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NIAGARA FALLS REPORTER

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FEB 02, 2017 - FEB 08, 2017

VOL. 18, NO. 05

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Bruce Unsuccessfully Prosecutes Kamdar; But Successfully Ruins His Life

THE STATE CONTRACT FROM HELL

Last week we began the story of Bhavesh H. Kamdar, a civil engineer from western India.

This week we continue the story.

Kamdar came to America in 1988, at age 22, settled in western New York, met his wife, Panna, and, in 1996, they had a son.

He mistakenly thought he would pursue the American Dream.

After working for other companies for a time, he started Industrial Site Services, Inc. (ISS), and in Dec. 1997, his company won its first (and last) state contract, to remove and remediate underground petroleum tanks on New York State property in western New York. Thus began Kamdar's American Nightmare.

New York State was under a mandate to clean up old petroleum pumps and Kamdar's bid was nearly a million dollars lower than the next lowest bidder. It should have worked out well.

But, a simple line item on his \$4.7 million bid would lead Kamdar to disaster. It was a \$500,000 "guarantee fee" - the cost, he claimed, for getting a bond to insure New York State against loss in the event ISS defaulted on the contract.

This "guarantee fee" and especially Kamdar's subsequent use of the word 'collateral', was the genesis of his nine-years of legal hell.

After winning the bid, the contract administration director for the New York State Office of General Services (OGS), Robert E. Kainz, questioned Kamdar about the "guarantee fee".

The smallness of his company allowed Kamdar to bid almost one million dollars lower, but "[The] only way a company like mine can obtain a bond ... is directly due to the fact that I put up my life savings to secure it," Kamdar explained.

Kainz wanted proof. Kamdar faxed him an invoice for \$434,765 to be paid by ISS to Kamdar and his wife for guaranteeing the performance bond with AIG Insurance.

Kainz wanted details. Kamdar sent him corporate minutes wherein it was re-



WANTED

by the
U.S. Environmental Protection Agency
CRIMINAL INVESTIGATION DIVISION



Name: Kamdar, Bhavesh Harkishandas
Alias: BK
Sex: Male
Race:
Date of Birth: 10/22/1966
Place of Birth: Rajkot, Gujarat, India
Height: 5'08"
Weight: 170
Eyes: Black
Hair: Black
Scars/Tattoos:
FBI #:
NIC #: W286189687
Last Known Address:



The EPA Environmental Crimes most-wanted poster for Bhavesh Kamdar who was never charged with any environmental crimes.

solved that ISS would pay Kamdar and Panna \$434,765 based on the \$4.7 million state contract in return for providing "the required individual guarantees, and pledge their personal collateral."

Kainz wanted a copy of the guarantee to AIG and a description of the collateral. Kamdar faxed a copy of the "General Indemnity Agreement" wherein it states that he and his wife "assign, transfer and set over" every asset they own to AIG as "collateral." If ISS failed to perform the work, AIG would complete it, and take Kamdar and his wife's assets.

Kainz proposed in a letter to Kamdar that ISS give the state a discount. Instead of \$500,000, ISS would get a "guarantee fee" of 9.52% but "not to exceed \$402,000."

If this letter had been the contract, Kainz would have saved the state \$98,000.

The State drew up a contract for \$4.2 million. (ISS's original bid of \$4.7 million reduced by the \$500,000 "guarantee fee"). The contract included a provision that, in addition to the \$4.2 million, ISS would receive 9.52% for the "guarantee fee". In drafting the contract, the state neglected however to express in the contract that the "guarantee fee" was "not to exceed \$402,000."

This little slip between the cup and the lip turned out to be important. The contract contained a provision that additional work might be added through "change orders" which increase the price, while all other terms and conditions remain the same.

Robert E. Kainz was the director of contract administration for the New York State General Services Administration. From his letter to Kamdar we know he had intended

to include a \$402,000 cap on the 'guarantee fees' but somehow his department, his lawyers who reviewed the contract and he, as the director, failed to put the cap in the contract.

Kamdar signed the contract and went to work.

KAINZ MAKES MISTAKE; KAMDAR SAVES TAXPAYERS MILLIONS

Kamdar's work was efficient and the state under pressure added additional work through change orders. With each invoice Kamdar included the 9.52% guarantee fee along with the amount agreed upon for the completed work.

At some point, the state's construction manager, Martin DePaolo, realized that ISS had been paid more in guarantee fees than what he thought was \$402,000 cap.

He sent an email to Kainz. A investigation was conducted by his assistant, John D. Lewycyi, who reported back that there was no cap on the 'guarantee fee'. The General Services Administration was aware that if they state continued to give ISS work under the contract they would have to pay an additional 9.52% as a 'guarantee fee.'

The state continued to give ISS work. There were good reasons to do this since even with the 9.52% guarantee fee added, ISS was about 20% cheaper than the next lowest bidder, which was Tyree Contracting of Long Island, a much larger company.

In addition work needed to be done and on deadline and no one could dispute that ISS completed its work properly, and well ahead of schedule. In fact not only did Kainz praise ISS for their work but the Governor, George Pataki singled out ISS as an exemplars of efficiency in state environmental work.

By October 2000, ISS had been paid \$12.9 million under the contract. With the 9.52 percent Kamdar earned \$1,114,626 in guarantee fees. Yet because of the low price ISS bid, even with the guarantee fee, the state of New York saved about \$3 million compared with the next lowest bidder.

Sometime shortly after, the New York State Office of the Inspector General con-

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US Atty, FBI, EPA, Interpol, CBI, NYS IG, Atty Gen, Converge over contract dispute

ducted an audit and discovered that ISS was paid \$1,114,626 for 'guarantee fees.'

Kainz was questioned. He neglected to tell the inspectors that his department failed to put a cap in the contract. Based on Kainz's statements, ISS had been overpaid \$712,000.

Kainz recommended Kamdar return \$712,000 to New York State. If he didn't, he would be removed from the state's approved list of bidders. Kamdar refused. If the state had forgotten to put in a cap, that wasn't his problem, he had lived up to the contract.

TURNING A CONTRACT INTO A CRIME

In March of 2001, the New York State Office of the Inspector General referred the matter to the US Attorney for the Western District of New York. Enter Assistant US Attorney Anthony M. Bruce.

Kamdar, now 35, as he planned to return to India, learned that FBI agents had visited AIG offices seeking information; there was an active FBI investigation into ISS. Kamdar decided to go ahead with his plan. On May 29, 2001, with his wife and son, he left America.

The investigation went on. Bruce formed a criminal theory: Kamdar defrauded OGS by lying that he had to post collateral and therefore deceived the state into paying the 9.52% guarantee fee. Each mailing by Kamdar requesting the fee was an act of mail fraud. Each time he deposited a check that included the fee, he engaged in money laundering.

From February 2002 to April, 2004, Bruce presented evidence to three different grand juries. He brought in Kainz, but did not question him about the General Indemnity Contract. Despite the fact that there was an active grand jury that had heard live testimony from at least four witnesses, Bruce preferred a fourth grand jury, which heard only the testimony of a federal agent who summarized the evidence, to seek a true bill. On June 30, 2004, Kamdar, who had been in India for more than three years, was indicted on 20 counts of mail fraud and 10 counts of money laundering.

Kamdar chose not to appear before the US District Court to respond to the criminal charges against him. A US arrest warrant was issued against him on July 16, 2004.

INTERPOL, EPA AND BRUCE SHOW KAMDAR HE CAN'T HIDE OR COULD HE?

In addition to the federal indictment, in August 2004, the New York State Attorney General commenced a civil lawsuit against Kamdar. So now Kamdar was facing two lawsuits – one criminal and one civil, one state, one federal, for the same alleged offense.

In his civil deposition, conducted via video from India, Kamdar explained he intended no fraud. He had told Kainz that he and his wife pledged collateral to guarantee the bond and in his company paid them 9.52% as a guarantee fee. Kamdar had given Kainz the General Indemnity Agreement that showed the collateral. Nothing was hidden.

