



Tom Deal
940-0155



Cheryl Deal
940-0548



Dana Fideli
628-5545



Michael Murphy
534-1544



Terri Brown
213-7158



Steve Nawrocki
622-5467



Tammy Jackson
998-1944



Paul Hutchins
807-8392



Matt Evans
417-4762



Kelly Lauber
550-0026



Danielle Gagne
939-4252



Vince Canosa
343-4358



Joanne DeMunda
628-1007



Janelle Monaco
531-1689



Ken Pawlukovich
998-3373



Jerry Wolfgang
628-5029



Megan Clark
946-7795



David Jackson
807-4394

NIAGARA FALLS REPORTER

THE TRUTH IS ALWAYS FAIR

FREE

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FREE

**After Urban Renewal in the 1960s, it's time to
trust Albany to develop downtown again!**



THE DISINVITED

Cuomo preparing to expand state park by seizing private property?

Mike Hudson

Was the recent proposal by Niagara Falls Redevelopment to build a \$205 million hotel on the site of the long-vacant Native American Center for the Living Arts, better known as "the Turtle," designed to fend off a proposal by the state to seize it and other downtown properties under eminent domain?

Documents made available to the Niagara Falls Reporter and sources with knowledge of the state's plan indicate that might be the case. In addition to the Turtle, other parcels being targeted by Gov. Andrew Cuomo include the One Niagara building, the former Niagara Club and Mark Hamister's nondescript Hyatt Place hotel – which is still under construction.

The "WonderFalls" project, to allegedly be built by Uniland Development, is also a part of the overall scheme.

Certainly, NFR can't be blamed. The company is merely trying to protect its investment. While city and state officials described the proposal as suspicious, one has to wonder what Mr.

Cuomo, Mayor Paul Dyster or Sam Hoyt, the state's regional director of Empire State Development, have ever actually developed.

None of them has a business background, all having sucked at the government teat for most if not all of their adult lives.

The cluster of properties, under both public and private ownership, curve past the Niagara River and Niagara Falls State Park along the edge of the city. They range from small pieces of unoccupied but prime real estate to derelict buildings that have sat neglected for years, despite their closeness to the falls, the Rainbow Bridge or the Niagara Gorge.

The use of eminent domain is nothing new in the city of Niagara Falls. Prior to the Seneca Niagara Casino opening in 2002, the state used the controversial tactic to seize numerous properties and businesses in order to create a 50-acre mini-reservation on which the casino, smoke shop, gas station and hotel are located.

Formerly, the city received between \$16 million and \$21 million a year from the Seneca for the property and the exclusive right to operate a casino here, but when the agreement



A: The proposed site of Wonderfalls. B: One Niagara. C: The Seneca Casino D: The Giacomo Hotel, E: The proposed site of the taxpayer subsidized Hamister hotel. F: The Niagara Falls State Park. G: The old Turtle Bldg. H: The Comfort Inn. I: The Old Hotel Niagara (vacant). J. City parking lot. K: Hard Rock Cafe.



The Niagara Experience Center - finally to be built at the site of the soon-to-be-demolished Turtle?

between the tribe and the state was extended for 20 years in 2013, Gov. Cuomo forgot to include a provision that the payments continue as well.

Niagara Falls Mayor Paul Dyster said he thinks the state seizing a large portion of the most valuable property in the city he governs is a peachy idea.

"Everybody has a pretty fair idea of what properties have been developed and what properties have not," said Mr. Dyster. "The contrast gets more and more stark year by year."

He didn't mention that Niagara Falls would lose more than a million dollars annually in property tax revenue should the Cuomo plan go forward.

The move was quietly announced in January as part of the second phase of Cuomo's scandal-plagued "Buffalo Billion" economic development program. Cuomo's Strategic Land Acquisition Program would invest state taxpayer dollars to buy up some of the properties and

then solicit others to develop them. It's part of a larger push that also includes creating 125 new acres of parkland along the gorge.

What it is, in other words, is a land grab designed to expand the state park and channel even more tourism dollars away from the city and into the Albany treasury.

Mayor Dyster maintains that government is the answer to revitalizing the city.

"I would hope that anyone out there that has been speculatively holding onto properties in downtown Niagara Falls with no intention to develop them, with hope of a windfall sometime in the future, that they would take note of the governor's initiative," he told reporters in January.

Gov. Cuomo proposed the land acquisition fund for underused properties earlier this year as part of Buffalo Billion II. Mr. Hoyt said the State Legislature approved \$24 million for the

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PUBLISHER & EDITOR IN CHIEF

Frank Parlato

phone: (716) 284-5595

PO Box 3083, Niagara Falls, NY 14304
email: news1926@gmail.com
www.niagarafallsreporter.com

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Seneca, state combining to take over, rob Niagara Falls

Mike Hudson

How long will it take?

That is, how long will it take before the Seneca Nation of Indians and the State of New York are in complete control of Niagara Falls.

If Mayor Paul Dyster had his way, it would be sooner rather than later.

Clearly, neither the Seneca nor Gov. Andrew Cuomo have much interest in the dwindling number of people who actually live here. Property owned by the tribe and the state is tax exempt, while those who own homes and businesses pay some of the highest taxes in the country.

The crumbling neighborhoods, stretching from the Seneca Niagara Casino to the city's North End, have largely been abandoned by the government, and promised residential development by the Seneca has yet to take place 15 years after the casino opened.

The tribe did open a hotel, which pays no taxes, and the biggest gas station in the city, which also pays no taxes. When you gas up you can also buy a carton of untaxed cigarettes that might kill you, if you're lucky.

