

# Is Bruce's Goose Cooked? Facts show investigation into suborning perjury warranted



# NIAGARA FALLS REPORTER

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## Hamister Hotel Inflated Cost and Taxpayer Subsidies Need Scrutiny



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# Hamister Hotel Inflated Cost Demands Scrutiny

## Taxpayer subsidies based on wildly inflated price

### Frank Parlato

Last week we offered readers the news that we had something more to say about the Hamister Hotel deal in downtown Niagara Falls.

Normally we would not care about a small, limited service hotel now being built except for the fact that it has been subsidized by taxpayers and appears to have more than the usual dose of fraud.

The major method of fraud is in inflated construction costs.

Hamister doubled the cost of his hotel to get more taxpayer money.

Empire State Development spends state taxpayer money offering subsidies to various developers. The Hamister deal was contracted with Empire State to provide \$1 in taxpayer money for every \$9 Hamister spent building his hotel.

Hamister claims his 128 room Hyatt Place will cost \$35.6 million.

That's \$278,183 per room – which is ridiculous.

Anyone can build a Hyatt Place for \$135,000 per room.

The DoubleTree by Hilton, at 401 Buffalo Ave., with 194 rooms, cost \$139,175 per room (half of Hamister's \$278,906 per room price.)

Wingate by Wyndham at 333 Rainbow Blvd is \$92,727 per room.

HVS - Global Hospitality Services' Hotel Development Cost Surveys claim "Hyatt Place (is) characterized by lower construction costs, lower labor costs and higher profit margins than those of full-service hotels."



Hamister and Cuomo shake hands on the dubiously financed Hamister Hotel.

According to HVS, average costs for a Hyatt Place, is \$126,400 per room.

Hyatt claims "(the) cost-per-key ... is competitive with other major brands in the upscale select-service category."

Hamister claims he will spend double the industry average to build his hotel.

Niagara Falls Hotel developer and operator Michael DiCienzo told the Reporter he could build the same Hyatt Place Hotel Hamister is building for \$17 million - less than half the cost.

He offered to do it too when Hamister could not get the funding. (Before Cuomo stepped in and participated in the lie that this hotel costs \$35 million.)

It is a lie.

The cost to build the Hamister Hyatt

Place is about \$17 million not \$35 million.

The \$278,000 per room cost is a lie.

Gov. Andrew Cuomo and Mayor Paul Dyster either ignored or were complicit in the scheme to get Hamister more taxpayer subsidies after Hamister doubled the price of Hyatt Place hotel.

Perhaps, the next US Attorney, or New York Attorney General Eric Schneiderman, or US Attorney Preet Bharara will take a look at this inflated hotel.

By inflating the price, Hamister got \$3.85 million from Empire State and then for good measure the state-run agency kicked in another \$1 million.

Hamister also got a prime parcel of

land from the city which was valued at more than \$1.5 million, sitting about 300 feet from the entrance to the Niagara Falls State Park.

Hamister paid \$100,000 for it.

Hamister also received from the Niagara County IDA property tax abatements.

While Hamister picks up \$4.85 million from state taxpayers, Gov. Cuomo arranged with Cuomo campaign donors at Goldman Sachs to lend Hamister \$24 million against his hotel.

This means Hamister picks up \$28.85 million between subsidies and the loan.

Since Hamister claims the hotel is costing him \$34 million, on paper it appears Hamister is putting in \$5 million as a down payment.

But the true cost of a 128 room Hyatt Place Hotel is \$17 million based on industry standards.

But Hamister gets \$24 million loan from Goldman, and almost \$5 million from taxpayers.

That's \$29 million.

Through the use of shell companies, Hamister picks up \$12 million in cash and has a \$24 million mortgage from Goldman Sachs.

Since the hotel is property tax free, it should be able to pay the mortgage.

Even if it can't, Hamister can transfer the property to another shell company and let it go into foreclosure.

He is still up \$12 million.

The Hamister deal failed by every honest measurement.

## NIAGARA FALLS REPORTER

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The property where Hamister is building his inflated price hotel is 300 feet from the Niagara Falls State Park. Mayor Dyster had to fight the council back in 2013 in order to sell the \$1.5 million property to Hamister for \$100,000.

Why even as a parking lot, it made more than \$100,000 per year. But Dyster fought it - telling everyone in the media that the hotel was going to be an upscale hotel with apartments and stores and would create 130 jobs.

Even the selection process was crooked.

Empire State and its subsidiary, USA Niagara, made the recommendation to choose Hamister over other developers who also wanted a free hotel.

Hamister was unanimously selected and construction started a full four and a half years after he was named preferred developer in February, 2012.

Almost all of the conditions the initial RFP required and which Hamister promised, such as building an upscale hotel, with apartments, and retail, were scuttled as Hamister downgraded the project as the price went up.

Back in February, 2012, Empire State Development, USA Niagara, and Niagara Falls Mayor Paul Dyster issued a press release announcing Hamister was selected and that he would build a \$22.4 million building, with 104 upscale hotel rooms, 24 apartments and 8,000 square feet of retail space.

The press release stated that Hamister would create 130 permanent jobs.

Later that was downgraded to 70 permanent jobs.

Later still, Hamister told the IDA his project would create six full time and 29 part time jobs.

If anyone wanted to prove fraud in the Hamister hotel deal, all they would really have to do is determine the true cost of building a Hyatt Place.

Then examine the entities that owned the land, the construction company and the holding company and review the contracts between them.

Next they should look at the bids from the subcontractors working on the hotel.

And that includes the management company fees and other soft cost expenses.

Buried in there is \$18 million in phony costs.

Start with two plus two equals four: It doesn't cost \$35 million to build a 128 room Hyatt Place.

It costs \$17 million.

That can be proven. Hyatt Places are the same all over the nation.

They also cost the same: except Hamister's Hyatt Place.

Then understand that the higher the price – the more the subsidy for the developer Hamister.

It pays to inflate the hotel cost.

An agency with subpoena power could easily prove this fraud against the taxpayers.

Subpoena the contracts, the bank accounts and the vendors' bids for starters.

This is an easy one.

Then interview the selection committee that gave the nod to Hamister.

