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SEP 15, 2017 - SEP 21, 2017

VOL. 18, NO. 29

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Waterpark Wars: DiCienzo's Sheraton vs. Cuomo's Wonderfalls

Mayor Dyster, Council Majority to Approve Raises for City Workers next week Despite Bad Audit, Credit Downgrade, Vanishing Casino Funds

James Hufnagel

The city of Niagara Falls is living on borrowed time, financially speaking.

The unrestricted fund balance (aka reserve fund) is projected to sink to zero by the end of this year, and according to a draft audit released in August by State Comptroller Thomas DiNapoli's office and first made public two weeks ago on the Niagara Falls Reporter website, the city of Niagara Falls "will nearly deplete the remaining casino revenue by the end of the 2018 fiscal year."

In response to this worrisome news, Standard and Poor's last month dropped the city's credit rating to BBB+, just three ticks above speculative grade.

It's almost unheard of for a city to have its bonds rated speculative, or as "junk bonds." In fact, only 25 of over 7,800 municipalities nationwide share this ignominious status, including basket cases Detroit, MI and Camden, NJ.

And how are Niagara Falls Mayor Paul Dyster and his "rubber stamp" City Council dealing with this dire situation, grappling with their city's budgetary challenges? Why, by handing out raises to all of his department heads, that's how!

Appearing as Item 17 on the Niagara Falls City Council agenda for next week's regular September 18, 2017 meeting is a resolution to amend Chapter 171 of the Codified Ordinances entitled "Benefits of Employees not Covered by Collective Bargaining Agreements." The resolution is being jointly sponsored by Councilmembers Touma, Grandinetti, Walker and Scott, Councilmember Tompkins excluded.

The amendments impact those classified as "exempt" employees, or full-time, non-union, non-seasonal and not members of any City board or commission. Examples would include Bryan Dalporto, Chief of Police, Fire Chief Thomas Colangelo and City Planner Thomas DeSantis.

Starting as a one-time installment two

weeks ago, on Sept. 1, and repeated on Jan. 1 every year through 2025, is a 2% raise in base salary for the Dyster administration staffers.

The inflation rate for the United States was 1.7% for the 12 months ended July, 2017.

So Mayor Dyster, in the face of his city's rapidly deteriorating financial position, spending down its reserve fund, earning reprobation from New York State's top fiscal watchdog DiNapoli and watching casino revenue disappear into thin air, is granting raises to his inner circle to the tune of 18%, compounded, over the next seven years. With the complicity of his City Council majority, of course.

It's almost as if Mayor Dyster is practically begging for a control board to move in and set up shop here.

"But wait!" as they say on late-night infomercials, "There's more!"

Longevity payments, or additional wages or bonuses given based on length of service, are also slated for improvident increases for these officials. The payment for having worked ten years is being more than doubled.

More than doubled.

The previous ten year longevity payment was \$750. It will be upped to \$1750, if Councilmembers Touma, Grandinetti, Walker and Scott vote "Yea" on Monday which, since they sponsored the resolution, they most certainly will.

Concomitantly, the 15, 20, 25 and 30-year longevity payments will all be increased by \$1000 each. For example, the 30-year longevity payment will increase from \$2250 to \$3250.

Compensation for accumulated sick leave presents another opportunity for Dyster et al. to ingratiate themselves to the lucky few who hold secure government jobs under them.

Piling up sick days at the rate of one per month is somewhat standard for most who

work in the public sector. Until now, city employees were reimbursed for unused sick time at the rate of 20% (1-99 days), 40% (100-199 days) and 60% (200 and over). After Monday, it will be a flat percentage of 50%.

So if you never call in sick and stack up your 12 sick days a year, and then separate from city employment anywhere from the mandatory 3 years (when the benefit kicks in) to 8 years, 3 months, the money you will receive for accumulated sick time will be more than doubled.

More than doubled.

If you work from 8 years, 3 months to 16 years, 6 months, you still get more money. The minuscule number of city employees who stick it out more than 16.5 years will see a nominal 10% cut. If it's consistent with the increases in longevity and base pay, we're guessing that, in the final analysis, this is another splash of red ink.

What's most surprising about all of this is that Councilmembers Touma and Grandinetti appear to be giving away the store less than two months before they have to stand for re-election. Or is it a winning strategy on their part?