Meantime, the U.S. Environmental Protection Agency, Criminal Division, put Kamdar on its "Most Wanted" list, which contained the names, vital stats and pictures of people who were "on the run from justice" for alleged environmental crimes like smuggling pollutants or illegally dumping them.

Kamdar was never accused of an environmental crime, but for allegedly cheating New York State over fees in a contract. But a red corner notice was issued by Interpol seeking his arrest. In August, 2006, local police, on a request from India's Central Bu-



JOSEPH V. SEDITA

Senior Counsel

Attorney Joseph Sedita successfully defended Bhavesh Kamdar in state and federal court.

reau of Intelligence, arrested Kamdar at his residence at Rajkot. Kamdar was held for 79 days in an Indian prison while the US Government attempted to obtain permission from the Ministry of External Affairs of India to extradite him. A judge from the high court was appointed to hear the case in Delhi, and freed him on bail. With his fate in America and India uncertain, his marriage fell apart and he and his wife divorced.

THE SOVEREIGN VICTIM STATES IT'S NOT A VICTIM

In the fall of 2007, the civil lawsuit proceeded with a non-jury trial before State Supreme Court Justice Joseph C. Teresi in Albany. Kamdar did not appear.

Bruce filed an affidavit opposing a defense motion to dismiss the case in which he stated "the allegations contained in the State's civil action against Kamdar are identical to those contained in a criminal indictment that the United States Attorney... has obtained against Kamdar."

At trial, the state claimed Kamdar's misrepresentations came when he said he and his wife pledged their assets as collateral to obtain the AIG bond, while AIG never required Kamdar to post collateral, and that he

wrongfully took guarantee fees over the cap of \$402,000.

Kainz was a key witness. Under cross examination by Kamdar's attorney, Joseph Sedita of Hodgson Russ, Kainz admitted he was aware that the AIG guarantee was not based on Kamdar's collateral being held by AIG, but on the risk of loss of Kamdar and his wife's assets. He and other state officials admitted that the \$402,000 cap was not in the contract.

Justice Teresi found against Kamdar

and awarded a judgment to the state for \$1,114,626 plus costs on October 23, 2007.

Kamdar appealed and the New York State Appellate Division, 3rd Department released a decision on June 26, 2008. Justice Edward O. Spain wrote (with Justices Lahtinen, Kane, Malone and Stein concurring) that New York State officials "should have been aware that the expense for which Kamdar demanded reimbursement was not physical collateral, but the risk to which he and his wife, and their personal assets, were exposed as a result of the personal guarantee which they provided [AIG]... Significantly, when plaintiff pressed Kamdar for a description of the collateral... Kamdar [sent a copy] of the... General Indemnity Agreement, which clearly required personal guarantees of the indemnitors, but no physical collateral...."

"We have... considered the undisputed fact that defendants fully performed under the contract at a cost which was nearly a million dollars less than the next lowest bidder, representing - once the contract amount was tripled by change orders - a savings to the taxpayers of approximately three million dollars..." The justices also determined that the guarantee fee was enforceable and there was no "cap". The judgment against Kamdar was reversed.

The sovereign "victim," acting through its Attorney General, fully prosecuted the specified fraud allegations in its civil case against Kamdar. That same sovereign, acting through its judiciary, determined that all claims of fraud and breach of contract failed at trial and dismissed the complaint against Kamdar.

If the alleged victim, the State of New York, determined that Kamdar was guilty of neither breach of contract nor fraud, should this not have put an end to the federal Indictment?

Bruce didn't think so. He pressed for extradition and at the same time negotiated with Sedita and reached an agreement. Kamdar would return. Bruce warned Sedita that

(Continued on next page)



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LUNCH SPECIALS

Magistrate Judge Scott Finds Something Suspicious

(Continued from previous page)

he would move for detention when Kamdar arrived.

This serves his purpose: A man in jail is severely hampered in his defense for he cannot easily meet with his attorney who must come to the jailhouse, sometimes at a distance, must go through security, and see his client in a confined room. The defendant cannot easily get documents, make phone calls, meet witnesses, use a computer, email, or earn money to pay for his defense. The detained defendant is demoralized, sequestered from friends and family and more likely to accept a plea deal. A detained defendant, although technically innocent, is already experiencing the punishment meted out to the guilty. It reeks of the imprimatur of guilt. A detained defendant has far less chance of acquittal.

KAMDAR RETURNS

On February 18, 2009, Kamdar returned to the US where he was arrested in Brooklyn by EPA agents. He was taken before Magistrate Judge Victor Pohorelsky, who released him on his own recognizance, ordering him to surrender his passport - and for further proceedings. Before leaving Brooklyn, Kamdar was processed and was interviewed by an officer of the U.S. Probation and Pretrial Services, Amina Adossa Ali, who recommended Kamdar be given "moderate bail".

Kamdar flew to Buffalo. Before Magistrate Judge Jeremiah McCarthy, Bruce said he believed Kamdar was a flight risk and



US Magistrate Judge Hugh Scott pierced through Assistant US Attorney Anthony Bruce's excuses surrounding a peculiar submission of a Probation and Pre-Trial Services report which with the use of white-out changed a bail recommendation submitted to the court.

wanted him locked up. Sedita argued, "How in the name of logic can there be a claim that there is a risk of flight... when he ... returned to the United States voluntarily at his own expense in order to face charges?"

"He is back here," Bruce rebutted, "because... he won in the state court proceeding; it gives him hope... What happens down the



Former Assistant US Attorney Anthony M. Bruce wanted Bhavesh Kamdar in prison. He told the judge "he won in the state court proceeding; it gives him hope... and I intend to dash that hope."

road if that hope becomes dashed? ... and I intend to dash that hope."

A detention hearing was set for the following Monday before Magistrate Judge Hugh B. Scott. Bruce told Sedita, "[I]f Judge Scott does not detain, there will be an appeal to Judge Arcara."

If all went well, Kamdar would never see freedom from Monday onward until he was a very old man. In furtherance of this plan and in defiance of the rules, Bruce brought the pre-trial report recommending moderate bail - which was not to be taken from the offices of Probation and Pretrial Services - home for the weekend.

TAMPERING WITH EVIDENCE?

On Monday morning, February 23, prior to the detention hearing, Bruce handed to Sedita the pre-trial report and it had changed over the weekend. It now recommended "no bail". Bruce told Sedita that this was the official pre-trial report before the judge.

Kamdar had a copy of Adossa Ali's original pre-trial report.

When Magistrate Judge Hugh B. Scott called court into session, Sedita went before him: "Your Honor, the document has been tampered with."

MAGISTRATE JUDGE SCOTT: Tampered with?

SEDITA: ...the first page of this ... states that it is respectfully recommended that the defendant be detained (no bail) pending the resolution of the (case). Going to the next page, your Honor, we see the commencement of the actual pretrial services agency report from the Eastern District of New York.

MJ SCOTT: All right.

SEDITA: ...Your Honor, please turn to the second last page and the last page of the document... The second last page ends with an assessment of danger. The following factors indicate the defendant 'poses a danger to the community,' 'unidentified.' The last case bears the signature of Amina Adossa-Ali and the date February 18th, 2009, the date that he came into New York, surrendered and was processed.

MJ SCOTT: Okay.

Sedita gave the judge the original unaltered pre-trial report.

SEDITA: I'm going to ask this be marked as a court exhibit, your Honor. It is the bail report from the United States Pretrial Services Agency signed by Amina Adossa-Ali on the

18th of this month... I... direct the Court's attention to the last two pages. The Court will note that there is a recommendation on the last page for 'moderate bond' made by Amina Adossa-Ali, the investigating officer before whom the defendant appeared in New York City..."

MJ SCOTT: Yeah, it's different.