That Cuomo and Dyster (and Empire State officials) all knew the price was inflated to get Hamister more money ought to offer investigators another tip.

Finally, the way he was selected, the conspiracy to select Hamister, is no laughing matter.

Not only did he inflate the price to get more taxpayer money, he was select-

While the price kept going up, the size and quality kept going down. The Hamister hotel will not have any apartments, or the stores Dyster promised. It's just a mediocre hotel built (allegedly) at luxury hotel prices.

ed based on a promise to build something far different than what he will deliver.

To do this on the best undeveloped parcel in Niagara Falls – only a few feet from the falls – is a travesty.

Hamister was selected through a secret process; he was allowed to downgrade from what the property needed to a low end version of what the city already has in abundance – low service hotels.

The fact that he got it for free through a potential conspiracy of the governor, the mayor and the dubious developer himself bears some scrutiny.

Many officials at Empire State and USA Niagara know this full well.

Whether they will speak right off the bat remains to be seen.

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# Is Bruce's Goose Cooked?

## Did Former AUSA Knowingly Present Bogus Letter to Grand Jury in Parlato Case?

Former Assistant US Attorney Anthony Bruce led the charge to indict Frank Parlato last year. In so doing he may have committed perjury.

In the past, Bruce has been accused of suborning perjury and was almost disbarred, according to sources in the legal community, over his dishonest prosecution of the Chosen Few Motorcycle Club in 2011.

In the Parlato case, which may lead to Bruce being disbarred, there appears to be a smoking gun.

Parlato's lawyers point to a "Letter of Intent" contract dated January, 2008. It is signed by Parlato, but the other party to the contract - Clare and Sara Bronfman - never signed it.

There is reason to believe, based on the reports of witnesses, and documentary evidence, that AUSA Bruce misled the grand jury about this Letter of Intent, allowing the grand jurors to believe it was signed by the Bronfmans - when Bruce knew it wasn't.

All of this points to one thing: Bruce made his fraud case against Parlato based on a bogus contract - an unsigned Letter of Intent.

Make no mistake: Bruce knew the Letter of Intent was not signed by the Bronfmans.

He knew that neither Parlato nor the Bronfmans were bound to terms of the unexecuted contract.

But there is reason to believe that Bruce blatantly told the grand jury that Parlato was bound to a contract that he was not bound to - a contract that probably did not exist. Based on this non-existent contract, Bruce may have perjured himself or suborned perjury in claiming that Parlato defrauded the Bronfmans



Former AUSA Anthony Bruce had an unsigned contract that he may have pretended before the grand jury was an executed contract. This may be prosecutorial misconduct. Frank Parlato was indicted with the Bronfmans being named as victims apparently based on a bogus contract which AUSA Bruce knew was bogus.

when he violated the (bogus) Letter of Intent.

If it's true, it is shocking Bruce thought he could get away with this.

The government admitted, through a bizarre email written by AUSA Elizabeth Moellering on Sept. 18, 2015, that they believed (or pretended to believe) they had an actual signed [executed] Letter of Intent, but couldn't find it.

AUSA Moellering wrote to Parlato's defense lawyer, Brian Feldman, "We are still looking for the fully executed version of the Letter of Intent."

Feldman wrote back, "Thanks, Elizabeth. If you conclude that there is no ex-

ecuted version of the Letter of Intent, we would appreciate knowing that."

The government never found it, but indicted Parlato just the same.

There is more than a smattering of evidence that AUSA Bruce used an unsigned Letter of Intent as if it was a signed and enforceable contract - parading that falsehood before the grand jury as the proof of fraud by Parlato against the Bronfmans.

In so doing, Bruce may have committed fraud.

There is little doubt Bruce knew the Letter of Intent was not a contract at all. Parlato's lawyers told him. Parlato de-

fense lawyer, former US Magistrate Judge Carol Heckman wrote to Bruce on Nov 10, 2015, "The Government claimed to have a contract with the Bronfmans that our client purportedly violated (somehow criminally). However, the Government does not have such a document, and the Bronfmans themselves have sworn it does not exist."

Months after the indictment, the government, in voluntary discovery, could not produce an executed Letter of Intent. To this day - a year later - the government still has not found an executed Letter of Intent. There never was an executed Letter of Intent.

Before the indictment, Parlato's lawyers gave Bruce sworn statements by the Bronfmans made under oath that they never signed the Letter of Intent; that there was no written agreement with Parlato.

That neither Parlato nor they were bound by the Letter of Intent.

But Bruce used the (unenforceable) terms of the (unenforceable) Letter of Intent to indict Parlato.

Why?

According to a local and well respected lawyer, (who may be a witness against Bruce should a proceeding commence against him) Bruce admitted on August 20, 2015 that he was in contact with the Bronfman's attorney, William Savino of Woods Oviatt of Rochester, and Savino pressed Bruce to include the Bronfmans in the indictment.

There is evidence that the Bronfmans pay fees for indictments of their enemies.

Savino and Bruce are known to have related outside interests.

Nothing has been alleged that Bruce received any compensation for including the Bronfmans in the indictment. It is unknown at this time whether Savino received any compensation for Bruce having included the Bronfmans in the indictment based on a bogus Letter of Intent.

Savino knew that the Letter of Intent was bogus. He signed a verified complaint for the Bronfmans on April 2, 2012 that there was no written agreement between Parlato and Bronfmans in a civil suit between the parties.

Here is what we know:

The Letter of Intent - which - had it been valid - was the only way to include the Bronfmans in the indictment.

It was never signed and the Bronfman portion of the indictment is as false as perjury.

Everything hidden in the dark and dim proceedings of the secretive grand jury - the deceitful prosecutors' playground - will be brought out to the light.

Much more will be revealed on this matter.



He was both the New York State Attorney General and a US Attorney, making Dennis Vacco probably the most prominent, well known and best qualified prosecutor in Western New York.

Vacco went to bat for Parlato, writing a comprehensive "White Paper" which Vacco put his name to and which clearly showed he believed Parlato was innocent and that the government wrongly asserted theories of criminal liability which included actual mistaken identification of critical documents. These serious mistakes by the government may have spread to the grand jury.