After all, in an off-year election, in a city where only a small percentage of eligible voters bother to show up at the polls, the friends, family and acquaintances of the couple hundred or so exempt employees can add up. That could make all the dif-



Mayor Dyster (L) and Councilmembers Grandinetti and Touma (R) at a fundraiser four years ago. Will the Dyster majority, which also includes the soon-departing Charles Walker and disappointing 1st draft choice Ezra Scott, Jr. still be intact after Election Day, 2017?

ference in a closely-contested election for the three Council seats that will be decided come November.

NIAGARA FALLS REPORTER

"The Truth is Always Fair"

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City gets slap on the wrist for Headline-making Sewage Disaster

Mike Hudson

New York State will fine the Niagara Falls Water Board a measly \$50,000 for discharging thousands of gallons of black, fetid and stinking water near the falls during a busy tourist weekend, Gov. Andrew Cuomo said Thursday.

The agency will be required to make changes at its aging wastewater plant and obtain state approval before any future discharges, according to the governor.

In reality, the Water Board received a slap on the wrist for one of the worst environmental disasters in Niagara Falls since Love Canal. Most readers of this paper are well aware of the lovey-dovey relationship between Mr. Cuomo and Niagara Falls Mayor Paul Dyster, and many think that, were it not for that relationship, a criminal investigation would be underway here.

The July 29 discharge caused black water to empty into the Niagara River near the American side of the falls on a summer weekend critical to the local tourism industry. The foul-smelling discharge enveloped the dock of the popular Maid of the Mist tour boats. Some witnesses said they thought it was an oil spill.

"We have to make sure it never ever happens again," the governor said during



a visit Thursday to Niagara Falls. He said the state determined the discharge was the result of "basic breaches of protocol" at the plant.

A message left with Water Board Executive Director Rolfe Porter was not immediately returned. Local Water Board officials have blamed outdated equipment and miscommunication between employees for the incident. The board also has been cited for an separate illegal discharge in August.

The Water Board issued a statement Thursday saying that while it had not yet seen details of the administration's requirements, it would work with state officials to prevent problems going forward.

"We have always been and remain committed to doing everything possible with the technology in place to safeguard the natural beauty of the Niagara River and to comply with and exceed wherever possible all environmental rules, standards and permits," the unsigned statement from the board said.

The equipment is indeed outdated. That's why fish swimming in the Niagara are addicted to drugs like Prozac, Zoloft and other antidepressants. That's why many residential blocks in the Buffalo Avenue neighborhood where the wastewater treatment plant is located smell like an outhouse in the summer.

But Mr. Cuomo dismissed claims that the discharge was caused by technological issues, likening the plant to an old car that's in a crash.

"It's not the age of the car — you drove it into a tree," he said. "That's the problem. You drove the car into a tree. Let's discuss that first."

There's nothing to discuss, Andrew. The dismal record of the Dyster administration when it comes to the environment, the economy, unemployment and poverty and record levels of crime is simply inexcusable. And that's why thousands have voted with their feet and fled the polluted, down-and-out town.

Since Dyster was elected, between 8,000 and 10,000 city residents have left, often simply abandoning their homes in a city nobody wants to live in.

Here's an idea. Instead of gifting his campaign contributors at Delaware North with \$75 million to build a waterpark and hotel here, why not just use that money to upgrade the sewer plant?

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Bringing the City to the Country: The Problem is Density with Bri Estates

James Hufnagel

Opposition to a proposed new housing development in the Town of Niagara is gaining momentum, as more information becomes available to residents of the Colonial Drive and Miller Road neighborhoods which will adjoin the subdivision, should it be built.

The local office of Yonkers, NY-based Double C Realty Inc. has been navigating the labyrinth of local and state zoning regulations for several months, as well as seeking approvals from regulatory agencies such as the Army Corps of Engineers and the state DEC, towards commencing construction of the 119 unit "Bri Estates" subdivision on an empty lot in the town.

Actually, not entirely empty, since the 40.4 acre site is presently half meadow and half forest bordering homeowners' backyards, providing them with peaceful, pristine, pastoral views out of their rear-facing windows. And according to local residents who attended an August 30 information session at Town Hall, the lush space teems with wildlife.

Not a problem, Double C Realty attorney Sean Hopkins reassured the crowd, since the wildlife can simply be "relocated."

The site is zoned R-1 (Residential, single family), and so far, the developer hasn't needed to obtain any variances, even as major modifications have been made to the original plan. For example, the number of dwellings has been reduced twice since the project's inception, from over 160 packed into the 40 acres, to 137, and finally, 119, as revealed at the question and answer parley. That resulted in several changes to the specs for individual lots, such as an expanded (but still minimal) 60' frontage per lot, from an initial (and shockingly small) 40'.