SEDITA: ...it has been tampered with... the one that has been given to you, your Honor, it bears the signature block of Miss Amina Adossa-Ali and the (bail) recommendation has clearly been whited out.

Bruce tried to explain. "First of all, it hasn't been tampered with... There is a lot of background here and a lot of it I think Mr. Sedita and I disagree about it, although I thought we had an agreement coming in."

MJ SCOTT: I'm not really concerned about any of that, I'm concerned about why I'm looking at two different documents with two different prints on it, that is all I want to hear about right now.

Bruce admitted he took the altered pre-trial report home.

BRUCE: I know that under ordinary circumstances, I'm required to turn these back to the Probation Department... By accident I took this with me. I've had it with me all weekend, trust me, I haven't fiddled around with it.

MJ SCOTT: Why is this document different from the one that is given to this Court as an official copy of a document from the Eastern District of New York and... leaves out the recommendation... How did that happen?... This is serious business... I want to know why this has been whited out on the copy that was given to the Court. Where did that happen? Who did it? And give me a reason why it was done.

"The government is not trying to hide anything from the Court," Bruce said.

MJ SCOTT: Do you all do this routinely? Should I know when I see a report... it may not really be the report... Should I ask you 'is this the whole report?'... [T]here are two reports, one that's been redacted and one that hasn't... [C]ertainly what's not normal is we go from a recommendation of 'let him go on a bond' and then, same department, part of the court, recommends 'detention'."

Everyone in the courtroom was in suspense. Some were standing. Magistrate Judge Scott directed everyone to sit down. Sedita introduced his co-counsel, Reena Dutta.

Magistrate Judge Scott recused himself and explained. "I'm quite curious about the change in these documents, but given the situation where my wife is clearly a friend of (Dutta's) mother... I am going to have to recuse, and I am sorry I have to do that because I'm still curious about what happened here."

That evening, Acting-US Attorney Kathleen M. Mehlretter contacted Sedita and offered to drop the motion for detention and allow Kamdar to post bail, in return for Sedita not pursuing Bruce's possible forging of a document. In the interest of his client's freedom, Sedita accepted the deal. Kamdar posted bail.

THE TRIAL OF BHAVESH KAMDAR

Kamdar told Attvoice that the prosecution and the defense had a meeting with Judge Arcara's law clerk, Monica Wallace, before starting trial.

Kamdar said, "Monica Wallace drew a big circle on a paper and inside she drew a smaller circle. On the fuller circle she wrote 'performance bond' and the smaller circle 'guarantee'. Then she asked Mr. Bruce, 'You're willing to pay for the bond, but you're not willing to pay for the guarantee fee, how is that possible? We're spending taxpayers' money on this case. Judge Arcara is very

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After the Long Ordeal Judge Arcara Brings Kamdar Freedom

sensitive to that. What are you going to do?" and Bruce responded "I'm going to take my chances."

Trial commenced on September 23, 2009 and lasted four weeks.

Bruce called more than a dozen witnesses from the State's Deputy Commissioner, to a lawyer from the Office of State Comptroller, to a bookkeeper who once worked for Kamdar years ago. Before calling his star witness, Bruce coached Kainz for five hours and Kainz testified that it was now his understanding that Kamdar was required to post collateral, which he failed to do.

But other witnesses could not agree on what the definition of collateral was.

The Chief of State Expenditures, OSC., Wayne Stickler testified that "collateral is just the segregation of money that's set aside." AIG's Robert Staples testified that collateral was "cash or a bank letter of credit that has been taken in support of contracts."

Bonding agent William Faust said "contractors view personal indemnity as collateral."

Bruce did not like that answer but Faust added that Kamdar's indemnity agreement "implicitly" provided for collateral because AIG had the right to demand Kamdar's assets as collateral in the event of default.

Bruce tried to stop him. Faust went on: Kamdar and his wife were required to provide AIG with a detailed financial statement specifying all of their existing assets and liabilities; there was a "handshake deal" that Kamdar would not deplete his assets, and that was collateral.

Bruce called Faust a "shameless cheerleader" in open court.

Bruce called Greg Photiadis, a premier commercial lawyer in Buffalo, who was Kamdar's former corporate attorney. Photiadis hurt the prosecution's case when he testified that "Indemnity agreements themselves are considered collateral by bonding companies" and it is not legally necessary to have physical possession of cash to have a security interest in it. In his experience as a commercial lawyer, bonding companies "very seldom actually take physical possession of whatever the collateral is" and contractors often mistake a guaranty as a pledge of collateral; the word "collateral" being understood differently by different people.

When the prosecution rested, the defense moved for judgment of acquittal. Judge Arcara reserved and permitted the defense to put on its case.

During the trial, Judge Arcara observed that the General Indemnity Agreement contained a U.C.C. provision which supported



US District Court Judge Richard Arcara dismissed the indictment against Bhavesh Kamdar, ending nine years of cruel misery for Kamdar.

the defendant's contention that the agreement was a secured interest in property and, therefore, satisfied the definition of collateral.

During closing, based on Judge Arcara's observation, Bruce shifted his argument he maintained for years that Kamdar's fraud was the claim that he offered AIG "collateral." Now Bruce said Kamdar's lie was his representation that he would "lose use of his personal assets."

The jury retired to deliberate. Ten jurors were for conviction. But two had understood the law and the facts. They weren't going to let a man go to prison when he had done nothing wrong. After six days, tensions grew to the point reportedly of a threat of violence. Finally, they went to the judge and said they were deadlocked, a hung jury. Judge Arcara declared a mistrial and that he would now consider the defense's motion for dismissal.

JUDGE ARCARA'S DECISION

On September 1, 2010, Judge Arcara ruled the indictment must be dismissed.

"All of the evidence indicated that, when asked to identify what collateral he was referring to, the defendant repeatedly referenced his personal guaranty," Judge Arcara wrote. "... It appears that OGS misunderstood the defendant's reference to his pledge of collateral to mean that he had physically delivered some additional property to AIG... The defendant only claimed to have 'pledged' his assets as collateral, and to 'pledge' means 'to promise something as security for a debt.'... It is not difficult to imagine that a contractor

who signs a full and unconditional guaranty putting all of his existing and future-acquired assets at risk would view that document as a pledge of personal collateral, legal accuracies notwithstanding... If OGS representatives mistakenly understood his statements to mean that there was some additional security agreement beyond what was stated in the guaranty, they should have insisted on seeing that document... the AIG letter provided with this correspondence made clear that all AIG was requiring from the Kamdars were personal guarantees, nothing else..."

"The Court finds that the defendant disclosed all of the facts that were material and relevant to the value of the transaction... no reasonable juror who understood... the transaction here could find the absence of a pledge of personal collateral was material to the State's decision to pay the guarantee fee. Accordingly, judgment of acquittal as to all of the mail fraud counts is warranted... (Consequently)... all of the money laundering counts must also be dismissed... the Court... dismisses the indictment in its entirety."

FREEDOM

Bhavesh H. Kamdar was free. He spent more than \$1 million in legal fees in India and America and nine years of his life were spent in sighs.

Proud Bruce, with the cold untroubled heart of stone, he spent millions too – of taxpayer's money on a case that should never have been indicted, let alone tried.

But his victim was a man too. There is no harm in patience, and no profit in lamentation. Bhavesh Kamdar said of the reckless man: "Anthony Bruce will get what he paid for, for what he did to others. All will get their justice one day. He will get the same done to him one of these days."

Kamdar is 50. He is single, working as an engineer in India. His son, 21, grew up with a father living with grief and shocks. His mother and father divorced when he was young.