Normal, hardworking, taxpaying people are leaving the city in droves. They're sick and tired of paying top dollar to live in the most dangerous city in New York, one of the most dangerous in the entire country.

Industry has also left Niagara Falls,

leaving only tourism as a reliable revenue source. Now the state is proposing to take over most of the tourist district not controlled by the Seneca, and the tribe's announcement that it plans to build a mega mall on the mini reservation they were gifted is just a matter of time.

Before the Seneca stopped payments of casino revenue to the state in March, Albany had collected \$1.4 billion since 2002. Of that, Niagara Falls, Salamanca and Buffalo split up a bit less than \$400 million, while the state kept a billion for itself.

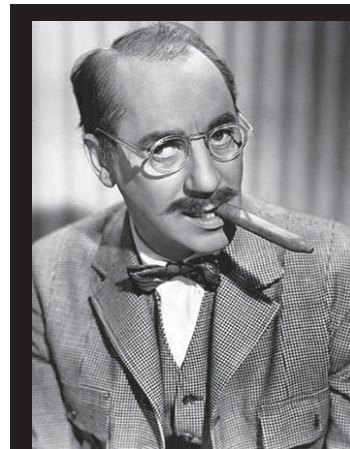
The losers will be city residents, whose taxes will be driven even higher as taxpaying businesses fail and even more people flee the scene.

In the meantime, the cash flowing to the Cattaraugus and Allegany Reservations, as well as Albany from Niagara Falls State Park and the land grab being currently proposed, will continue unabated.

These people are your enemies. They look at your city as a piggy bank to be robbed.

Mr. Dyster, Mr. Cuomo, Empire State Development honcho Sam Hoyt, Chris Glynn of the Maid of the Mist, Jeremy Jacobs of Delaware North, Seneca Nation of Indians President Todd Gates and the Buffalo interests who have bought and paid for many of your elected officials want you to believe everything's all right.

For them, it is.



A Niagara Falls Reporter journalist was recently heard remarking,

'I wouldn't want to go on any informational tour that would invite me to attend.'



One Niagara is on Gov. Cuomo and Mayor Dyster's eminent domain hit list, mostly since it doesn't owe them anything in return for government subsidies it never received.

purpose. He said the state intends to start working on land acquisitions "soon."

The area has several high-profile properties that have been vacant or underused, according to the governor.

Joe Anderson, owner of Smokin' Joe's Trading Post in Sanborn, owns 16 properties in the targeted zone. In addition to vacant land and a vacant two-story building, his holdings include Smokin' Joe's Indian Trading Post.

Originally built in 1865 as a private residence, the former Niagara Club building at 24 Buffalo Ave. housed a private social club until it closed in 1996, and was later used as a banquet facility before the Patel family acquired it in 2009. It now has an Indian restaurant, but the Patels say they plan to redevelop it into a family-friendly dining facility within the next year.

"Those are some strategic locations," said Christopher Glynn, CEO of Maid of the Mist Co., which also owns the Comfort Inn The Pointe across from the state park. "There will be better opportunity with the state having control of them."

"I think it's very important," said William Paladino, whose company owns the Giacomo Hotel, Haerberle Plaza and the former Niagara Gazette building. "This will certainly help them provide some more shovel-ready sites to assist some of these residential neighborhoods. The blight in some of these neighborhoods is pretty extreme."

NFR, one of the most prominent property owners in the city, has been the target of complaints for years, having assembled vast local holdings but not doing anything with them.

The state used eminent domain to take the site of the former Niagara Splash Water Park in 2006, giving it to Seneca Gaming Corp. as part of the Seneca Nation's casino development deal.

"There's (sic) memories in this community of the Splash Park parcel," Mr. Dyster said. "That, of course, involved Niagara Falls Re-development, where they reopened the splash park briefly right before the parcel was taken for inclusion in the Seneca compact land, and appealed the price and subsequently got a major payday out of that."

Companies called Fallsville Splash and Fallsite, in which NFR was associated with Niagara Falls attorney John P. Bartolomei, were paid \$18 million for the Splash Park in 2006, a year after the park was reactivated following a decade of idleness.

The WonderFalls proposal, announced in summer 2014, has been delayed as negotiations continue between the developer and the state on a formal agreement. The ugly divorce between Uniland and Delaware North did not help matters.

Uniland Vice President Michael Montante told reporters a collective effort is needed, not a single silver bullet.

"We planned for Wonder Falls to be a piece of the solution to restoring Niagara Falls as a competitive tourism destination," Mr. Montante said. "Other stay-extenders are needed so we can earn our fair market share of the tourists that descend upon both sides of the falls every day."

The whole thing smells like a revival of the "urban renewal" that gutted the downtown in the 1970s, said former city Councilwoman and current Council candidate Candra Thomason.

"Urban renewal was the biggest disaster ever to hit this city, worse than Love Canal," she said. "Now again, they're looking to eminent domain to throw people out of their homes and shut down businesses. It doesn't make any sense."

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City Council Nixes State's "Outdoor Recreation" plan USA Niagara, ESD bar media, disinvite NF Reporter correspondent from attending Info Tour

James Hufnagel

State Parks, NYPA and USA Niagara recently released a Request for Proposals (RFP) for the purpose of establishing activities such as bicycling, ziplining, rockclimbing and horseback riding at Niagara Falls State Park and along the Niagara Gorge, however, a resolution passed Monday by the City Council may have effectively strangled the initiative in the crib.