We viewed the most recent, updated site plans last week, which were available for inspection at the Town of Niagara Hall.



It should hardly be called "Estates" when the postage stamp-sized lots are only 7,500 square feet, or around 1/5 of an acre each.

A table labeled "Site Data," at the top of one page, lists "Proposed" vs. "Required" parameters for the new Bri Estates housing complex. It's clear that the bare minimum standards are being adhered to.

For example, Lot Size (7500'), Lot Frontage (60'), Front Yard Setback (40'), Side Yard Setback (7') and Rear Yard Setback (10') all meet the minimum requirements for new developments at the designated location.

The owner of the property is identified as Double C Realty. According to NYS business records, the CEO of Double C Realty of NY, Inc. is listed as one George Churakos, and the address given is 2368 Maryland Ave in Niagara Falls. General construction contractor and well-known local firm Mark Cerrone Inc. is headquartered at the same address in the same building, and also has Mr. Churakos listed as CEO.

Two other companies whose

logos appear on the plans are Wendel Companies, whose workers were observed surveying at the site as recently as three weeks ago, and Metzger Civil Engineering of Williamsville. The latter's president, Michael Metzger, presented at the Aug. 30 meeting along with Mr. Hopkins.

Mr. Metzger's a busy guy, the other night finding himself at another town meeting in Lewiston trying to justify a similar proposal - this one, 177 houses crammed into 80.2 acres - along Upper Mountain Road and Bronson Drive. Concerns about increased vehicular traffic in these presently quiet bedroom communities as a result of the additional housing, as echoed at both meetings, were practically identical.

"Many residents... openly laughed at Metzger's claim that traffic 'was not a problem.' While the (builder's) representative claimed that a traffic study had been completed and found that the

added load to the traffic dynamic was not substantially dangerous, residents still brought forward safety concerns, especially those who faced access roads directly across from their homes," reported the Gazette.

At the Town of Niagara meeting, the two (Messrs. Metzger and Hopkins) attempted to rationalize for the approximately eighty or so deeply concerned local property owners the grossly inflated asking price of \$250,000 for each house shoehorned into the cramped development. Many present questioned whether the \$250,000 price was realistic, especially given that two different houses on Miller Road, relatively new houses on larger lots and with more frontage than those slated for Bri Estates, recently sold for around half that.

An online real estate ad for one of the two houses noted that "The brick and vinyl home has no neighbors in the back."

Of course, a selling price of \$250,000 would go a long ways towards convincing the gullible that an appreciable boost to the tax base is to be realized should the project go forward. However, numerous studies over the past couple of decades have convincingly argued that the increase in services such as police, fire, garbage collection, snow plowing and the additional kids from these starter homes attending the local school, more than offsets any additional property tax revenue.

Plus, many long-time town residents simply scoff at the contention that these tiny houses practically sitting on top of each other would fetch a quarter of a million dollars per "estate," regardless of real estate market trends.

Clearly, while Double C Realty has a right to build on property they own, this is the worst form of suburban sprawl, pure and simple. They are aiming for the smallest possible lots, at the highest possible prices, utilizing the cheapest possible construction, resulting in the worst possible views.



Butterflies, owls, hawks, songbirds, mature hardwood trees, acres of wildflowers - will all have to be "relocated," according to the lawyer for Double C Realty.



The future location of one of two new access roads that will have to slice through houses and yards on Colonial Drive to connect to Bri Estates within. This one happens to be right next to a blind curve, making for a dangerous traffic situation.

IDA bets on Dicienzo's downtown waterpark; Meanwhile, Wonderfalls remains a pipe dream

Mike Hudson

Michael DiCienzo's proposed \$20 million indoor water park in downtown Niagara Falls got a big boost this week from the Niagara County Industrial Development Agency, which granted a \$6.6 million tax break package to the project.

Mr. DiCienzo first announced the project in May with a larger scope that would have also included 200 new suites atop the company's Sheraton at the Falls hotel on Third Street. At the same time, Mr. DiCienzo decried a lack of state funding for the potential \$70 million project.

"We really want this to happen, but we're looking for some assistance like other developers are getting," he said at the time. "Generally they provide assistance in the neighborhood of ten to 20 percent of the project. That's been pretty much typically what they have done in the past with other developers."

But state officials have shown no interest.