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Lewiston Fireworks: Councilman Bax Rebuts Briglio's 'Very Dark' Letter

Alphonso Marra Bax Town of Lewiston Councilman



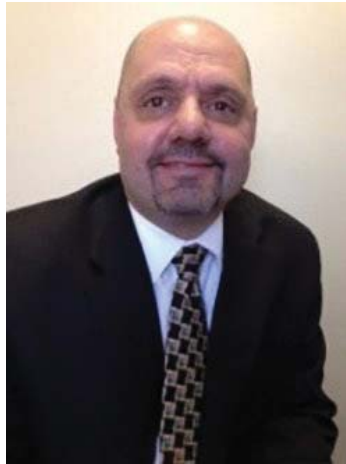
'Concerned Residents of Lewiston Beware!!!'

It was only nineteen days into the new year when I read Mark Briglio's very dark letter to the editor voicing his concerns about

Town Hall. I would like to mention at the outset that, over the past eleven years as Town Councilman, I have rarely felt the need to personally respond to an individual resident's public comments. Usually in such op-ed pieces, there is an underlying truth upon which that person's opinion is based, and as much as I may respectfully disagree, everyone is entitled to their opinion. This time, it was different. Not only was the opinion expressed not based on fact but, more importantly, the person making the comments was in a unique position to know that what he was saying was untrue. This letter is an effort to set the record straight.

During my time at Town Hall, I have developed a deep respect and appreciation for each and every individual I have worked with, Democrat and Republican alike. Remarkably however, party lines do not enter into the day-to-day decision-making role of the Town Board. There are no fundamentally Democrat/Republican issues facing the Town. There are only questions of what is best for our residents.

For those who may not know, the Town of Lewiston had a town tax until 2006. Although its elimination was praised as a great political accomplishment, this action actually weakened the town's fiscal stability. As a direct result, we became dependent upon revenue streams outside of our control. Additionally, we found ourselves powerless to raise the funds necessary to adequately care for our



Mark Briglio wrote a dark letter.

roads or to replace equipment on a regular schedule. At best, annual revenues each year remained stagnant while the costs of employee benefits and basic operations increased exponentially. Through the extraordinary efforts of our department heads, operational budgets have been cut to the bone. To cut operations any further would most certainly result in drastic reductions in the quality of life that we have all come to enjoy and expect in our town.

What I describe above has been the status quo confronted by every Town Board for more than a decade. In his letter to the editor, Mark Briglio tries to suggest that Town Republicans "liquidated" cash reserves only after he was removed as Supervisor in late 2015. This statement is a complete fabrication. Mr. Briglio fails to disclose that the 2015 and 2016 budgets were actually authored in 2014 and 2015, respectively, by his prior boss and Democratic Supervisor, Dennis Brochey. Yet he fails to take any ownership in them. In all fairness to Mr. Brochey, both budgets were unanimously passed by bi-partisan boards. My point remains, however, that it is simply

disingenuous for Mr. Briglio, knowing what he knows, to now try to place blame solely at the feet of Republicans. Shame on you, Mark.

Mr. Briglio also makes some very oversimplified inferences regarding staffing levels at Town Hall which require addressing. It doesn't take a business degree to know that having fewer employees results in lower costs. But, as actual Town Board members, we must consider business realities when making decisions. From my perspective, safety is the most important concern. In departments such as Water, Highway and Waste Water Treatment, it is simply too dangerous to perform many vital tasks without the requisite number of workers. Attempting to do so with fewer would put employee lives at risk. The Highway Department needs a minimal number of plow drivers to ensure the public's safety during inclement weather. Similarly, the Police Department maintains just enough staffing for a two-car patrol for the entire Town. I, for one, am willing to allocate the resources necessary to ensure that we continue to live in the third safest town in New York State.

Another consideration Mr. Briglio fails to recognize is the institutional knowledge that our valuable town employees possess. As each employee nears retirement, it is imperative that their experience and know-how be imparted to those who are to follow them. In most of our facilities operations, there is no substitution for hands on training and experience. Town residents look to us to ensure that our employees can perform in an emergency. The lessons learned and applied in this fashion save taxpayers an incalculable amount money every year.

So the answer to your question, Mr. Briglio, is a resounding "Yes!" We did ask the hard questions. We continue to do so. Maybe you should have paid more attention during the meetings. Not one of us rushed in, without exploring every other alternative, before deciding that a town tax was our ONLY solution. Your "concerned citizen" letter smells of sour grapes. If your fears are genuine, why haven't you attended a Town Board meeting in more than a year? The fact remains, if it

weren't for Ron Winkley stepping up in 2015 to make the hard decisions after you were replaced, we would have had a town tax a year earlier.

The decision to reinstate the town tax was certainly a difficult one, but it was the right decision. It was never a matter of "if", but "when"... and you knew that, Mr. Briglio. Even Councilman Morreale commented that he decided to support the town tax only after personally investigating every single invoice paid through Town Hall and concluding that there was no more we could cut. This Town Board took responsible action, in a bi-partisan fashion, and refused to ignore the financial realities facing our town.

For Mr. Briglio to publicly pose misleading and nonsensical questions, only to walk away and point fingers, is hypocritical. To follow his "stump speech" advice and indiscriminately cut without concern for the state of the Town's basic infrastructure, our quality of life or the safety of Town employees and neighbors would be grossly irresponsible. It took a Town Board with the courage to recognize what was right for our residents in the long term and I am proud of our bi-partisan decision.

The truth of the matter is that the Town of Lewiston IS moving in the right direction. We are engaged in the wonderful process of redefining ourselves, shifting our focus from a landfill/clay mining economy to one based on tourism and eco-friendly projects. We have worked together to responsibly cut spending where possible and have implemented zero-based budgeting in every department. For the first time in recent memory, Town departments are working together in a cooperative, cost-effective way. And to boot, we finally have a long-term financial plan to reinvest in our neglected Town infrastructure.

CONCERNED RESIDENTS... Beware of the political Kool-Aid!!! Things are not as bad as "Dark Mark" Briglio would lead you to believe. I would like to invite anyone with remaining questions to contact myself, Supervisor Broderick or our Town Finance Director to set up an appointment at Town Hall to have your concerns addressed first-hand... with the facts.

ELECT ALAN JAMES ROSCETTI

for

NIAGARA FALLS CITY COURT JUDGE



YOUR VOTE COUNTS




WERE YOU WRONGLY ACCUSED BY THIS MAN?



**Former Assistant US Attorney
Anthony M. Bruce**



Upon information and belief, court records, document review, and eyewitness testimony, Anthony Bruce suborned perjury, obstructed justice, deceived the courts, recklessly and blatantly disregarded evidence that pointed to innocence, lied by omission and committed outright fraud and perjury as a regular pattern of conduct during his notorious 38 year role as an assistant US attorney and sent an unknown number of innocent people to prison. This heretofore 'dirty little secret' was known by a certain number of people in the legal community and Bruce barely escaped being disbarred and prosecuted in the past.

Up until now, no one had the temerity to publicly challenge this allegedly 'villainous bully' until Frank Parlato, who claims to have been falsely accused by Bruce, brought Bruce's alleged misconduct to light in a series of articles in this publication. Bruce's alleged blatant prosecutorial misconduct in the Parlato case has prompted other defendants and lawyers to contact Parlato who now has a growing body of evidence that the conduct Bruce showed in his case was not singular. Other victims are and will be going on record in coming articles. Were you or your family victimized by Bruce too?

BE NOT AFRAID: If you were a victim of Bruce join the ranks of victims who are fighting back and contact us. Your inquiry will be kept confidential. Your name will never be used without your written permission. Our goal is to prevent prosecutorial misconduct which so often occurs but goes unpunished. It can only be stopped when there is a consequence for prosecutorial misconduct. Absolute power corrupts. Prosecutors have virtually no checks and balances on their conduct unless the people themselves stand up for justice. Contact Parlato at **716-990-5740** or email **news1926@gmail.com**. All calls and emails kept confidential.

"When we neither punish nor reproach evildoers, we are not simply protecting their trivial old age, we are thereby ripping the foundations of justice from beneath new generations." *Aleksandr Solzhenitsyn.*

Contact Parlato at **716-990-5740** or email **news1926@gmail.com**.
All calls and emails kept confidential.