"We provided so much information to the U.S. Attorney's Office on so many topics," Ralph Lorigo told the Buffalo News, expressing surprise at how the government ignored all the documentary, exonerating evidence. "I'm very taken aback by what I read in the indictment."



According to the Buffalo News, former Federal Magistrate Judge Carol Heckman wrote to AUSA Bruce that she "uncovered new evidence that exonerates Parlato. In subsequent letters, she said the evidence would prove that neither Reger nor the Bronfmans were victimized by her client."

# Bankrate: Niagara Falls ranked worst place in the nation for retirees

## James Hufnagel

The trashing of the city of Niagara Falls in the mainstream media continues unabated - it's practically becoming a national pastime - and now a leading and reputable financial industry information clearing-house, Bankrate, has joined the crowd - rating Niagara Falls as the worst place in the nation for retirement.

Bankrate isn't even the first among the business reporting media outlets to badmouth the city.

A couple of years ago Bloomberg News described "Niagara Falls' descent into blight... in spite of its proximity to an attraction that draws at least 8 million tourists each year... encompasses just about every mistake a city could make... Once a hydropowered center of industry, Niagara Falls is now one of America's most infamous victims of urban decay, hollowed out by four decades of job loss, mafia infiltration, political corruption, and failed get-fixed-quick schemes."

According to its website, Bankrate, founded in 1976, "continually surveys approximately 4,800 financial institutions in all 50 states in order to provide clear, objective, and unbiased rates to consumers. The Company provides free rate information to consumers on more than 300 financial products, including mortgages, credit cards, new and used automobile loans, money market accounts, certificates of deposit, checking and ATM fees, home equity loans and online banking fees."

"In addition to rate data, Bankrate publishes original and objective personal finance content to help consumers make better informed financial decisions... Hundreds of print publications depend on Bankrate as the trusted source for financial rates and information, including top newspapers such as The Wall Street Journal, USA Today, The New York Times, and The Los Angeles Times."

We quote the preceding directly from Bankrate to establish the firm's bona fides - this isn't some phoney, clickbait outfit that somehow got up one morning and decided to pick on Niagara Falls. In fact, they claim 15 million monthly visitors to their website.

So what does Bankrate have to say about whether retiring to Niagara Falls is a good idea or not?

"The 10 worst cities for retirement" is the headline, "No. 1: Niagara Falls, New York."

"Weaknesses: Highest tax rate in the U.S., crime, harsh winter."

"Every year, 8 million people come from around the world to visit the country's oldest state park, featuring that geological wonder, Niagara Falls. Active seniors will enjoy the city's many bike trails. A myriad of restaurants offers varied cuisines, and the Castellani Art Museum on the nearby campus of Niagara University features an extensive contemporary art collection."

"Attractions aside, retirees on a tight budget will have to contend with New York's state and local tax burden, which is the highest in the country, according to the Tax Foundation. Niagara Falls also has the high-



est rate of crime in the state, according to FBI figures from 2014... seniors will (also) need to factor in the western New York winters, when icy conditions can make it challenging to get around by foot."

Scoring nearly 200 cities, Bankrate utilized the following sources in formulating its rankings: Agency for Healthcare Research and Quality, HealthView Services, Gallup-Healthways, the Council for Community and Economic Research, FBI, Tax Foundation, National Oceanic and Atmospheric Administration, WalkScore.com and the Western States Arts Federation.

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# Niagara Falls also #1 when it comes to Crime, Poverty, Taxation

## James Hufnagel

A dry-eyed look at the city of Niagara Falls through the cold lens of real statistics.

### Crime

According to the September, 2016 FBI report "Crime in the United States", there were 555 violent crimes reported in the city of Niagara Falls for the year 2015, including 3 murders, 32 rapes, 156 robberies and 364 aggravated assaults. Based on a population of 48,989, the rate of 113.3 violent crimes per ten thousand residents ranks Niagara Falls as the most violent city in New York State.

There were also 2,526 property crimes (burglary, car theft, larceny and arson) in 2015, at a per capita rate of approximately one property crime for every 20 people who live here. For cities with population over 30,000, that's also, by far, the highest rate in the state (the next closest is Binghamton, with one property crime per 22 residents).

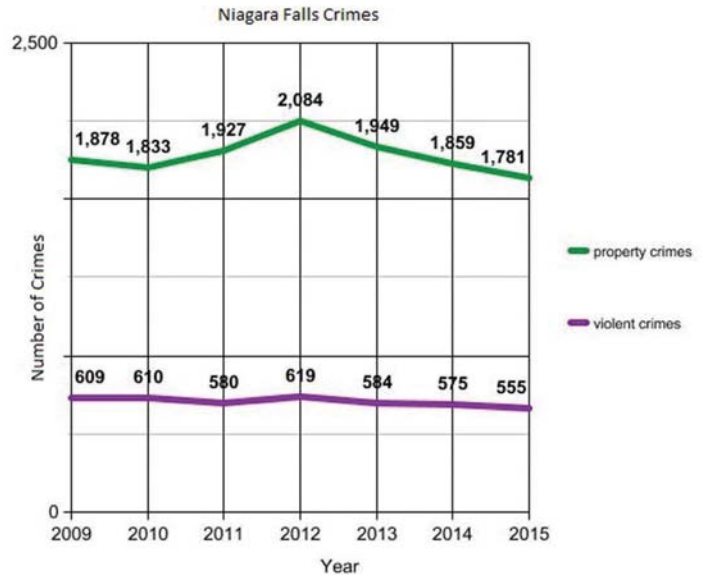
Niagara Falls ranked 44th on a recent list of the "Top 100 Most Dangerous Cities in the U.S." compiled by NeighborhoodScout.com, derived from

FBI and other law enforcement sources, and the U.S. Justice Department.

### Poverty

According to recent US Census figures, 40.6% of children in Niagara Falls live below the poverty level, nearly twice the state average of 22.5%. The median income for a household in the city was \$26,800 (New York State, \$55,246), and the median income for a family of four was \$34,377 (NYS, \$72,170). 25.3% of the population of the city of Niagara Falls were below the poverty line, compared to a national average of 13.5%.

