determination.

*(Retired State Supreme Court Justice Frank Bayger is inviting you to submit legal questions pertaining to personal injury or wrongful death cases to him for a published response. Email your questions to Judge Bayger, a Hall of Fame trial lawyer, and the judge will respond in writing in the Niagara Falls Reporter. Send your email to frankbayger@gmail.com.)*

## Local 91 Laborer Apprenticeship

The US and New York State Departments of Labor recognize and monitor registered skilled apprenticeship programs in NYS and throughout the United States. The Laborers' International Union of North America publicly promotes our successful model of labor-management registered apprenticeship programs to combat the growing emphasis on employer programs supported by taxpayers.

### What is Registered Apprenticeship?

**It's a job.** Apprentices start working from day one with incremental wage increases as they become more proficient. **It's on-the-job learning and education.** Registered Apprenticeship includes on-the-job learning from an assigned mentor combined with technical training provided by apprenticeship training centers, technical schools, community colleges, and institutions employing distance and computer-based learning systems.

**It's a credential.** At the end of the apprenticeship, all apprentices receive a nationally recognized credential. Some apprenticeship programs offer interim credentials as apprentices achieve important milestones during their apprenticeship.

### What are some advantages of Registered Apprenticeship?

The benefits to employers are: more highly skilled employees, reduced turnover rates, higher productivity, lower investment in recruitment, a more diverse workforce, a new pool of workers and the creation of career pathways. The benefits to registered apprentices are: being nationally recognized and portable credentials, improved skills and competencies, higher wages as skills increase and career advancement.

Registered Apprenticeship programs are operated by partnerships of employers, labor management organizations and government. Apprenticeship sponsors – employers, employer associations and labor-management organizations – register programs with federal and state government agencies. Sponsors provide mentors, on-the-job learning opportunities and required technical instruction to apprentices. Incorporating Registered Apprenticeship directly into your workforce development system will strengthen your local and regional economy by offering highly trained and educated residents. Let Registered Apprenticeship be your competitive advantage. Laborers' Local 91 accepts apprenticeship applications the first Tuesday of every month from 8 AM – 12 noon at our training facility located at 4500 Witmer Industrial Estates Niagara Falls, NY 14305.

## OFFICE FOR RENT

**OFFICE** Downtown Niagara Falls near Rainbow bridge. 3 rms and full bth. Walk up, Separate entrance. Utilities incl. \$1000 per month. Call Tony Girasole 716-471-9966.



**ALBANY'S VIEW:** A thoughtful Albany official (right), contemplates its perception of the intelligence and perspicacity of a resident of Niagara Falls, N.Y.

(NOTE: This vicious image deserves our bitterest scorn -- please ignore it! )



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**KEVIN ROGERS**

9:30 PM - 1:30 AM  
EVERY FRIDAY  
EVERY WED

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**PEGGY SILVESTERI**

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**WEDNESDAY KARAOKE DRINK SPECIALS  
\$2.50 BEER & WELL DRINKS!!**

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# FREE CONCERTS

FRIDAY  
**MAY 6**  
6 - 9 pm



## JACK CIVILETTO

---

SATURDAY  
**MAY 7**



## FAIRLIGHT

**9:30 pm - 12:30 am**



**Ricky's Pub & Pizzeria**  
7710 Buffalo Ave., NF NY  
716-283-7700



**Open: Wed, Thurs: 4 Pm - close**     **716-283-7700**     **FREE DELIVERY!**  
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**Pub & Pizzeria**  
*Where Good Times Roll*

**7710 Buffalo Ave., NF, NY 14304**

RICKY'S SPECIAL

1/2 Tray + 20 wings \$25<sup>99</sup>

FISH FRY

FRIDAY ONLY \$10<sup>95</sup>

Ricky's Pub and Pizzeria Banquet Menu  
7710 Buffalo Ave Niagara Falls NY (716)283-7710

Pizza Buffet - \$8/head

Pizza and Wing Buffet (including celery and blue cheese) - \$10.50/head

Happy Hour Parties – Including Pizza, Wings, and choice of 3 appetizers (Pizza Rolls, Mozzarella Sticks, Potato Skins, Onion Rings, French Fries, Fried Ravioli, Fried Green Beans, Fried Pickles) - \$12.95/head

Buffets

Choice of two meats (Roasted Chicken, Chicken Marsala, Meatballs and sauce, Italian Sausage with peppers and onions, Roast Beef, or Baked Ham)

Choice of two side options (Pasta and Sauce, Roasted Red Potatoes, Mashed potatoes, Mixed Vegetables)

Salad and Rolls with Butter - \$12.95

Choice of Three Meats from above - \$14.95

Mixed Veggie Tray - \$35 per 40 people

Cheese and Cracker Tray - \$50 per 40 people

Bar Packages

Cash Bar - \$50 for bartender

3 Hour Open Bar including beer (choice of three bottled beers) well liquor and wine - \$14/head

3 Hour Open Bar including beer, Premier Liquor and wine - \$19/head

\*\*8% tax and 18% gratuity added to all bills except where tax exempt  
\$100 non-refundable deposit needed to hold date

**10% off for Parties booked on Sundays**

# Congratulations America! We Are Going To Win Our Country Back!!



**J. Gary DiLaura**  
**The Right Side**

Congratulations Donald Trump on doing what you have done before. You did the impossible this time and are now the presumptive Republican Candidate for President of the United States of America!