Is Mayor Dyster one of the 'immigrant' faces on Cuomo Pamphlet ???

James Hufnagel

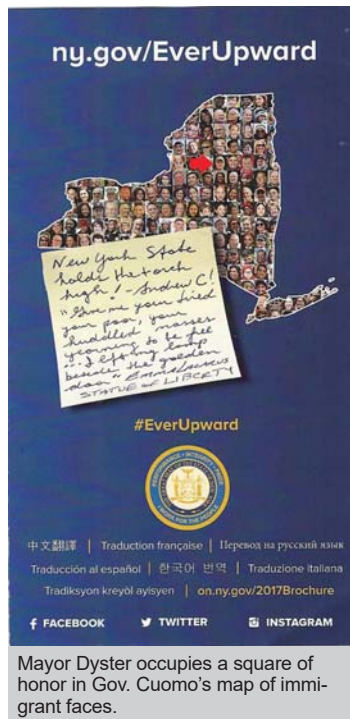
On Jan. 20, Gov. Andrew Cuomo's representative, Empire State Development's Sr. VP Sam Hoyt appeared in Council Chambers at Niagara Falls City Hall to deliver an encapsulated version of the "State of the State" speech performed by Cuomo on Jan. 9 at the University of Buffalo's North Campus.

At the front entrance to the large chambers, where the business of the people is conducted every other Monday, on the bench next to the door, was a stack of single-page, fold-out glossy brochures headlining "NEW YORK STATE EXCELSIOR EVER UPWARD - Advancing the New York Promise" above images of the Greater Rochester International Airport and JFK International in New York City, as well as a newly-constructed Second Avenue Subway in Manhattan. At the bottom of the brochure, in bold letters, is "Andrew M. Cuomo" and "Governor".

After Hoyt's seminar, we grabbed a couple of the handbills on our way out the door.

Inside the slick brochure are numerous bullet points extolling the accomplishments of the governor and outlining his goals for the future, from "Invest \$750 million in Regional Economic Development Council awards, which have created or retained 210,000 jobs statewide since 2011," to "Establish Hate Crimes Task Force charged with investigating and deterring incidents of bias and discrimination" and "Modernize and transform airports across the state, from New York City to Syracuse to Plattsburgh."

Before relegating the Cuomo pamphlet to the top of the three-foot-tall stack of similarly over-produced glossy hand-outs from state government that chronicle the numerous hearings, open houses and public information sessions that have been held over the past 20 years on Robert Moses Parkway removal, we

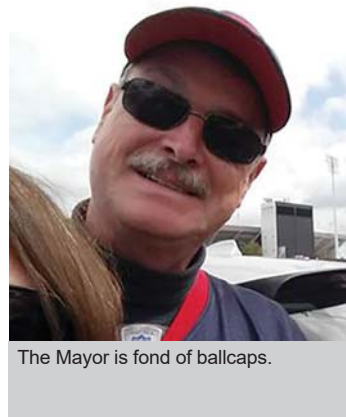


Mayor Dyster occupies a square of honor in Gov. Cuomo's map of immigrant faces.

took a quick glance at the back cover of the brochure which, as you can see from the image accompanying this article, shows a map



Magnified 100X, Mayor Dyster is clearly recognizable.



The Mayor is fond of ballcaps.

of New York State comprising a collage of people's faces. Supposedly attached to the

map is a yellow Post-It with a scribbled message from "Andrew C!" which says, as you can read, "New York State holds the torch high! 'Give me your tired your poor, your huddled masses yearning to be free (with apologies to Emma Lazarus)... I lift my lamp beside the golden door.'"

Scientists say that there is a special place in the brain for facial recognition, a cognitive function they sometimes refer to as "grandmother cells." According to Wikipedia, grandmother cells activate "when a person 'sees, hears, or otherwise sensibly discriminates' a specific entity, such as his or her grandmother." In other words, our brains are predisposed to recognize familiar faces in a crowd.

So imagine this reporter's great surprise and delight when, in the course of a cursory scan of the map of the state of New York on the back cover of Cuomo's glossy brochure, his eyes zeroed right in on a tiny image of none other than Niagara Falls Mayor Paul Dyster amid the sea of anonymous faces!

While the image measures little more than a quarter of an inch square, and didn't lend itself to being effectively enlarged, it's unmistakably Dyster, pictured in the center of the state somewhere in the Adirondacks hundreds of miles from Niagara Falls.

During our weekly editorial board meeting here at the Reporter, we were trying to decide which category Mayor Dyster fits into most precisely, in Gov. Cuomo's estimation.

Is Dyster tired and poor, or just talented at creating more of the same here in the city of Niagara Falls as a result of his policies and "leadership"?

Maybe he's one of the "huddled masses"? Or do you think Dyster is struggling to "breathe free"?

Whatever the case might be, we know one thing for sure. Somebody in the governor's office sure has a sense of humor.

Roscetti Fundraiser Draws Overflow Crowd

Tony Farina

It was a full house last Thursday at the Hyde Park Ice Pavilion for Alan Roscetti's kickoff fundraiser in his campaign for Niagara Falls City Court judge.

Roscetti, a 37-year-old Niagara County public defender and private practice attorney, is running for the seat currently held by Judge Robert Merino who will be retiring at the end of the year.

"It was a great night, just a terrific turnout," said Roscetti after greeting more than 200 well wishers and supporters who turned out for the official start of his campaign and promising to work hard to convince voters he would be a fair and honest judge if he wins in November.

Among those dignitaries in attendance, and there were many, were Niagara Falls City Republican Chairman Bill Carroll and Vice Chairman Michael Gawel. Also on hand were Niagara County Legislator Jason Zona, Jerry



Niagara Falls father and son attorneys James Roscetti and Alan Roscetti. Alan is running this year for Niagara Falls City Court Judge.

Wolfgang, and pharmacist Bob Kendzia to name just a few.

Alan's father, Jim Roscetti, a prominent Niagara Falls attorney and chairman of the board of the Memorial Medical Center, in-

roduced his son to the gathering and spoke words of encouragement to the assembled crowd that Alan would truly be an outstanding public servant to the people of Niagara Falls.



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

We could be wrong, but is that an immigrant or Mayor Dyster?

Frank Parlato

Our esteemed colleague James Hufnagel has taken the time to address a serious issue in this edition – a New York State taxpayer-funded brochure promoting Andrew Cuomo, who is presently governor of New York State.

The brochure entitled “NEW YORK STATE EXCELSIOR EVER UPWARD – Advancing the New York Promise” is an excellent piece of campaign literature and it does not, of course, fail to have – like any good campaign piece, the name of the candidate in large letters right on the front of it — “Andrew M. Cuomo, Governor”.

Here is a man you will want to vote for. He is fiscally prudent. He has crafted an excellent flier to promote himself and it didn't cost him a dime either.

But that is not what prompted me to write. Hufnagel seems to think that one of about 100 small images on the back of the brochure is a picture of Mayor Paul Dyster.

I'm not so sure. That may not be Dyster. It does look very much like him. But based on the poem on the image — about America welcoming immigrants — it doesn't seem to fit.

Not that Paul Dyster wouldn't grace this beautiful Cuomo campaign literature piece so slickly disguised as a state informational brochure about the gains and the glories of New York State and its social justice values, a brochure, which by the grace of God, Cuomo — whose name is on every page (as the man who has brought social justice to New York) has kindly allowed state taxpayers to pay for.

(This will leave that much more money in his own campaign fund which is always being replenished by developers and businessmen who Cuomo rewards at a ratio of \$1000 to \$1. You donate \$1,000 to Cuomo, and you get \$1



A charming taxpayer-funded campaign flier for Gov. Andrew Cuomo may or may not feature a picture of Paul Dyster.

million worth of taxpayer subsidies in return).

But we're talking about Dyster. Is it him in the picture?