A partnership between the Oishei Foundation and the University at Buffalo's Regional Institute determined the following in 2013: Roughly 22,425, or nearly one out of every two residents, are "doing poorly or struggling financially," about 10,900 Niagara Falls residents, or more than 20 percent, live on incomes below federal poverty levels and another 11,525 city residents do not fall under the federal poverty threshold, but earn less than 200 percent of that line, making them eligible, in many cases, for public benefits such as SNAP, HEAP and ObamaCare subsidies.



A decrease in Niagara Falls crimes (left) since 2012 simply mirrors a general trend across New York State (right).

### Tax Burden

According to the prestigious and widely-referenced The Tax Foundation, Americans paid an average rate of 9.9%

in state and local taxes in 2010, and the prize for the highest-taxed state was New York, at 12.8% (New Jersey was 2nd at 12.4%) (Note: New York has since moved up two notches, to third

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# Forget Hochul, it's the Grand Jury Stupid

Maureen Jamieson

Any and all conspiracy theories that former US Attorney William Hochul was targeting Frank Parlato for indictment based solely on political revenge are unproven and frankly unimportant.

Raising the issue only muddies the waters and distract from the solid story of prosecutorial misconduct that is pretty obvious.

It doesn't matter if Hochul got a job shining Jeremy Jacobs' shoes for \$1 million a day... It doesn't even matter if there was a political motive. The only thing that matters is that it appears a grand jury was very likely deliberately misled so a prosecutor could get an indictment.

The issue is bigger than Frank Parlato. If prosecutors have thrown legal integrity out the window and are willing to knowingly indict innocent people and manipulate grand juries, then our trust in the judicial system gets thrown out the window, as well.

# Memorial posts online survey to identify community healthcare needs

Niagara Falls Memorial Medical Center is seeking the public's help in identifying community healthcare needs.

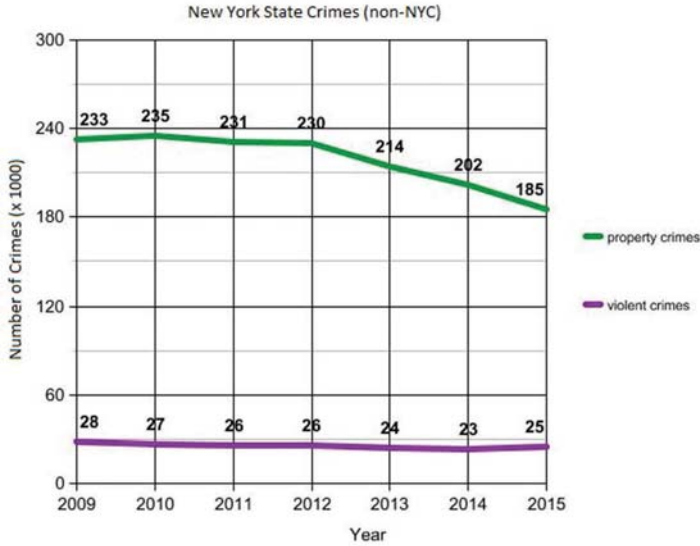
Input is being gathered via an online survey that will be posted until Dec. 5. The survey, accessible via the hospital's home page at NFMMC.org, takes only a few minutes to complete and asks questions about community health issues, wellness education, medical services and primary care access.

"The healthcare needs of the community are continually changing," Memorial Chief Operating Officer Sheila K. Kee said. "In order for us to effectively address those needs, it's essential that we truly understand them. This survey is extremely helpful in that regard and the more responses we receive the more valuable it will be."

Memorial will share the results of the survey and invite additional input during a community conversation to be held at 5 p.m. Wednesday, Dec. 7, in the medical center's auditorium.

"We hope to see a big turnout for that public forum," Kee said. "We really want to hear what is on people's minds when it comes to our community's health."

To learn more, call 278-4569.

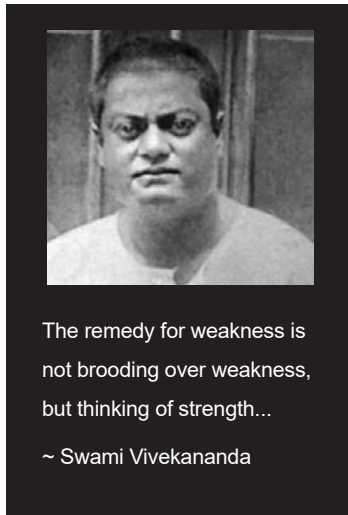


worst as of 2015).

Also according to The Tax Foundation, Niagara County residents perennially carry one of the heaviest property-tax burden in America. Business First reported in 2006 and 2008 that, coming in as the highest-taxed county in the nation, "(t)he typical Niagara County household (paid) \$2,802 in property taxes each year, which equals 2.92 percent of the value of the typical home in the county, \$95,800. That's triple the national rate of 0.95 percent."

According to Benchmarking NY, the Local Government Spending and Revenue database compiled by the Empire Center for Public Policy, an Albany-based think tank, the city of Niagara Falls comes in 15th among cities in the state in 2015, with a per capita total tax burden of \$1063. It's important to note, however, that cities with higher rates (the highest being White Plains, at \$1979) are wealthier cities such as Saratoga Springs, Mount Vernon and Glen Cove, which have median incomes much higher than Niagara Falls. White Plains, for example, has an average household income of \$116,846, more than twice that of Niagara Falls.

Therefore, what's the bottom line on taxation? A reasonable argument could be made that the city of Niagara Falls is the highest taxed city, in one of the highest taxed counties, in one of the highest taxed states, of the United States of America.



The remedy for weakness is not brooding over weakness, but thinking of strength...

~ Swami Vivekananda



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# Dyster Policies, Approach to Governance Never Really made a lot of sense

## James Hufnagel

Next month, Niagara Falls Mayor Paul Dyster will be commencing his 10th year in office. In light of the dismally high rates of crime, poverty and taxation here in the city, and now last week's announcement by Bankrate that it's the worst place in the entire country to retire, how much of it can be laid at his doorstep?