According to the 64-page "Outdoor Recreation and Programming & Associated Real Estate Development" RFP document, the three state agencies plan to adopt, in accordance with Governor Cuomo's directives, a "synergistic approach to expand the entire outdoor recreational economy at Niagara... NOT to merely monetize a few of the most potentially profitable activities... in order to assist in growing visitorship and extending stays in the City of Niagara Falls, as well as to enhance the quality of life here."

It took less than a month for City Council to push back, resolving that "the State of New York (should) limit any new commercial development, including new attractions, to the city's cultural district, and allow the popular nature trails and paths along the Niagara Gorge, encompassing Whirlpool State Park and Devil's Hole State Park, to remain untouched so that Olmsted's early vision of natural beauty might be preserved for current visitors and future generations to enjoy."

This forceful declaration by the council, indicating complete lack of support for new obtrusive infrastructure in and around the Niagara Gorge (for example, "outfitting" facilities... as part of other developed facilities, where in addition to restrooms, hikers or birders might rent gear, purchase food for a picnic, obtain guidebooks, engage with experts, etc." as stated in the RFP) most certainly flies in the face of Gov. Cuomo's economic development philosophy here, which is, slather "Buffalo Billion" money on well-heeled, politically-connected campaign contributors to, put simply, build stuff.

In addition, the council's implied opposition to activities typified by screaming teenagers on ziplines or horses leaving steaming deposits on the gorge's nature trails, also in violation of Olmsted's principles, may be predicted to have the net effect of dampening the



This graphic from the UB School of Architecture and Planning Alumni Magazine of a nature trail in Buffalo may give you an idea of what the state's point person for the Niagara Gorge Outdoor Recreation proposal, Robert Sozanski, has in mind for the nature trails of the gorge.

enthusiasm of respondents to the RFP.

Inexplicably, the council resolution states that "Whereas, the Niagara Gorge and the New York State Parks that align it... fall within the limits of the city of Niagara Falls,"

While it's true that the city's brave fire and police departments routinely perform rescues in the gorge and retrieve bodies from the Niagara River, it's also true that the city doesn't get reimbursed for these services, nor does the city benefit from any property or sales taxes or parking lot fees from the \$20 million a year Niagara Falls State Park, or even have the right to collect tolls on the Scenic Moses Parkway, that cuts the city off from the economic, environmental and quality of life benefits of the waterfront.

Perhaps mindful of the public uproar that erupted in response to Gov. Cuomo's "Niagara Lodge on Goat Island" bright idea, USA Niagara, the local subsidiary of Empire State Development, appears to have taken steps to obscure the bidding process from the public.

For one thing, the only place on the entire internet you can access the Outdoor Recreation RFP is at the New York State Department of Economic Development contract reporter website, where one must first establish an account (a laborious, security-laden task that involves entering information about yourself and proving you're not a web-bot) and then come up with the right keywords to find the needle-in-a-haystack document. It

took this writer a good 15 minutes to locate and download the file.

Second, the media (and presumably, the public at large) have been officially disinvented from the secretive "Formal Niagara Gorge Site Tour" to be conducted by USA Niagara on July 31 for select potential bidders.

On Thursday, July 20, Associate Planner and Project Manager Robert Sozanski of Empire State Development sent out a reminder about the gorge tour to 72 email recipients, including developers such as Advanced Architecture and TM Montante, law firms including Crowe and Crowe and Harris Beach, design and engineering firms like Wendel Companies and Foit-Albert Associates, action/adventure purveyors Xanterra and Wildplay (which is responsible for the eyesore opposite Whirlpool State Park on the Canadian side), hotel and food service conglomerates Delaware North and Westgate, and assorted commercial real estate firms, adventure outfitters, public relations houses, a Buffalo company specializing in "video solutions," real estate appraisers, consultants of every stripe, bid clearinghouses and even a company that coordinates housing for out-of-town workers.

Mr. Sozanski's reminder was also sent to two representatives of the media, reporter Thomas Prohaska of the Buffalo News, and



Thomas Prohaska, Niagara County reporter for The Buffalo News. USA Niagara withdrew its invitation to the media to go on the Niagara Gorge tour soon after discovering that the Reporter wanted to attend.

this writer, whose email doesn't reflect employment at the Reporter.

I RSVP'd to the USA Niagara phone number given by Mr. Sozanski's email, identifying myself as a writer for the Reporter.

"Dear James, We received your inquiry for attending the tour on July 31 associated with the RFP issued for a master licensee to establish a comprehensive outdoor recreation program in Niagara Falls," emailed Amanda Mays, Senior Project Manager for Empire State Development, the very next day. "We have been contacted with requests from several members of the media, and at this time are only allowing attendees from companies interested in bidding on the project."

To summarize, in the space of 24 hours, two media representatives were invited to attend the "Formal Niagara Gorge Site Tour," and then disinvented when it was learned one of them was from the Reporter. Or maybe it was because of the onslaught of media requests that Ms. Mays claims to have received overnight.

This entire affair is a fine example of the appalling lack of transparency we have come to expect from Gov. Cuomo's secretive USA Niagara and Empire State Development agencies and his "Buffalo Billion" aid program.



Action/adventure purveyor Wildplay Element Parks, which built this extreme sports obstacle course in Canada on the Niagara Gorge, directly opposite from Whirlpool State Park on the American side, has been invited to go on the Niagara Gorge tour.

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Buffalo Niagara film fest centers on Niagara Falls for a change!

Mike Hudson

Bill Cowell is a movie buff's movie buff. Born and raised in Niagara Falls, he's the boss of the Buffalo Niagara International Film Festival (BNFF) now celebrating its 11th season.