The yellow post-it that looks like it is stuck to the images of the 'immigrants' is from the poem “The New Colossus” by Emma Lazarus, and often quoted as the Statue of Liberty poem.

To it we must go to determine if this is really Paul Dyster.

“Give me your tired, your poor,
Your huddled masses yearning to breathe free,

The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,

I lift my lamp beside the golden door!
As Hufnagel points out, or should have pointed out, Paul Dyster is a scion of a wealth.

He was not born poor or homeless, poor, obscure, not one of the huddled masses, or in need of a lighted lamp at the golden door (except sometimes when he came from some staggeringly tough-fought beer judging contest and



In a sense this is better than 'Where's Waldo?' But is that Paul Dyster?

It is a sad and terrible thing to look like somebody else, but is this somebody else or :Paul Dyster displayed on a state brochure which is really nothing more than a shameless piece of campaign literature for Gov. Andrew Cuomo.

had some little difficulty finding his way to the door).

Mr. Hufnagel proclaims on scanty little evidence other than a eerie resemblance that “Mayor Dyster occupies a square of honor in Gov. Cuomo's map of immigrant faces.”

Mayor Dyster certainly does not resemble the poor immigrant.

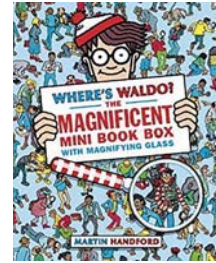
But then the lamp at the golden door turned on for me.

Of course that is Mayor Dyster.

The poet is seeking tired, poor, huddled masses, homeless, tempest-tost.

It is not what Dyster is, it is what he has done.

With the high crime, poor roads, and the enormous encouragement of developer-driven



Comparisons are odious but Waldo is a lot more amusing than Gov. Cuomo or Mayor Dyster.

that). And car-less too — for the roads are an abomination (yet we have millions for an empty train station).

Having the highest crime rate in the state has helped crime victims become tempest-tost.

As his garbage plan, where the severely limited amount of refuse people are allowed to dispose of (while the cost to taxpayers has gone up compared to the old garbage plan) has made the back roads and alleyways filled with wretched refuse.

And in the final analysis, Paul Dyster has made us all tired hearing how great he says he has done.

Take a look around in this city — a city which ought to be rich — and you see how Paul Dyster is much like Andrew Cuomo — a self-serving big tax and spend wastrel — who takes care of his friends while his city/state crashes and burns.

Yes, I venture to say, the photo is indeed Paul Dyster, or should be.

Marsha McWilson

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Local Opposition Ramping up to Cuomo's Lodge in Olmsted's Niagara Reservation park

By James Hufnagel

While the shock of Gov. Andrew Cuomo's announcement that he wants to build a state-owned "lodge" (read hotel) on Goat Island in the Niagara Falls State Park is still sinking in with many local residents, a preliminary sample of public opinion so far seems to reflect growing opposition to the governor's proposal.

Floating the trial balloon during his January 9 University at Buffalo "State of the State" speech ("On Goat Island

we will create a year-round destination for tourism and build a world-class lodge with sweeping views of the Niagara River"), Cuomo's scheme to establish overnight lodging on Goat Island would be in direct competition with the new downtown hotels that he and Dyster tout as the city's salvation.

It would also constitute the first time in many decades, possibly a century or longer, if ever, that such accommodations have been present in the Olmsted Reservation park. A completely new dimension of the state's ongoing commercial exploitation of Niagara Falls State Park.

Eight million tourists a year drive or are bused into Niagara Falls State Park on a state-owned parkway, parking on one of over 1500 parking spaces. They ride Maid of the Mist and tour Cave of the Winds, eat at Delaware North food stands and Top of the Falls restaurant, purchase gifts and souvenirs, and then leave on the same parkway without entering or spending money in the city of Niagara Falls, one of the poorest cities in the state.

A Goat Island "lodge" (it just seems so appropriate to wrap the word "lodge" in quote marks every time, since most people think of lodges as being wilderness retreats, not urban hostels) was actually hinted at nearly three years ago.

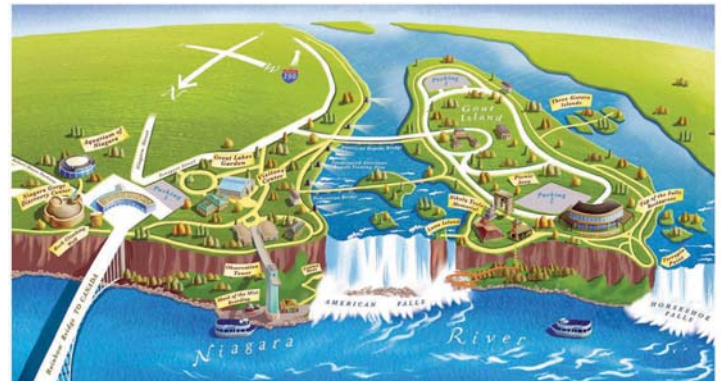
During the summer of 2014 construction of a new State Parks Police barracks was started at the top of the Niagara Gorge. Since Gov. Cuomo, through his State Parks agen-

cy, shielded the project from public scrutiny by exempting it from the hearings and public comment periods required under SEQRA, the State Environmental Quality Review Act, the citizenry was unaware that a significant portion of the scenic Niagara Gorge was about to be taken up by a sprawling police complex until scores of trees were cut down and the site leveled by bulldozers.

At the time, it was rumored that the old barracks on Goat Island may be repurposed as some kind of overnight lodge or bed and breakfast for tourists.

Public opinion turned on articles in this newspaper decrying the selection of the gorge location, already being readied for the new facility. It wasn't long before politicians like US Rep. Brian Higgins, then -NY Assemblyman John Ceretto, then -NY Senator George Mazarz and eventually Niagara Falls Mayor Paul Dyster joined the bandwagon, the end result being that the police station was relocated to its present site across the parkway from the Maid of the Mist winter headquarters at the Schoellkopf, perfectly positioned to swoop in on the new Maid boatyard, rappelling down the rock walls of the gorge to rescue Glynn's watercraft at a moment's notice.

The controversy caused the opening of the new barracks to be delayed by almost two years, and in the interim there was no more talk of the old Goat Island building being



Last week's cover image for the Niagara Falls Reporter went viral, widely dispersed over the Internet.

Eight million tourists a year park, eat, sightsee and shop in Niagara Falls State Park without entering the city. Now Gov. Cuomo wants them to sleep there, too.

converted into hotel rooms, at least outside of the State Parks Prospect Point administrative building and Delaware North's corporate offices, as indistinguishable as the two are.

Cuomo's game plan becomes evident when you consider the following.

Delaware North presently is approaching the end of its 20-year, \$10.2 million contract with State Parks to operate food, beverage and gift shop concessions in Niagara Falls State Park.

On September 10, 2014, the day after his victory in the Democratic primary, Governor Cuomo was honored at a fundraising event at Delaware North owner Jeremy Jacobs' opulent East Aurora estate. Tickets went for \$25,000 per couple.

Last year the National Park Service boot-ed Delaware North out of Yosemite, resulting in a \$146 million (2014 gross revenues) hit to its bottom line. That's not chump change, even for multi-billionaires like Jeremy Jacobs, Sr. and his family. A new "lodge" on Goat Island would probably go a long way towards assuaging Jacobs' bruised ego resulting from his humiliation at Yosemite.

Kicking off action against the lodge this week were two local environmental mainstays, Bob Baxter and Bob Borgatti of the Niagara Heritage Partnership (Borgatti also serves on the Niagara Falls National Heritage Area board) who wrote letters to the governor

in an attempt to dissuade him from perpetrating yet another artificial incursion into what was supposed to be Olmsted's natural haven.

"Did no trusted aide approach you quietly to say, 'Governor, these are not good ideas.?' and 'Do you stay awake at night trying to think of even more ways that State Parks can suck money from the business communities of Niagara Falls, NY?'" are two of 29 questions Baxter, who is a retired NCCC Professor Emeritus of English, poses to Gov. Cuomo in his letter.