I began calling for the support of Mr. Trump in the Niagara Falls Reporter in September of 2015 but actually hoped he would run in 2012. I am convinced Donald Trump will win decisively in the 2016 elections and still believe that the Democrat candidate will NOT be Hillary "Rotten" Clinton. She will, in my opinion, be disqualified from public office

by her failure to abide by the United States Laws on Confidentiality.

Later, with a REAL Attorney General... Hillary will be indicted for TREASON!

It doesn't matter who the Democrat Party substitutes for president, Trump will win decisively because we the people want our country, our Constitution and our Rule of Law BACK! We want all religions treated fair and not submit to any ideology that calls for death to anyone. We want a military that North Korea wouldn't dare play war games near nor would they threaten to detonate a nuclear device over our country to kill our electric grid.

We want our borders back! And our laws enforced!

We want Iran PUNISHED every time they launch a terror attack against us or any of our allies.

We want to see nuclear, natural gas, coal, oil, and wind power plants being built in all 50 states with Made In America materials and US citizens. We want our power grid rebuilt and made bullet proof. We want to see "Made In America" on reasonably priced goods in Walmart, Home Depot and Target again!

We want this NON Christian insanity STOPPED! Believe what you want and how

you want but do it peacefully without threatening anyone and without favoritism to anyone but remember we are a Christian Nation based upon Christian principles!

In God We Trust!



The old religions said that he was an atheist who did not believe in God. The new religion says that he is the atheist who does not believe in himself.

## LEGAL NOTICE

**PINE FUEL STATION LLC**, filed Articles of Organization with the NY State Secretary of State ("NYSSS") on April 19, 2016; the LLC is located in Niagara County; NYSSS is designated as agent of the LLC upon whom process against it can be served; a copy of any process served upon NYSSS will be mailed to the LLC at 2251 Forest Avenue, Niagara Falls, NY 14301; the purpose of the LLC is to engage in any lawful act of activity.

4/28/16, 5/5/16, 5/12/16, 5/19/16, 5/26/16, 6/2/16

## LEGAL NOTICE

**ZANDER PROPERTIES LLC**, filed Articles of Organization with the NY State Secretary of State ("NYSSS") on April 20, 2016; the LLC is located in Niagara County; NYSSS is designated as agent of the LLC upon whom process against it can be served; a copy of any process served upon NYSSS will be mailed to the LLC at 2902 Pine Avenue, Niagara Falls, NY 14301; the purpose of the LLC is to engage in any lawful act of activity.

4/28/16, 5/5/16, 5/12/16, 5/19/16, 5/26/16, 6/2/16

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Mind your own business. We beat big box prices and all competition.

<b>Cast Iron Fry Pan</b>  Frying Pan 8" \$12 <sup>95</sup> Frying Pan 10" \$15 <sup>95</sup> Frying Pan 12" \$18 <sup>95</sup> Frying Pan 15" \$35 <sup>95</sup>	<b>Night Locks</b>  <b>\$10<sup>95</sup></b> <b>Drywall Screws</b> Also Gold Deck Screws T-4 Also 5" x 8" <b>\$4<sup>75</sup> m.</b>	<b>Stainless Steel Tea Kettle</b>  <b>\$10<sup>95</sup></b>
<b>Stove Burners</b> Also stove range pans 6": \$11 <sup>95</sup> 8": \$15 <sup>95</sup>	<b>Wringers</b> Side Press Wringer 2" non-marking castors. 24 qt. Removable divider  <b>\$37<sup>99</sup></b>	<b>Shopping Cart</b> Rubber Cushion Grip  <b>\$24<sup>95</sup></b>
<b>Oven Bake Element</b> Starting from  <b>\$24<sup>95</sup></b>	<b>Add-A-Shower</b> with Bathtub Faucet  <b>\$105<sup>95</sup></b> For Claw Tub • 42" x 24" • W/ Riser & Wall Support	<b>Jimmy-Proof Single Cylinder</b>  <b>\$12<sup>95</sup></b> Includes both ANGLE and FLAT Strikes
<b>Contractor Garbage Bags</b> 42 G 3mil  <b>\$10<sup>75</sup></b>	<b>Other Specials</b> Bag Bug Killer ..... 4" Bathroom Sink Legs..... 17" Window Glass Prices 28 x 32 ..... 14" 26 x 26 ..... 10" S.S. Supply Lines 12" ..... 3" 20" ..... 3" 30" ..... 4" 36" ..... 4" 1/2" Sharkbite coupling 4"	<b>Coffee Pots</b> • Dishwasher Safe • Stainless Steel • w/Permanwood Handle  3 cup \$25 <sup>95</sup> 6 cup \$28 <sup>95</sup> 9 cup \$31 <sup>95</sup> 12 cup \$34 <sup>95</sup>
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# Your Weekly Horoscope