"This season, we're looking at capitalizing on the whole Niagara Falls legend and brand," Mr. Cowell said. "It's a location that's both historic and has a unique place in the history of film."

Mr. Cowell founded the BNFF in 2006, and watched it quickly grow to be one of the largest and most exciting film festivals held in New York State. The festival has provided the breaking ground for many successful films such as "The Cake Eaters," "Sinner" and "Christina," and has attracted its own share of A-listers, including Robert Redford, Richard Dreyfuss, Robert Culp, Louis Gossett Jr., Michael Madsen, Eric Roberts and Tom Sizemore over the years.

"The judging is run by committees, and we try to break it up into some local experts and some celebrity guests. Some have yet to be named and some of the bigger names will remain anonymous to ensure integrity in the process," Mr. Cowell said.

Lobbying judges – who vary from local filmmakers, LA writers, Toronto directors, industry guys from New York, and foreign producers – won't work. There are committees specific to each genre overseeing the scoring and judging of submissions.

Awards from Best Feature, Best Short, Best Animated Film, Best Foreign



Bill Cowell

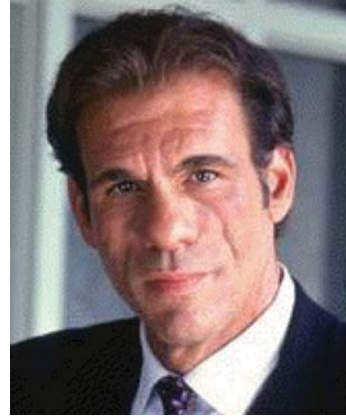
Film, Best Documentary; Best Actor, Best Actress, Best Director, Best Screenwriter; as well as for technical categories such as cinematography and editing. A special award – and perhaps the region's most anticipated, the Falls Award, is given for Best Western New York Film.

"The first thing we're looking for is quality and creativity. They're so many categories. As we grow and get bigger things always get more exciting," Mr. Cowell enthused.

And growing it is. This year's festival promises to be the biggest ever.

The 2017 Buffalo Niagara Film Festival will run from Wednesday, September 20 through Saturday, September 30.

Perhaps the most prestigious prize hand-



Robert Davi

ed out by festival organizers is the Lifetime Achievement Award, and if this year is any indication, the competition is going to be tough.

You've got Frank Dux. A martial arts legend surrounded in both fame and controversy. In the early 1980s, Mr. Dux was the center of a now-famous article in a well-known martial arts magazine highlighting his career as an underground fighter for a secret organization located in Asia.

Mr. Dux's fight career was the focus of Jean-Claude Van Damme's hit 1988 movie, "Bloodsport."

The ending credits list Mr. Dux's fight stats, crediting him with 56 consecutive knockouts, the fastest knockout, and the most victories, over 300. It was following this that he became the center of controversy, with many fans and martial artists casting an unbelieving eye in his direction. Regardless, Frank Dux is still considered a martial arts legend.

Then there's Robert Davi, an award-winning actor, screenwriter, director, producer and jazz vocalist.

From his portrayal of the opera singing baddie in "The Goonies" and one of the most popular James Bond villains Franz Sanchez in "Licence to Kill" to FBI Special Agent Big Johnson in "Die Hard" and Al Torres in "Showgirls," to most recently Leo Marks in "The Iceman," Robert Davi is one of the film industry's most recognized tough guys.

He has also starred on the small screen in hit shows like Profiler, Stargate Atlantis, Criminal Minds and CSI. With over 140 film and TV credits he has frightened us, romanced us, made us cry or split our seams laughing.

In his early acting years, Mr. Davi attended Hofstra University on a drama scholarship. He then moved to Manhattan, New York

where he studied with the legendary acting coach Stella Adler, who became his mentor. At the Actors Studio, where he is a lifetime member, he studied with acting teacher Lee Strasberg.

Finally, Mike Starr, a great actor best known for his roles in "Goodfellas," "The Goonies" and "Dumb and Dumber" could very well steal the show.

Not only does the Buffalo Niagara Film Festival capture the essence of what filmmaking is all about, it also captures the essence of the filmmakers themselves, providing the atmosphere and the go-to connections for their next films, locations and everything under the sun.

The festival's main venue will be the Four Seasons Cinema at 2429 Military Road in Niagara Falls.

Spectacular Events Other unique venues and events highlight the BNFF like no other. Some of these highlights include The Rapids Theatre in Niagara Falls, the Riviera Theatre in North Tonawanda, special concerts, appearances, acts, meet & greets, Buffalo's famous chicken wings, hearty food and much more will all be featured.

The BNFF is a great place for you to network on the East Coast as well as see the beautiful sites of Buffalo, NY, Niagara Falls, NY and Canada, and is just minutes away from many extraordinary sites, including the great Niagara Falls, wonderful architecture, Frank Lloyd Wright Houses, Wine Country, and much more.

Still, this is a filmmaker's festival. A festival hosted by filmmakers and screenwriters for filmmakers and screenwriters. In a region that loves the arts and has produced many famous industry icons both behind the camera, on the screen, and abroad, according to Mr. Cowell.

Special amenities, scouting and tour packages of The Buffalo Niagara region will be available during festival week for all to enjoy, he added.

Top acquisition executives will be sought after and available for all attending filmmakers to panel with.

So what's wrong with this picture?

Absolutely nothing.

One of the best locations in the nation being highlighted on a worldwide stage with absolutely no help from any parasitic government agency?