Mitigating factors could be that when Dyster took office in January, 2009, the nation was just coming out of the worst economic recession since the Great Depression. In fact, unemployment was yet to begin coming down from its peak 9.9% until April of 2010, and annual federal budget deficits would not come in under a trillion dollars until fiscal year 2013.

In addition to the tanking economy, Dyster had to deal with not one, or two, but three new governors over the course of his first two years in office. And it's his relationship with the third one, Gov. Andrew Cuomo, that's turned out to be problematic, but that will be discussed shortly.

Attaining a B.A. in political science in 1976, an M.A., also in political science, in 1979 and a PhD five years later, in 1984, means that the future mayor spent the first 12 years of his adult life going to school.

In fact, he liked the academic life so much, he stuck around DC for another ten

years, until 1994, as an assistant professor at Catholic University of America in his chosen field, political science. But alas, assistant professors didn't make very much - the average pay of an Ivy League assistant professor in those days hovered around \$30,000 a year - and even less at a religious-based institution in one of the lower-paid disciplines, political science.

With a burgeoning family on the way, it's a good thing his wife Becky had top security clearances at the Defense Department to research navigation systems for nuclear-tipped cruise missiles which, after all, was a growth industry at the time, with Ronald Reagan in the process of winning the Cold War thanks, mostly, to his top guy Paul Dyster staring down the Russkies on the other side of the negotiating table.

Being a little fish in the big pond of Washington, DC must have been starting to wear thin on the man who had devoted his life to the study and teaching of political science - so the Dysters packed up their bags and moved to Niagara.

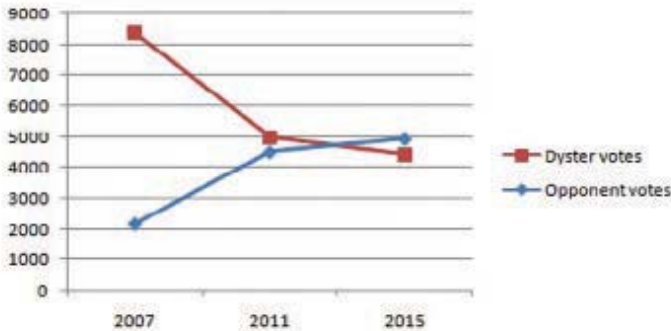
Falls, that is. Swimmin' pools, movie stars.

Actually more like "pot-holed streets, corrupt politicians."

Dyster's journey to king of the hill here in the city of Niagara Falls was not without its setbacks. He lost in his first bid to get elected mayor. One term as a city councilman,



Looks like it's starting to sink in with Mayor Dyster - after a decade in office, crime, taxes, poverty are still out of control.



When you spend half your life studying and then teaching political science, you figure out how to win elections, even when most of the residents of your city voted against you. Winning by a landslide in 2008, Dyster's popularity soon faded, possibly because the levels of crime, poverty and taxation have remained high during his nine years in office.

from 2000-2003, was apparently sufficient real-world, non-academic experience to take on the big job. Sorta like Obama.

After that loss, Dyster concentrated on joining the boards of various environmental groups, some real (Buffalo Niagara Riverkeeper) and some completely made up (Niagara Falls Waterfront Revitalization Task Force), serving as a Greenway Commissioner and building his brewery business.

Entering the mayor's office determined to reach out to entities bigger and better than us, Dyster reached out to Buffalo and Albany interests, and must have done his homework when it came to what made Gov. Andrew Cuomo, who had a similar background, heading straight into government out of academia, tick.

And that was, throw big money at the big campaign contributors to build the big projects that, as a rule, come in overbuilt, over-budget, overly government-subsidized and under an acceptable level of quality.

The question to ask is, what's the impact of the Public Safety building on Main Street, the new Amtrak train station and the new Hamister hotel going to prove to be on crime, poverty and taxes? Can Dyster and Cuomo build their way out of the city's dire circumstances?



The world is ready to give up its secrets if we only know how to knock, how to give it the necessary blow. The strength and force of the blow come through concentration.

-- Swami Vivekananda

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# Deal Reached on Falls Budget; No Vetoes Expected

## Tony Farina

With both sides making compromises, Niagara Falls Council Chairman Andrew Touma said there is agreement on the 2017 city budget, with lawmakers finally settling on a total of \$558,000 in cuts to the mayor's proposed \$91 million spending plan with no mayoral vetoes on the horizon.

"It shows what government can do when people work together," said Touma on Wednesday night. "That's more than a half-million dollar savings to the people of Niagara Falls and I've been assured that no mayoral vetoes are coming when we get the budget back later this month (due by Dec. 15)."

The plan will cut the tax rate for homeowners by 41 cents per \$1,000 assessed valuation, much more of a decrease than the 8 cents per \$1,000 originally proposed by Mayor Paul Dyster. The non-homestead tax rate increase is reduced from \$1.90 per thousand of assessed value to \$1.25 per thousand.

"It is a win for the taxpayers all around," said Touma, adding that lawmakers combed through the mayor's budget proposal in find ways to cut taxes and still preserve services.

Also as part of the compromises reached with the administration, Touma said lawmakers will raise the mayor's administrative assistant's salary to \$49,000 from the current sala-



Council Chairman Andrew Touma

ry of \$40,540. The mayor's plan would have raised the salary of Meg Rossman to \$58,000.

Lawmakers have also agreed to a salary of \$48,000 for a full time city clerk, a post that is currently filled by a retired worker at a salary of \$30,000, which could be continued. But Touma says lawmakers see a potential to recover the cost of the pay hike by the work of a full-time city clerk, and that was their reasoning.

Touma said that through compromise and negotiation, a budget was crafted that will serve the taxpayers well and he praised his fellow councilmembers for their dedication to finding savings across the board in the proposed budget and provide tax relief to the citizens of the city.

# New Train Station Will Open Tuesday



The new Niagara Falls International Train Station and Intermodal Transportation Center may have as many as 150 passengers per day, if City Planner Tom Desantis projection of 50,000 passengers a year comes true.

## Tony Farina

It appears that the long-awaited opening of the \$43 million Niagara Falls train station on Depot Ave. West will take place on Tuesday, according to an email advisory from Amtrak sent out late Wednesday afternoon.