NFNHA board member Bob Borgatti, who with Paul Lamont co-wrote and produced the classic television documentary "Fading in the Mist," which aired nationally on PBS, spotlighting the progressive and distressing sidelining of nature in pursuit of profit in Niagara Falls State Park, wrote the following: "I would suggest, as an alternative site for your lodge idea, that you consider... the Schoellkopf building, which currently sits unused on the DeVeaux campus... The old stone building is architecturally distinctive and historic. The grounds surrounding it are beautiful and it is adjacent to scenic areas such as Whirlpool Park, the Niagara Gorge, and Devil's Hole. Best of all, it is not on Goat Island."

The complete text of the letters is available at Niagaraheritage.org.

Gov. Cuomo to build new lodge for his billionaire pals

Family-owned and operated Delaware North, the multinational fast food and casino conglomerate, lost the contract to run hospitality services at Yosemite National Park two years ago and billionaire owner Jeremy Jacobs, Sr., took it very hard. It seems he and his family are going to miss their western wilderness retreat.

According to the Buffalo News, "The (Jacobs) visit every year, not just to examine the operations, but to hike and climb in the Yosemite Valley and the High Sierra. Margaret Jacobs, an amateur photographer, takes pictures of the breathtaking scenery.

"The sons visit as much as once or twice a year, as well, during peak and off-peak seasons, bringing their children from the time they were babies. They throw



Shown the door at Yosemite, here is the "lodge" Jacobs' Delaware North left behind. Then they tried to virtually extort the National Parks Service into purchasing the hotel's name, Ahwahnee, among other traditional Yosemite names they had trademarked.

themselves into park activities, with Louis Jacobs even taking part one year in the park's traditional Bracebridge dinner festival, playing the role of the squire."

Touching accounts of employees supposedly shedding tears as the multimillionaire family took their final leave were circulated by the firm's public relations department.

Now New York State Governor Andrew Cuomo, who was the guest of honor at the Jacobs' opulent East Aurora estate at a \$25,000 a plate political fundraiser, is planning to build the Jacobses a brand new lodge on Goat Island in the Niagara Falls State Park – what a grand gesture!

Lose a lodge – gain a lodge!

Niagara Falls experiences social media firestorm over Cuomo's "Lodge" proposal

James Hufnagel

A number of Niagara Falls residents lit up social media this week with protests against Gov. Cuomo's "lodge" which he wants to build next to the Niagara River on Goat Island in the Niagara Falls State Park, damaging the beautiful natural scenery surrounding Niagara Falls. We culled the following critical comments from Facebook, which outnumbered those in favor by at least 10 to 1.

Robert Borgatti: "This is a terrible idea. Just another unnecessary intrusion on the natural environment at the falls and totally contrary to the Olmsted vision that created the natural reserve (now referred to as a "park"). No more commercial enterprises inside the park, which yields little economic benefit to the community."

Anthony Ross: "Another way for the state to take tourist dollars from the city."

Lewis Buttery: "NO NO NO !!!!!"

Sam Archie: "Nope on the lodge or hotel on Goat Island."

Tina Marie Orsi: "No!"

Connie Beccari: "Noooooo!!!!"

Bob Moore: "Definitely no. 'World class' tells me it's going to be expensive, for the wealthy to enjoy. Goat Island became public in 1885. Let's keep it that way."



Eight million tourists annually visit Niagara Falls State Park, where they park, dine, sightsee, purchase gifts and souvenirs and then leave on a dedicated roadway, with no need to enter or spend money in the city of Niagara Falls, which has the highest rate of violent crime, poverty and taxation of any city in the entire state. Now Gov. Cuomo wants to build a hotel there to compete with downtown hotels.

Bill Mohr: "I moved from Niagara Falls in 1975 but return occasionally. NYS does very little to enhance this wonderful site except to collect increasing parking fees. This is definitely not the place to build a lodge or hotel."

JoAnne Ruppel-Frawley: "I like the idea, just not on Goat Island. Stop paving

paradise."

Barbara Newman Hogan: "Terrible idea... People go there to enjoy the beauty of the falls and nature. It's too small of an area for a lodge. Would we really want Goat Island to look like Clifton Hill? There are enough other empty buildings and areas that can be developed."

Nick Gilmer: "We can not let this happen! They have already done enough with goat island and should stop changing things!"

Max Teller: "My guess is some other campaign contributor will get to build on the island. Olmsted is rolling over in his grave right now."

Nancy Lucewicz Smith: "... residents don't want nature destroyed for the sake of the 'dollar.'"

Wendy Ross: "Goat Island needs to stay the way it is... people walk and picnic on Goat Island....a lodge is NOT what we need."

Michael Mangano: "No! Just NO!"

Heather McCartney: "Leave it be."

Robert Basin: "Can't you just leave one part of that area the way it's supposed to be?"

Teareado Dye: "Lmfao, is this a joke? They already destroyed the island with all the new renovations they did around Three Sisters."

Micheline Insalaco: "No!"

Michael Svida: "The 'Lodge' Is supposed To accommodate (provide lodging) for state politicians, 'lobbyists' And 'large' political Donators (The Politically Connected)... \$\$\$\$\$\$"

Sue Hosmer: "Money hungry \$\$\$\$\$\$"

Patricia Lautz Martin: "NO!!!!!! Leave it to nature n beauty, Please!"

Margo Dreeszen: "Not a good idea!"

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**J. Gary
DiLaura**

The Right Side

The LAWS the President is enforcing are Federal Immigration laws (Title 8 Sec 1182f, 1187a, 12, 2, et al) not HIS immigration policies! Someone please tell Rep Keith Ellison, D Minn, Rep Lewis, Sen. Charles Schumer and other ignorant "lawmakers", to read the laws that they (Congress) passed years ago! Ellison is calling for people to overthrow the Presidents orders! Be careful Ellison, the FBI has arrested MANY Congressman over the years; you and that idiot Lewis don't want to cross the line on what you tell people to do! Inciting to riot is a serious Federal offense and a real AG is coming!

Morons, I swear!

People who are supposed to protect us, don't; our elected officials! How many times in the last year have you heard, "Donald

Trump can't stop Aliens from entering the US based upon religion...or based upon ethnic origin ...or because of race, creed and color? It's unconstitutional!?" How many times from MAIN STREAM MEDIA and how many times from lawmakers like that former Speaker of the House" Nancy Pelosi? How dumb can she possibly be? Obstructionist, ribbon cutting Schumer, is no better; his tears are as phony as him. He has no idea what we are up against, nor does he care. Apparently, he doesn't know the law, doesn't know how dangerous our enemies are, never read the Koran and has no idea what the Hadith is or he would have stood up to Obama years ago!

Get this straight! First, non US Citizens (Aliens) who want to gain entry INTO the US have NO RIGHT TO ENTER OR RE-ENTER!!! We the people (through our elected officials) allow only those in, that WE want, period, end of story, simple.

WE DON'T WANT PEOPLE HERE WHO WANT TO KILL US AND HAVE A PROVEN TRACK RECORD TO THAT END!

We elected President Donald Trump to protect us and "you" whether you like it or not!!

Aliens, who want in, have no Constitutional rights whatsoever, none!!!

If an Alien had a visa or green card, left and wants back in...then we the people have a Right to know why he left, where he went

who he was with; access to his phone, computer, that's what vetting means!?! That's the law!

Let's go a step further...the Immigration and Naturalization Act of 1952 aka Public Law 414 US, Sec 212, Chapter 2, actually PROHIBITS the entry into the US of ANY Aliens belonging to ANY organization, religion, group seeking the unlawful overthrow of the government of the US by force, violence or other unconstitutional methods! It gives the President the authority to deny admission to ANYONE the President believes is in violation of 414 by Proclamation, no Executive Order is necessary. Under this law, President Trump could have banned JUST Muslims, or JUST Catholics or Jews but, instead, he banned EVERYONE from 7 very troubled countries that contain people who are a stated treat to our people, but cannot be readily identified. A very smart move!