Restoring glamour to Niagara Falls and Buffalo much as Marilyn Monroe and Joseph Cotton did back in 1953 with the classic film noir "Niagara"?

Bill Cowell is a film buff's film buff and he knows what he's doing.

As he turns his dream into reality, he should be thanked.

Email addresses of select group invited on Niagara Gorge Tour

Here is the complete list of email addresses that were sent notice of the Niagara Gorge site tour by USA Niagara and ESD. Not a single one of these entities or organization is based in Niagara Falls or Niagara County. Also note that there are no preservation or nature groups on the list.

For more detailed coverage of this story, including a link to the official Outdoor Recreation RFP, visit NiagaraFall-sreporter.com.

amawabnoy13@gmail.com, adam.karaczynski@am.jll.com, atc@crowe-andcrowelaw.com, amimawaz77@gmail.com, anthony@makecommunities.com, bryon_smith@wgresorts.com, bdeluke@montante.com, cstoebe@foit-albert.com, clare@plastic-craft.com, morgandavid457@gmail.com, marketing@wendelcompanies.com, dennis.wood@greyco.com, dkostrzewski@montante.com, donna.walcavage@stantec.com, ellen.baird@appleseed-strategy.com, eshafer@delawarenorth.com, Frank@AdvancedArchitecture.net, ciao@landmarkdevelopers.com, watsonadvancedstarlight@outlook.com, hdesai@xanterra.com, testteg7@gmail.com, stopat2@lycos.com, janete@studica.com, mantisinteriors@gmail.com, Jill@GoSportsArt.com, moore@bolton-stjohns.com, imssjim@aol.com, fat-

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Jean Claude Van Damme (L) portrayed real life martial arts champ Frank Dux in Bloodsport.

Most dangerous place upstate? Welcome to Dyster's Niagara!

Mike Hudson

Buffalo and Niagara Falls have been ranked the third and first most dangerous places to live in upstate New York, according to the latest data available from the FBI.

Niagara Falls, of course, having the dubious honor of being first. Niagara Falls Mayor Paul Dyster's efforts to tie the hands of city policemen behind their backs has been an unqualified success.

The recently released 2015 crime statistics data placed the city's overall number of violent crimes for 2015 as 555, with the city's population at 48,989.

That's right. You have a better than 1-in-100 chance of becoming a victim of violent crime in the coming year. Congratulations. That number is higher than New York City, Los Angeles, Detroit or even Chicago.

Buffalo's overall number of violent crimes for 2015 was 2,887, when the city's population was 258,096.

The popular website NewYorkUpstate.com ranked the cities as first and third on their "20 most dangerous places to live" list for 2017, utilizing the recently released FBI data and their own "crime score" formula, which is found by weighing violent crimes and property crimes at different rates by the overall crimes per person.

Niagara Falls took the top spot with a



Councilman Andy Touma, who lives in DeVeaux, doesn't think crime is much of a problem in Niagara Falls.

crime score of 1938. In the 2016 list, the city was ranked second.

Buffalo, finishing third, had a crime score of 1761. The city was ranked first in the 2016 listing.

Second on this year's list is the Village of Johnson City in Broome County.

Previously Niagara Falls, the small town with big dreams, was ranked as the 44th Most Dangerous City in the entire United States by a website specializing in information for prospective home buyers and business entrepreneurs.

According to the website NeighborhoodScout.com – which was essentially

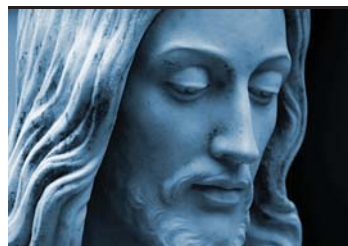


created to help people decide where they might want to live and do business – there were 3,460 crimes committed in the small city of 49,468 souls, nearly 600 of which were violent offenses.

What makes NeighborhoodScout's analysis more comprehensive than others is the fact that the website takes into account all 7,000 law enforcement agencies in America for each city with a population more than 25,000.

Many cities across the country, including Niagara Falls, are served by more than one agency: they include municipal police, county sheriff, transit police, university or campus police, public school police, park and port police, tribal police, and more. By using this unique method, the website is able to provide an accurate representation of total crime known to occur within a city or town – not just those reported by a single agency.

"Once this complete count of known crimes is assembled for each city in America, we leveled the playing field by dividing the number of violent crimes by the population of each city," the website states. "This reveals the violent crime rate per 1,000 population, allowing us to compare and rank the cities. The results are eye-opening."



"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

The most notable myth shot down by the study is the perception that large cities are the only places that are dangerous. But high violent crime rates are less about city size than they are about economic issues that drive away the educated and affluent as they pursue employment elsewhere, and draw in and retain the less well-off and less mobile, the report states.

That is certainly the case in Niagara Falls, the most heavily taxed municipality in the most heavily taxed state in the nation. Poverty and street level crime have become big business here, with most of the top earners in the city being members of the police department, the fire department or the higher ups in the school district and various social service agencies taxpayers support to deal with society's down-and-out.

The report states that just 3 percent of municipalities across the entire country are more dangerous than Niagara Falls, including Camden, NJ, which ranked number one on the most dangerous list.

As with so many things on the Niagara Frontier, the growing problem of street crime just keeps getting worse with each passing year. Those who have to live here know it is dangerous. It is only the politicians and others with a vested interest in pretending everything is all right who insist otherwise.

Clearly, whatever it is the elected and appointed leadership of the region has been doing to fix the problem has not been working. City Councilman Andy Touma once famously said that crime is not a major problem in Niagara Falls.