By Jean Topascani




**Aries: (March 21 - April 19)**

 Horse trainer breaks up with you, remarking, "Breaking a horse and breaking an ass are really quite similar." Hilarity ensues when you're mistaken for mob informant, followed by sleepless nights, coughing spells, tantrums, diaper rash, saturated mattresses and bone chilling screams. You could have a lot of good luck this week, but you won't.


**Cancer: (June 21 - July 22)**

 In a serendipitous happenstance of synchronicity, your watch is a half hour slow, but Jeopardy comes on half hour earlier, at 7:00 p.m. instead of 7:30. Weds: You will meet a socially awkward proctologist. Fri: Your brain should play a big part in your decisions today.


**Libra: (September 23 - October 22)**

 Your pool of assets has been drained, your clogs are missing, and the toilet removed, leaving people with absolutely nothing to go on when dealing with you. If you have the money buy a chain of steak houses. Sat: Good day to practice alphabet.


**Capricorn: (December 22 - January 19)**

 "Homogeneous gelatinous sacrosanct blob" is used to describe both you and cranberry sauce. The middle finger of the left hand is generally a better greeting than a smile since your buck teeth make you look like a rabbit. Offer to have lover's name tattooed on your butt.

**Taurus: (April 20 - May 20)**

 You grow like a little acorn and become a real nut. You will have an exciting meeting with a Virgo who is skilled at the Heimlich Maneuver. Snot-bubbles on face detract from appearance. Remember: Take and you shall receive. Stars point out that you were boring in your past and will be so in the future.

**Leo: (July 23 - August 22)**

 You don't think you will ever be able to love another the way you loved your last lover, but you are really eager to try. Your ample derriere is relatively safe, but - and it is a big 'but' - you understood there is always an inherent risk involving any surgery.


**Scorpio: (October 23 - November 21)**

 Tingly sensation, lack of feeling in one's extremities, uncontrollable drooling occurs -- you're in a dentist's chair on Friday. "Baggydrawers" is not the nickname you expected from coworkers after you purchased new green, polyester fat pants. Change your sign to Pisces.

**Aquarius: (January 20 - February 18)**

 Liquid Drano burns your hand when you spill some on it, having disregarded the manufacturer's warning. Sun: Narcoleptic lover opens eyes. Mon: Feathers and fresh tar will figure in your sudden decision to relocate. Try to imagine yourself with a personality.

**Gemini: (May 21 - June 20)**

 You have luscious, silver, hairy back, but no opposable thumbs. Your face is a perfect oval, like a circle that had its two sides gently compressed by a Thigh Master. Nose hair glistens in rain after a sneeze. Tues: Do not date, joke or think.


**Virgo: (August 23 - September 22)**

 You grow on people, like a colony of E.coli on room-temperature beef. Complex emotions like love are impossible as mucus hovers at the edge of your nostrils or drips down the back of your throat. Weds. pm: Look both ways before crossing street.

**Sagittarius: (November 22 - December 21)**

 Prospective lover weighs the advantages of a confluence of physiologically coinciding characteristics against the demonstrably unfortunate fact of your pronounced disadvantages in terms of wealth, intelligence and personality, and finally concludes that a relationship with you is inadvisable.

**Pisces: (February 19 - March 20)**

 Romance isn't easy since you started dressing up as a mermaid. You are unhampered by the laws of physics or chemistry, as if you knew what they were anyway. Even if you lose weight, you will still have an obnoxious personality. Finances improve for coworker who takes your job.

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An Albany official explains to happy Niagara Falls officials how creating a tax-free nation in their midst will be really great for them.

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# JUDGE FRANK R. BAYGER

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- + CAR AND TRUCK CRASH - \$7.5 MILLION RECOVERY (DURING TRIAL)
- + PRODUCT LIABILITY - \$7.5 MILLION RECOVERY (DURING TRIAL)
- + FALLING TREE ON AUTOMOBILE - \$8 MILLION RECOVERY
- + AIRPLANE CRASH - UNSAFE LOAD OF STEEL COILS - \$10.5 MILLION RECOVERY (BEFORE TRIAL)
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