The email from Amtrak's Craig Schulz said "the new station incorporates a waiting room, restrooms, the Amtrak ticket office and a US Customs and Border Protection inspection facility for processing of passengers on Train 64, the New York-bound Maple Leaf service from Toronto."

Amtrak said customers holding reservations for travel on or after Dec. 6 are be-

ing proactively notified about the change in boarding location.

Through Monday (Dec. 5) all trains stop at the old station on Willard Ave. Beginning Tuesday, Trains 280 and 284 stop at the old station on Willard and after train 284 departs at 6:50 a.m., the old station closes and the station staff will relocate to the new station. Trains 64, 63, 281 and 283 stop at the new station. Beginning Wednesday, Dec. 7, all trains stop at the new station on Depot Ave. West.

The new station was ready for business several months ago but the city was not able to negotiate a lease with Amtrak until earlier this month. Only time will tell if the significant investment of taxpayer dollars in the new train station was worth it.

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# The "Democratic" Party... Why They Got Trounced!



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

Let's examine what could be the causes;  
**HONESTY-** There was none!  
**INTEGRITY-** What's that?  
**EXCUSES-** (Hillary) It's not my fault, it's Russia...no...my people (Debbie, Donna, Huma)... they did it!  
**LIES** (Short list)-(Hillary) I was never trained on classified documents but I am the MOST qualified candidate EVER!  
 Just because I can't remember some silly things, like who I sent secret information to (because of my TBI) doesn't mean I shouldn't become President, does it... maybe it would be beneficial if the President could forget some things anyways...don't you agree?  
 I believe in the correct interpretation of the second Amendment... that is, our Military, our Police, and my body guards should carry

guns but not plain, old, regular, "deplorable" citizens.

Like all Democrats, I firmly believe in the first amendment's freedom of speech...as long as they agree with me! If not, just talk over them, ignore their question and NEVER admit to anything...NEVER and oh... get their names!

I believe in our election system, as long as I win. If I lose, we should change it. How? So I win, silly!

I love debates, as long as I get the questions from the commentators before, it's so much easier with the correct answers. After all, my answers were almost as if I rehearsed them, weren't they, but they were spontaneous, honest!

I beat Bernie fair and square, didn't we Debbie?...well?...didn't we?

The Democratic party is open and prides itself on being honest...unless it looks like they're going to lose...then screw it...do whatever it takes to win, just ask Bernie, Debbie, Donna and CNN!

TRUE REASON... the American people will NEVER accept a "Socialist Democratic" society, NEVER, as long as they know what the Democrat Party is really peddling. Had Obama told America the truth about his "change", his "Muslim beliefs" (his words) and his hatred towards America (his Reverend's words), he would NEVER have been elected. I don't believe he won honestly and

that there was significant voter fraud. Remember, Romney won every state with voter ID!

The Democracy THEY want but will never tell you to your face, is the Democracy where there are no guaranteed rights, like a Constitution or Bill of rights. They want a TRUE socialist society so they can make the laws they want, like Obama did, with his cell phone and a pen and agencies like the EPA and IRS. They don't want a cumbersome separation of power like a Legislative, Judicial, and Executive branch. That's too many people to deal with...just one ruler, like Islam, China, Venezuela has. It is so much easier... just make the laws, if they disagree...kill them, simple! The reason our "youth" (18 year olds) are so stupid is because since they were 10 they only knew Barack Obama as a role model. See what happens when we allow affirmative action to take over the White House? Fact is...there is only ONE profession in the US with NO affirmative action. Do you know what that is, where everything is based strictly on ability and nothing else? If you said "professional sports"...you are CORRECT. Try suing the Celtics for height, race (not enough white players) or age discrimination and see how far you get! Think about that for a while... sad, isn't it? Unimportant jobs like police, firefighter, Border Patrol, FBI can't hire based upon ability and qualifications only but the Celtics can!

If you are a Democrat and think I am wrong then what Clinton and Obama fed you, you swallowed hook, line and sinker and I see why you do not understand why she lost. You need to do some soul searching because you have been totally duped by Obama, Hillary and the "Democratic" party. They have hijacked your Democrat party out from under your noses and made it the "Socialist Democratic" party without you realizing what they did! Hillary telling private gatherings of money people, one thing, then you and me another, is not unique among Democrats today. It's the way the "Democratic" party works and will continue unless YOU do something about it.

If you think the "civil unrest" over Trump's winning is spontaneous, then you must believe chickens have lips. It's Obama and George Soros covering up what they plan on trying to do to President Elect Trump. You figure it out!

There is nothing wrong with wanting society to offer more social benefits, when we are down on our luck, but there IS something wrong if you want this government to take care of all your food, lodging, health and education and also lead you around by the nose just because you don't want to work and be an American. If you want a socialist country look to Cuba, Russia, China, Iran, or North Korea or ANY socialist country because, believe it or not, that's what Hillary, Obama, Pelosi, the idiots Reid, Feinstein, Boxer all want but will NEVER admit! Just pick the MOST SUCCESSFUL socialist nation you can find and let me know how you make out! No private ownership, no guns so you can revolt when you realize how stupid you were, no free speech. Just do as you are told but if you disagree, that's OKAY, just try our new showers before you leave and don't let that funny smell bother you. It will go away shortly!  
 Trust me, you will be very happy Trump won...he just saved your lives but some of us are still too dumb to realize it!

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"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

## President-elect Trump to select next US Attorney



Dennis Vacco, Esq.

Now that Donald Trump has been elected president his administration will select the next US Attorney for the Western District of New York.

A few names have emerged.

Sources say a decision has not been made.

First, to dispel a rumor – former New York State Attorney General and former US Attorney Dennis Vacco is not going to be the next US Attorney.

Although he might likely have the position if he wanted it, he doesn't.

Vacco is a partner in the law firm of Lippes Mathias.

However, there is little doubt that Vacco, one of

the highest ranking Republicans in the area, will have a major say over who will be named for the position.

After William Hochul retired recently, his top assistant, James P. Kennedy was named the acting US Attorney.

Kennedy will remain in the position until the next US Attorney is appointed, which could occur as early as late January.