The FBI would disagree.



If the whole world stands against you sword in hand, would you still dare to do what you think is right?



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The Seneca Nation Gambled on the Future, and Won

In 2002, at a time when New York State and its local communities were facing financial uncertainty, the many powers that be looked for relief wherever they could find it. The one form that seemed feasible was entering into a compact with the Seneca Nation of Indians to allow Class III Gaming (a stylish term for casino gambling) in New York State. With the blessing of the federal government, this agreement would produce gaming proceeds that would be shared with the State, and then shared with the local communities that hosted such gaming facilities (Niagara Falls, Buffalo and Salamanca).

It was not always a joyful union, and there were tensions that ultimately lead to the Seneca Nation ceasing to make payments to the State. That naturally upset the host communities and the State, and the dispute lasted for a few years. But in 2013, an agreement was reached and the funds flowed once again. All was right with the world.

Allegedly.

It would seem that, using gambling parlance, there was one card left to be played. The Seneca's crafters of the 2013 compromise used the State's desperation to get the proceeds moving again, against them.

At the time, in a press release, Gov. Andrew Cuomo hailed the agreement as a "win-win-win" for the host communities, the Seneca Nation, and all New Yorkers, and "the beginning of a new chapter between the Seneca Nation of Indians and New York State, built on trust and mutual respect."

There was obviously trust, as the new agreement served to extend the original compact an additional ten years to 2023. However, while it gave additional life to the operating terms, it did not explicitly do so for the payment terms. So when the Seneca Nation announced in March of this year that it was ceasing to make payments in accordance with the 14 year payment schedule set by the 2002 Compact, there had to be a sense among some that we've been played.

So much for mutual respect...

A careful review of the 2002 Compact exposes the ticking time-bomb that was within the document. As a contract, it clearly laid out when and how it would be terminated. The Termination Date would be the 14th anniversary of the Effective Date of the agreement, unless it was renewed pursuant to terms provided in Paragraph 4 (c), which would renew the agreement automatically for another seven years; or unless it was terminated pursuant to the terms of Paragraph 4 (d), which addressed early termination in the face of material breach.

The primary source of the dispute between the Seneca Nation and the State was the concept of exclusivity, specifically how it addressed who would be allowed to operate gaming facilities in New York state. The Nation felt that the State's introduction of gaming tables at racetracks violated the exclusivity supposedly granted to them. Since the Compact explicitly tied the granting of exclusivity (the consideration of the contract) to



the payment of gaming proceeds to the state, the withholding of the payments makes sense.

The 2013 agreement, on its face, restored the payments. According to a press release, "the State of New York recognizes and re-confirms the exclusivity of Seneca casino operations in the Western New York region, and the Seneca Nation agrees to resume payments and to make pro-rated repayments for past amounts that were in dispute." The State was able to keep its video lottery facilities in Western New York racetracks, and the money would keep coming in. Problem solved.

The payment schedule set in the 2002 compact had escalating payment terms that fell within the 14-year term (18% for years 1-4, 22% for years 5-7, and 25% for years 8-14). Nothing was provided for any years subsequent to year 14. While one could pre-

sume the payments would continue in the event of a renewal, that presumption could also be rebutted for lack of any supporting language in the contract. Which is exactly what the Seneca Nation has asserted.

Gov. Cuomo's negotiating team has to be asking themselves how this happened. If they aren't, they should be. Whose interests were they looking after when they were making the deal in 2002, and how did they forget in 2013?

There is talk that the Seneca Nation may reach separate agreements with the host communities to make payments to them in the spirit of being good neighbors. At this point, nothing has been finalized, and no timetable has been set. In the meantime, the deal that was supposed to bring financial security has ultimately done the exact opposite.



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Sex offender population grows larger every day under Mayor Dyster



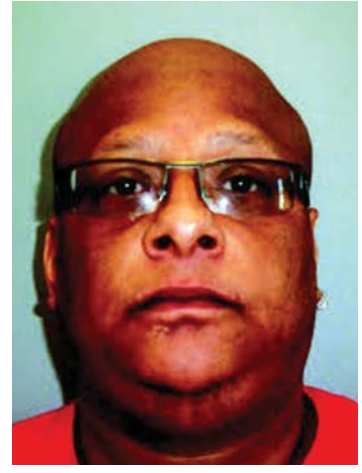
Al Williams



Albert Smith



Alejo Ayala



Anthony King

Mike Hudson

The number of registered sex offenders living in the city of Niagara Falls has skyrocketed to an all time high of 199, according to the popular website homefacts.com.

Homefacts.com is a site often used by prospective home owners to determine where they want to live. Obviously, nobody wants to live near sex offenders,

which is in part a reason why the city's population has taken a nosedive.

Niagara Falls Mayor Paul Dyster has had an open door policy toward registered sex offenders since 2009, when he told a shocked group of parents at the Niagara Street Elementary School that these loathed and loathsome individuals have "got to live somewhere."

Mr. Dyster used the city's pervert population to prop up the results of the 2010 census, when the city barely scraped

past a population of 50,000, the number needed to secure HUD grants and other state and federal monies that Niagara Falls needs to stay out of bankruptcy.

When the mayor took office in 2007, there were just 82 convicted sexual predators living here. The rest arrived, from all over the state and country, on his watch.

Pieces of garbage like Al Williams, of 725 Townsend Place, who was convicted of having sexual contact with a girl under the age of 11 in 2007, or Albert Smith, 5655 Niagara Falls Blvd., who was convicted of sexually abusing a child less than 14 years old in 2003.