Islamic immigration into the US has actually been banned by Public Law 414 because their Book of Faith, the Koran, Sharia law and the Hadith all call for the overthrow of the our government by complete obedience; submission to all the Surahs in the Koran. Those Surahs specifically state that ALL unbelievers are infidels and must be killed. Why do you think 19 Muslims crashed 4 planes, on 9-11-01, killing 3,000 American INFIDELS?

Those elected Officials who want to take a stand against President Trump instead of

protecting us, better think twice. Any Governor who defies President Trump on the Alien "freeze" is defying and violating serious Immigration Laws and could find himself in custody because Jeff Sessions is NOT like that piece of crap, racist, Erick Holder or Obama's puppet Loretta Lynch. Activist Federal Judges who make law from the bench instead of interpreting law could find their positions defunded by Congress, which has been done before!

Senator Jeff Sessions will be a real AG and enforce our Rule of Law! Anyone who "advocates" Sharia law, calls for demonstrations that lead to violence or rioting had better use their heads. Things are changing for the better. Our Rule of Law will AGAIN be enforced!

Muslim Sharia law is against our Rule of Law, against the Constitution, and our Republic. However, for a Muslim, to not believe in Sharia law is a capital crime under Islamic Sharia law. Those Muslims are a Kafir, the worst of the infidels, that's also you and me and all pagans, Jews, atheists... we are the worst of the unbelievers according to the Hadith and the Koran.

The problem with you red wing, left, progressive, commie, pinkos is you have become accustomed to Obama lawlessness, permissiveness and lying and you can't get used to Truth, Justice and the American way!

Stick around for a while, you will!

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Niagara Falls Mayor Paul A. Dyster was relaxing one evening with some craft beers when he remembered he had neglected to let the dog back in from the cold evening. Beer in hand, the mayor walks out onto his porch, his foot hits a patch of ice and down he goes.

Hitting his head, he momentarily blacked out, and when he came to, all up and down the front of his shirt and pants were wet.

"Dear Lord!" he exclaimed, "Please let that be blood!"

Contest in a Niagara University English class: write a short story which contains religion, sex and mystery.

Winner's story: "Oh God, I'm pregnant, I wonder who did it."

Q: How was the Niagara Gorge created?



A: Jimmy Glynn and Jeremy Jacobs were fighting over a penny.

A drunk staggers out of a Niagara Falls

bar and runs into two priests. He goes over to the first priest and says, "Dude, I'm Jesus Christ!" And the priest says, "No son, you're not." So the drunk goes over to the second priest and says, "Man, I'm Jesus Christ!" Then the priest says, "No son, you're not." Finally, the drunk had enough and said, "Here, I'll prove it." He walks back into the bar with both priests and the bartender looks up and sees the drunk and says, "Jesus Christ, you're back AGAIN?"

Two elected Democrats, one from Manhattan and one from Niagara Falls, were sitting outside at a nudist colony discussing big government and socialism. The Manhattan senator asked: "Have you read Marx? The Niagara Falls council member replied: "Yes. I think it's from the wicker chairs."

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\$6.99 Breakfast Buffet

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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



Finally – A New Day for America's Working Class

For thousands of hard-working men and women who have been shut out of our economy for too long, it is beginning to feel like a new day. The Laborers' International Union of North America applauds President Trump for turning the page, leaving the politicization of decisions over energy projects in the dustbin of the past. Advancing the approval process for the Keystone XL Pipeline and the Dakota Access Pipeline embodies the President's commitment to creating good middle-class jobs and ending the political gamesmanship of the last eight years when it came to energy policy. The Keystone Pipeline was stalled, delayed and ultimately blocked by the Obama Administration to appease extremist environmentalists, reducing working class men and women to pawns in an elitist game. Despite multiple State Department reviews that found the pipeline would be safe, in the national interest, and unlikely to contribute to climate change, thousands of workers, desperate for means to care for the families, were ignored.

Likewise, the Dakota Access Pipeline has been delayed by a distortion of the regulatory process by the Obama Administration, putting at risk the livelihoods of more than 4,500 construction workers, including 1,100 LIUNA members. While the project had been approved by local, state and federal agencies, the new last-minute hurdle blocking it put politics above people. LIUNA is also pleased that the President included Executive Orders that ensure certainty in the permitting process and requiring that future pipelines be constructed from materials and equipment produced in the U.S., which will be a boon for America's manufacturing industry and workers. The abuse and politicization of the permitting process that we have seen during the last few years has become an impediment to rebuilding our crumbling transportation and energy infrastructure. President Trump has shown that it is not difficult to put country above politics and create an energy-independent America. He has shown that he respects laborers who build our great nation, and that they will be abandoned no more. LIUNA looks forward to building the President's vision with a common sense energy policy, creating good jobs and accessible, affordable energy.



Obituaries & In Memoriams

JOSEPH J. HAGERTY

Entered into rest January 30, 2017



HAGERTY - Joseph J. Of Tonawanda, entered into rest January 30, 2017 at age 45 due to complications following surgery. Loving son of John P. and Mary Ann Hagerty; beloved fiancée of Wendy R. Brown;

also survived by aunts, an uncle and many cousins. No prior visitation. A Mass of Christian Burial will be celebrated at St. Amelia's Church, 2999 Eggert Rd., Tonawanda on Saturday morning at 11:30 o'clock. (Please assemble at church). Arrangements by LOMBARDO FUNERAL HOME (Northtowns Chapel). Online condolences at www.lombardofuneralhome.com

THOMAS E. WATSON

Entered into rest January 28, 2017



WATSON - Thomas E. Of Lackawanna, entered into rest January 28, 2017, loving son of the late James E. and Ruby C. Watson; dear brother of Richard Watson; cherished uncle of

Karen Roberts; also survived by many relatives and friends. No prior visitation. A Committal Service will be held at Forest Lawn Cemetery on Friday morning at 10 o'clock. Mr. Watson was a Navy veteran. Arrangements by LOMBARDO FUNERAL HOME (Northtowns Chapel). On-line condolences at www.lombardofuneralhome.com.

FRANCES M. (LANASA) MODICA

Entered into rest January 27, 2017



MODICA - Frances M. (nee LaNasa) Of Tonawanda, entered into rest January 27, 2017, beloved wife of the late Joseph S. Modica; devoted mother of Joseph (Mary Claire)

LaNasa, DDS, and Maria (late Andrew) Graziano; predeceased by several brothers-in-law and sisters-in-law; lovingly survived by brother-in-law, Domenic D'Ettorre; also survived by many nieces, nephews, relatives, and friends. Relatives and friends visited the LOMBARDO FUNERAL HOME (Northtowns Chapel), 885 Niagara Falls Blvd. near Eggert/Sheridan Dr. on Monday and Tuesday from 4-8 PM. A Mass of Christian Burial was celebrated in St. Andrew's Church, 1525 Sheridan Dr., Kenmore on Wednesday morning at 10 o'clock. Entombment Forest Lawn Cemetery. Online condolences may be made at www.lombardofuneralhome.com

Modica, DDS, Charles (Marie Dietrich) Modica, Angela (Bruce) Baty and Rosanne (Frank Woods) Modica, DDS; cherished grandmother of 12 grandchildren and five great-grandchildren; loving daughter of the late Samuel, MD and Angeline LaNasa; dear sister of Philip (Jeanette) LaNasa, DDS, Joseph (Geraldine)



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Date of filing of Articles of Organization with the NY Department of State: September 2, 2016

Office of the LLC: Niagara County
The NY Secretary of State has been designated as the agent upon whom process may be served. NYSS may mail a copy of any process to the LLC at: 1278 95th Street, Niagara Falls, NY 14304. Purpose of LLC: Any lawful purpose

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