Trump supporters such as Carl Paladino, Ralph Lorigo, Vacco, the Niagara County Republican party, and a large contingent of Republicans in Erie County will most certainly have some say over who will be appointed.

Topping the list of candidates, according to some sources, is Lancaster town judge Jeremy Colby. Colby is a former confidential law clerk to the late U.S. District Judge John T. Elfvin and served as Erie County attorney under former Erie County Executive Chris Collins.

He has considerable legal experience in representing municipalities, school districts and law enforcement.

Sources also say Acting US Attorney Kennedy is desirous of being named US Attorney.

Kennedy worked as the Confidential Law Assistant to the late Honorable Michael F. Dillon and Honorable M. Dolores Denman, Presiding Justices, New York State Supreme Court, Appellate Division, Fourth Department. In 1992, he was hired by then United States Attorney Dennis Vacco to serve as an Assistant United States Attorney.

Another Assistant US Attorney whose name has been mentioned as a serious candidate for the position



Jeremy Colby, Esq.

is Richard Resnick, who is the Attorney-in-Charge of the Rochester Branch Office of the US Attorney's office. Resnick has been with the office since 1994.

Resnick had been under consideration by the Obama administration for US Attorney. Instead the administration chose Hochul.

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NTCC runs Fashion Outlet Mall advertisement on Small Business Saturday, of all days



For two days preceding Niagara Falls' Small Business Saturday, the NTCC ran ads promoting the Fashion Outlet Mall, located in the town of Niagara.

In this photo that ran with the NTCC's Facebook ad for Fashion Outlet Mall, it appears that Burberry and Coach are two examples of what the NTCC considers "small businesses".

**James Hufnagel**

"Small Business Saturday" is a quaint new phenomenon that's been gaining popularity the past few years, not just locally, but in many communities across the country. It's to encourage patronage of small, local businesses, the true lifeblood of everyday Main Street, USA in terms of employment and economic activity, as opposed to large corporations like Walmart and Best Buy or online behemoth Amazon, which have wreaked havoc on traditional, locally-owned and operated retail shops and stores.

The upside of convenience, selection and low prices, made possible by economies of

scale and exploitation of cheap overseas labor and enabled by mindless consumers habitually roaming the aisles is, in the opinion of many economists, counterbalanced by the loss of jobs, burgeoning trade deficit, suburban sprawl and the general materialistic, soul-killing experience of being pushed into buying more and more stuff to fill the gaping spiritual hole that the average American harbors inside.

It seems that Small Business Saturday has special meaning here in the city of Niagara Falls, partly because New York State and by extension, Niagara Falls, are perennially rated as being the most business-hostile places in the country, but also because it's the only day of the year when the collective local business community stands up for itself and pro-

claims, "Hey, look at us, not the big guys who run this place the other 351 days of the year... We're your family, friends and neighbors."

Indeed, with eight million tourists parking, sightseeing, eating and purchasing gifts and souvenirs in Niagara Falls State Park and then leaving town on the Robert Moses Parkway, all the money is spent in the park. There isn't much left for local merchants. Delaware North, Maid of the Mist and Albany get it all. The New York Power Authority (NYPA) ships the electricity elsewhere, leading to some of the highest electric rates for small business in the entire nation. In addition, both Old Falls Street USA and the Niagara Falls Conference and Event Center are contracted out to a subsidiary of Atlanta-based Fortune 50 conglomerate Comcast, because after all,

local small business is far too Mickey Mouse to be running those operations.

Besides, Delaware North, Maid and Comcast give more money to the politicians than local small businesses do.

Over forty Niagara Falls businesses participated in this year's Small Business Saturday, including Carmine's Restaurant, Community Medical Pharmacy, Donatello's Pizzeria, Mountain Oak Vapors, Piccirillo Florist, 24 Below Gallery and Cafe, Michael's Restaurant, Nashville North and Niagara Honeymoon Sweets, NiagaraHub and Wine on Third, just to name some.

Even the Niagara Tourism and Convention Corporation (NTCC), the quasi-public tourism promotion agency that feeds off local hotel bed taxes and whose stated mission

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Attractive gifts can be found at the enticing Niagara's Honeymoon Sweets Gourmet Chocolate shop, a locally-owned and operated shoppe that participated in this year's Small Business Saturday.



Pick up lunch and a copy of the Reporter at Donatello's, another proud participant of Small Business Saturday.

is "to expand the economic prosperity of the Niagara USA communities by generating individual and group visitation" got into the act.

"Complete all of your holiday shopping in one trip, and still have time see Niagara Falls!" coaxed the NTCC on its "Explore Niagara Falls USA" Facebook page on Thursday and Friday before Small Business Saturday. "One roof. Over 200 shops. Gifts are easy to find at the Fashion Outlets of Niagara Falls USA."

Sure enough, if you clicked on the associated link on Facebook, you were conveyed to a page on the NTCC website headlined "NIAGARA SHOPPING", which heralds "One of the top ten rated outlet malls in the country, the Fashion Outlets of Niagara Falls USA features over 200 designer stores to suit everyone's shopping needs and is situated only 10 minutes away from one of the world's natural wonders, Niagara Falls State Park and the Canadian border."

To summarize, in the run-up to Small Business Saturday here in Niagara Falls, the NTCC sponsored (paid an extra Facebook fee for wider promotion) an online ad promoting the Fashion Outlet Mall, where small mom and pop outfits such as Polo Ralph Lauren, Burberry, Banana Republic, Coach, Disney, Kate Spade, Forever 21, Michael Kors, Saks Fifth Avenue, Levi's Outlet, Nike Factory Store, Reebok, Calvin Klein, Hugo Boss, Cole Haan, Perry Ellis, DKNY and Tommy Hilfinger struggle to feed their families. Families of shareholders, that is.

What an incredible slap in the face by the NTCC to the 40+ small local businesses that

teamed up to celebrate Small Business Saturday in Niagara Falls this past weekend.

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Carmine's Restaurant pulled out all the stops for Small Business Saturday here in Niagara Falls.

# Delaware North's Yosemite, Florida disputes foreshadow possible Niagara Falls dust-up

## James Hufnagel

Recent developments with Delaware North, multinational food service, gaming and sports conglomerate, don't bode well for the future of the city of Niagara Falls.