Alejo Ayala, who lives upstairs at 459 Ninth St., was convicted of multiple sexual assaults on a child under the age of 13, and Anthony King of 2202 Falls St. is a convicted rapist.

They have to live somewhere, Mayor Paul Dyster tells us, and that may be true. But do they have to live next door to us?

Records show that the 199 registered sex offenders in Niagara Falls, a ratio of 39.85 sex offenders per 10,000 residents, is more than double than the national average of 15.96 sex offenders per 10,000 residents.

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

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

The disproportionately high number of registered sex offenders living in Niagara Falls is not something that happened by coincidence. It is the result of very deliberate public policy decisions made on the state and local level by elected and appointed officials charged with overseeing the city's affairs.

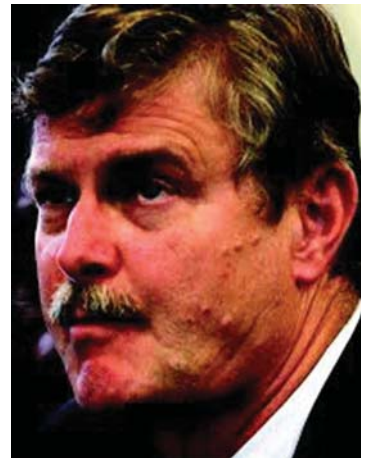
What the taxpayer gets to see are the results of such policies. To experience the poverty industry firsthand.

And those results include property values in freefall, a municipality that no one wants to raise a family in and the dumbfounding ignorance of local officials who have allowed it to happen.



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

~ Swami Vivekananda



Mayor Paul Dyster

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The Right Side

As you know, cities and towns in Niagara County, the highest taxed county in the ENTIRE United States, are reassessing the value of your properties. Why? To increase your taxes! Oh, they say the assessed value is below MARKET value but... MARKET value is an ESTIMATED value not a true "value". When you sell your property to someone who wants it, THAT'S market value... oops, I forgot, there's the NY State "definitions" of MARKET value that sort of interfere with the actual selling price. It must be a non-distressed sale and an "arms length transaction" for it to be MARKET value. Wait... there's a definition of "arms length"... OMG is there an end to it... NO?!

It's all opinion with very few exceptions. If you sell or give your property to a friend or relative, that's NOT a legit MARKET value sale, okay I get it. According to NYS Tax Law, auction sales and bank sales are not, but I believe they should be! Here's why... if an area gets so run down that the property loses value so that no one wants the property and the owner stops paying taxes and loans, the property goes into foreclosure or tax auction. Well, if no one wants it, what's the value? If it goes to auction at a bank sale, I say THAT is market value. If it goes to auction, that's market value. If it's a HUD sale, that's market value. But NYS Tax Law says, "NO". Well if you don't like the law, change it! Send emails and letters to your Tax AND Spend elected officials and get it changed! I'm sure Schumer, Gillibrand, Higgins and Slaughter will be very sympathetic to your cause, but they spend your federal tax dollars and don't care about your NY State problems.

You'll notice that I didn't mention any "State, Tax and Spend Party members because ... well, it's useless!!! Remember, NY is regularly rated as the worst financially-managed state in the country!

It gets worse! The towns and cities all have Tax Assessors but THEY are not doing the reassessments. They will tell you, "Yes, we are," because the Assessors assign the assessments but they DON'T do the "APPRAISALS"! That is what turns into your assessment! Who's doing your "APPRAISAL"... PROBABLY, YOU GUESSED IT... GAR ASSOCIATES.

Now if you ask GAR if the Assessors ever change GAR's "appraisal," which will become your assessment, they'll tell you "NO", or hardly ever. Gar will sometimes change your appraisal if you are lucky enough to get an "informal" appointment with GAR, but not the Assessor. If you ask GAR if they were elected or appointed they will say, "NO." They are a "contractor."

That sounds like taxation without representation or am I wrong?! What do you think? Call your town officials and tell them you want the Assessor to do the reassessments!

If the Tax Assessor allows GAR's ap-

praisal to stand, unchallenged, as your Assessment, how is GAR not the Assessor? Better yet...why do we need an Assessor when we can pay GAR hundreds of thousands to do what our paid Tax Assessors can do for a fraction of the price? Wait, somehow that's backwards!

So if you think you are getting screwed all the way around... you are!

You can go to the 2nd step, after the GAR "informal," and that is the Board of Assessment Review (BAR). Now some BARs allow the taxpayer to make their argument and provide their evidence but sadly, some don't. It's actually in the Tax Law that the BAR must allow the taxpayer to make their argument, provide evidence and then give credence to their argument if it aligns with one of the 3 other methods to assess (Cost-Comp-Income), but... SOME cut the taxpayer off after 5 minutes and disregard all arguments.

The law requires that all Assessors take

an oath to treat the taxpayers FAIR AND EQUITABLE, that's the law! The oath, administered to the Assessor, by the Chairman of the BAR, states "fair and equitable" and says NOTHING about "market value or arms length transactions!" Further, if the Assessor believes that the Assessment is not correct, even after the BAR, they have the power to CHANGE the Assessment up to the end of the tax year, but seldom do!!

Look at the Starpoint School District. They spend money like a drunk sailor! Their teacher salaries are 50% of the school budget. Their capital expenditures could float an entire country, and this is not the fault of the new Superintendent, only those expenses he approved. But... their students MUST score extremely high on their SATS... they must be first in the nation if we spend the most to make them smart... but they're NOT! How about 10th...50th...100th, NOT!