"The state is saying it can't provide assistance because our project would be competing with a state-assisted property nearby," he said.

Mr. DiCienzo was referring to the moribund "Wonderfalls" announced with great fanfare and hype by Gov. Andrew Cuomo and Mayor Paul Dyster three years ago.

Gov. Cuomo said the state was prepared to invest approximately \$75 million in the Wonderfalls project, but when Mr. DiCienzo asked for around \$22 million to assist in the Sheraton at the Falls project, state officials turned a deaf ear.

Wonderfalls was to have been developed by Delaware North and Uniland, while Mr. DiCienzo has never given a dime to New York politicians.

"That's probably the reason, in part why we are in this predicament," said Mr. DiC-

ienzo. "But we should put everything aside and look at what is right for the market and the people in the market."

Geoffrey Reeds, Vice President of Sales and Marketing for Mr. DiCienzo's America Niagara Hospitality, said the company was "disappointed" not to receive state assistance, but it will move forward. The plan for the indoor attraction is "shovel ready" and estimating a 12-to-18 month construction schedule after work begins, he added.

Asked about the Wonderfalls project in May, Mayor Dyster hemmed and hawed but said he remained, as always, optimistic.

"A large amount of work has been done, but none of it is the sort of thing that results in a major announcement," the mayor told the Niagara Gazette. "I have heard they have faced some engineering-related challenges trying to get all the programmatic elements into the space."

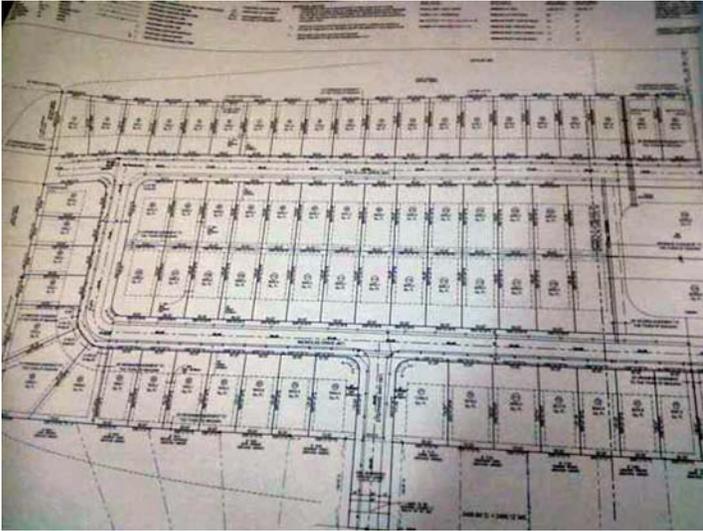
"We're very, very excited about this project moving forward," he added. "It has the potential to be transformational for downtown."

Mr. DiCienzo has been wildly successful with the two waterparks he developed in Niagara Falls, Ont., both contained in the Fallsview Indoor Waterpark and Resort, a luxurious three acre compound that also includes four hotels.

By contrast, Delaware North and Uniland wouldn't know a water park from a water pic.

Gov. Cuomo's choice of Delaware North and Uniland over America Niagara Hospitality is inexplicable if not downright criminal.

Since it is a part of the governor's scandal plagued "Buffalo Billion" program, which has already resulted in a number of federal indictments including some of Mr. Cuomo's closest advisors, you could lay odds on Pine Avenue that it has more to do with the latter.



Legend has it, Daniel Boone moved further out into the wilderness because one morning he saw smoke from another man's chimney on the horizon. How Americans have changed, or maybe are just running out of room.



Before (above) and after (below): There goes the neighborhood!



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An Open Letter to the New York State Attorney General

September 15, 2017

Attorney General Eric T. Schneiderman
Office of the Attorney General
The Capitol
Albany, NY 12224-0341

Dear AG Schneiderman,

We wish to make a formal complaint alleging corruption associated with the Niagara Falls State Park Landscape Improvements plan.

A Spring, 2014 offer for bids was put out, requiring contractors to buy granite from Champlain Stone, a Saratoga Springs/Albany area company with quarries in the Adirondacks, for installation as pavers in the park.

The granite requirement was mandated by the LA Group of Saratoga Springs, a consultant/landscape architect for the New York State Office of Parks, Recreation and Historic Preservation (State Parks).

A request for sealed bids released by State Parks, opened on April 29, 2014, was for "improvements" to the Plaza Area at the Cave of the Winds section of Goat Island in the park. The specifications required contractors to use "Corinthian Granite," a product exclusively manufactured by Champlain Stone.