Earlier this month Christopher Jacobs won election to the New York State Senate. Nephew of Jacobs family patriarch and multi-billionaire Jeremy Jacobs, Sr., Chris' election all but assures that Delaware North will successfully renew its contract in 2021 to feed the eight million tourists who visit Niagara Falls every year.

Delaware North owns the exclusive rights to purvey food and beverages in Niag-

ra Falls State Park.

According to "Open Book New York" a service of the Office of the State Comptroller, Delaware North entered into a \$10.2 million agreement with State Parks, commencing on July 1, 2002, to operate food, beverage and gift shop concessions in the Niagara Falls State Park, with a contract end date of Dec. 31, 2021.

\$10.2 million over twenty years works out to a little more than half a million dollars a year that Delaware North pays New York State (aka "taxpayers") - to feed the eight million tourists who visit the park every summer. Seriously?

Restaurant owners in downtown Niag-



Delaware North chairman Jeremy Jacobs, Sr. owns the Boston Bruins.

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Falls seem to be good with this arrangement, even though none has ever evinced the idea that they have too much business or make too much money. Years ago, when several were contacted for comments for an article on this topic, Delaware North's monopoly on food and beverage service, they either had no comment or outright hung up the phone.

Besides having a state senator to decorate family gatherings at their opulent East Aurora estate, where the Jacobs family hosted a \$25,000 a plate campaign fundraiser for Gov. Andrew Cuomo's 2014 re-election bid - another reason Delaware North won't get dislodged from their lucrative foothold in the Niagara Falls State Park - it's clear Delaware North will scrap and claw their way to another twenty year contract, given their behavior at two other venues.

The epic battle over Yosemite National Park garnered national headlines as Delaware North lost the contract to rival Aramark. Delaware North claimed trademark protection on old and venerable names that traditionally attached to historic landmark buildings in Yosemite and demanded exorbitant compensation to give them up. It was a bitter struggle that waged on and cost taxpayers a small fortune to defend.

Then there was the clash of worlds down in Wellington, Florida, where the Jacobs family has summered for over a generation. When people "summer", as an action verb, you know they have more money than you

do. The Jacobs family for decades maintained a 200-acre estate, mirrored after their East Aurora digs, including dozens of expensive show horses at the resort outside of swanky Palm Beach. Every winter they left dreary Western New York to engage in their favorite equestrian sports with their wealthy friends.

Enter a developer named Mark Bellissimo who simply wanted to expand the facilities, add some amenities and make some money in his adopted hometown, but the Jacobs were having none of it. Hundreds of thousands of dollars funded a bitter campaign for the village council, which held permitting approval in its hands. The Jacobs appear to have won, but at the cost of enormous bad feelings and bitter rancor in the previously placid small Florida retreat.

It's more complicated than that, but it's fascinating reading and worth looking up the Boston (where Jacobs owns the hockey team Bruins) and Palm Beach newspapers' versions of the unfolding saga. That, and Yosemite, portend the nasty warfare that awaits any Niagara Falls politician who decides to stand up for their city and fight renewal of Delaware North's contract five years from now, getting it out of the park and into downtown Niagara Falls where it can benefit the local economy instead of a Buffalo billionaire's family business.

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## Niagara Falls Jokes



Delaware North concessions at Prospect Point in the Niagara Falls State Park soon to be serving eight million tourists.



Delaware North food shanty near Top-of-the-Falls features graphic of falls - view while you chew.



Lifestyles of the Rich and Famous: Jeremy Jacobs and his clan spend their winters at their private enclave outside of Palm Beach, much like Niagara Falls State Park is their private business enclave during the summer.

Sign frequently seen at Delaware North concession stands: If our food, drinks or service aren't up to your standards, please lower your standards."

\*\*\*

A tourist purchases a cup of coffee at the Cave of the Winds snack bar in Niagara Falls State Park, and complains to the worker behind the counter, "There's a dead fly floating on top of my coffee!" The Delaware North employee replies, "No worries, it's the hot coffee that kills them."

\*\*\*

A Health Inspector walks into Delaware North's Top of the Falls restaurant overlooking the Falls and takes a seat to where he can see the kitchen. While he is sitting there, an order goes back for a pizza. The cook appears and the Health Inspector nearly chokes when he see that he is not wearing a shirt. As if the Health Inspector didn't already have enough to cite the establishment, the chef proceeded to grab a lump of pizza dough and press it out flat on his bare chest.

Appalled, the Health Inspector had barely finished writing up this infraction when an order came back for a hamburger. The cook proceeded to grab a handful of ground meat and pressed it into a perfect patty in his armpit. Shocked and bewildered, the Health Inspector called for the manager and explained the gravity of the deplorable conditions he had seen.

"Heck, that's nothing," said the manager, "you should come back at 5 a.m. when he makes the donuts!"

\*\*\*

Another man goes into Cave of the Winds snack bar and orders soup. When the waiter brings out the bowl he has his thumb stuck in the soup, but the customer decides to let it go.

"Would you like anything else?" the waiter inquires. "We have some very good beef stew today."

"Sounds good," says the customer. So the waiter goes off and comes back with a plate of stew, and his thumb is in the stew.

The customer is getting angry now, but decides to hold his tongue.

"How about some hot apple pie?" asks the waiter. "Fine," says the customer. The waiter returns with his thumb stuck in the pie. Now the customer is really getting furious.

"Coffee?" asks the waiter, and when the customer nods yes, he hurries off. He returns with his thumb stuck in the cup of coffee. By now the customer can no longer restrain himself.

"What do you think you're doing? Every time you've come to the table you've had your thumb stuck in my food!"

"I've got an infection and my doctor told me to keep my thumb in a hot, moist place."

"Why don't you take that thumb and just stick it up your nose?"

"Where do you think I put it when I'm in the kitchen?"

\*\*\*

Q: Is Jeremy Jacobs of Delaware North restructuring his workforce in response to having had his hotels and food service booted out of Yosemite National Park last year?

A: Yes, he's contemplating laying off Governor Cuomo and Mayor Dyster.



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