You folks who approve Starpoint's an-

nual budget better get more involved with their budget meetings... and start voting NO! I'm sure they'll welcome you. I've been there and asked those questions and received blank stares! And, a few years later they spent \$1.1 million to replace a perfectly wonderful football field. They'll probably say, "Oh, that wasn't your tax dollars, we had grant money!" No wonder their students aren't geniuses... who do they think paid for the grant money?

The county and most towns promote business by welcoming new businesses with a TAX break. It's called a 485b that allows businesses to generate cash flow before full assessment kicks in. NOT STARPOINT! Why not?! There's also residential breaks for renovation, that I'm sure Starpoint ignores! Why?

Don't like your taxes, make changes... VOTE OUT the TAX AND SPEND PARTY...it starts with a "D!"

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\$699 **Breakfast Buffet**

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Court candidate Roscetti guest panelist at Bishop Dobbs' Fellowship meet



Bishop Kevin Dobbs of the Christ Redemption Tabernacle Church conducted the Men of Valor conference on July 15, 2017. It was held at the CRT Community Fellowship Banquet hall at 331 22nd Street in Niagara Falls, New York. The church is conducting a series of conference to have its congregants meet and have discussion with various people in the community who have had considerable success. At the first meeting, the guests were Alan James Roscetti, local attorney and candidate for Niagara

Falls City Court Judge, County Legislator Owen Steed, Rev. Kevin Wing of the Isaiah 57 Project, Niagara Falls Police Officer Raul Parker, Willie Dunn of the Niagara Falls Housing Authority and Ron Cunningham, community activist and parent-student advocate, among others on the panel. Bishop Dobbs stated that the purpose of the conferences was to expose the church's membership, especially the males, to positive aspects of the community.



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For over 16 years, the Laborers' Health & Safety Fund of North America has run an annual Sun Sense campaign to raise awareness about the dangers of skin cancer. According to the American & Canadian Cancer Societies, nearly 3 million people in North America are diagnosed with skin cancer each year. Overexposure to the sun is the most common cause of skin cancer. LHSENA through Laborers' Local 91 distributes sunscreen, lip balm, and neck flaps to protect laborers from the exposure to sunlight. Laborers or anyone spending time outdoors should take the necessary precautions to minimize their skin exposure to harmful ultraviolet (UV) rays.

Of course, being outdoors for many is unavoidable so when you go outside, take these precautions:

- Most importantly, always wear sunscreen. Men, women and children should put it on every day and reapply throughout the day. Using an SPF (sun protection factor) of 30 is recommended. Any lower SPF will not protect your skin from harmful UV rays and any higher SPF gives a false sense of protection.
- Try to avoid sun in the middle of the day, from about 10 am to 3 pm. The ultraviolet rays, which cause sunburn, are strongest during this time. When you do go outdoors, especially for long periods in the middle of the day, wear protective clothing. Wear sunglasses that filter UV light.

This year in addition to the precautions of sun exposure, we are focusing on preventing heat stress. Working long days under the hot sun, sometimes in confined spaces or wearing personal protective equipment (PPE), puts Laborers at high risk for heat stress. Heat stress occurs when high heat or exertion levels do not allow the body to cool off fast enough. It leads to dehydration, muscle cramps, heat exhaustion and in extreme cases, heat stroke. New information on preventing heat stress and ways to stay cool at work will be available at the training facility this summer. The Laborers - Employers Cooperation and Training Trust encourages all members and employers to incorporate sun protection measures into their daily routine just as they would any other safety behavior. Regular and liberal application of sunscreen and minimizing midday and high sun exposures throughout the year will usually prevent skin cancer. Laborers need to use lip balm, neck flaps, cooling clothes and sun screen packets available free at the Union hall to protect against damaging exposure to sunlight. The Laborers encourage everyone to take appropriate steps to protect themselves from harmful sun exposure.

Niagara Falls Jokes

Gov. Cuomo was staying at the posh new Hotel Niagara and was about to go to sleep when there was a knock at his door. It turned out to be a pretty maid who told him, "I've come to turn down your bed," to which the guy replied, "You wouldn't be the first!"

A kid walks up to another kid at a Niagara Falls playground and tells him, "My daddy can beat up your daddy."

The other kid replies, "Really? When?"

"I thought those people next door were drug dealers," says a guy to his friend as they were sitting on their 19th Street porch drinking craft beers at one o'clock in the afternoon, "but it turns out, they're Boy Scouts."

"Really?" his companion asked. "How do you know that?"

"Because they were doing their good deed for the day," he said. "Several of them were helping their friend into the trunk of his limo."

The young Niagara Falls man says to his father, "I want to get married."

The man replies, "All right, son, who do you want to marry?"

The son said, "I want to marry Maria from next door."

Dad says, "You can't."

"Why not?"

"Because she's your half sister. Don't tell your mother."

A little put out, the young man comes up with his second choice: "Well then, I want to marry Wendy from down the street."

"You can't marry her, either," his dad said, "She's also your half-sister. What can I say, I get around."

A bit despondent over his diminished options, he was wandering around when his mother noticed his downcast mood and asked her son what the matter was.

"Well, I said to Dad that I wanted to marry Maria and he said I can't because she's my half-sister, so I said all right then I'll marry Wendy and he said you can't do that either because she's also your half-sister."

She said, "Look, you marry whichever one you like. He's not

your father anyway."

A few months ago the headlines read: "Doctors announce First-Ever Baby Born With DNA From Three People."

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