While the bid specifications allowed contractors to use an "approved equivalent"

approved by the project manager for the state and the design team from Saratoga Springs, there is no known equivalent to this highly specific granite.

Local State Park landscape architects were passed over for all aspects of the \$50 million park improvement work, replaced by Albany-based State Parks landscape architects headed by Stephen McCorkell, RLA, of Saratoga Springs.

He was working closely with the LA Group of Saratoga Springs, the outside landscape architects for the project.

As you are aware, because they provide professional services, consultants such as the LA Group do not submit to competitive bidding but are selected by the project manager, who we believe to have been Mr. McCorkell.

The company selected to design the specs has on their staff a senior landscape architect, Lisa L. Tonneson-McCorkell, RLA, of Saratoga Springs.

In summary, Stephen McCorkell was the project director for State Parks. State Parks selected his wife Lisa's company from Saratoga to design the specs that required contractors to buy granite from Champlain Stone (also from Saratoga) for the Niagara Falls State Park.

Public Officers Law 73, Section 15 states that "No statewide elected official, state officer or employee, member of the legislature or



legislative employee shall: (a) participate in any state contracting decision involving the payment of more than one thousand dollars to that individual, any relative of that individual, or any entity in which that individual or any relative has a financial interest;"

Indeed, all individuals in charge of the Niagara Falls State Park "Landscape Improvements" plan at that time, including the lead man for the LA Group, David Miller, State Parks Deputy Commissioner Frank McCue and the team of McCorkell and McCorkell are from the Albany/Saratoga area.

The \$4 million Prospect Point improvement plan for Niagara Falls State Park included \$600,000 in granite stone pavers purchased from Champlain Stone. Prospective contractors knew in advance, from looking at the specs, that the granite was to be purchased from Champlain Stone, despite New

York State Finance Law 163 that prohibits sole source bidding.

The "tweaking" of specs to ensure the selection of the Champlain Stone granite is reminiscent of the similar requirement that the contractor chosen to build Solar City as part of the Buffalo Billion initiative - Ciminnelli Construction - was the only company based in the Buffalo area that met the requirement, "over 50 years of proven experience and successful track record in the construction and operation of mixed-use facilities and buildings."

Champlain Stone charged contractors around \$60 per square foot, far above the normal market price for granite of \$20-\$40 per square foot.

At least one employee of Champlain Stone who is in their Corporate Media Relations office in Saratoga Springs, Kirsten Anthony, was also previously employed by the LA Group. Her father, Jeffrey Anthony was an owner of LA Group in and around the time of these events.

The entire alleged conspiracy to defraud the taxpayers of New York State is detailed in back issues of our newspaper, available at NiagaraFallsReporter.com.

Thank you for your consideration.

Sincerely,

Staff, Niagara Falls Reporter

cc: Senator Rich Funke, Chairman, Standing Committee on Cultural Affairs, Tourism, Parks and Recreation Funke@ny-senate.gov

Assemblyman Daniel J. O'Donnell, Chairman, Standing Committee on Tourism, Parks, Arts and Sports Development, odonnell@nyassembly.gov

NYS Joint Commission on Public Ethics jjcope@jcope.ny.gov

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Time for a change here



The main difference between the primary election and the general election coming up this November is that, in the primary, voters are bound to vote only for candidates running on the party lines they are registered in. Democrats can only vote for Democrats and Republicans only for members of the GOP.

With two out of three of the Democratic City Council candidates to make the primary cut – Craig Touma and Kristen Grandinetti – being incumbents who routinely rubber stamp any crazy idea that comes out of Mayor Paul Dyster's head, the majority they comprised with the retiring Charlie Walker has been devastating for the city.

Now it's up to you, the voter, to decide what direction you want to take the city in. Because it's your city.

It's time to start thinking outside of the box, because now – in the ninth year of Dyster's reign of error, we've spent millions on whimsical initiatives – rock concerts that hurt downtown business, a train station nobody uses, canoe launches, a winter festival nobody wanted to go to and even a cricket field – as we've watched the city become as broke as a joke.

If you like what you see around you in the most highly taxed, crime ridden and poverty stricken municipality in the state of New York, fine. You're insane, but that's OK with us.

But if you want change, you need to put some new people in office. The change couldn't possibly be for the worse because – with the loss of the Seneca-Niagara Casino revenue, we've already bottomed out.

There are four candidates running in November, three Republicans and one Democrat, whose names aren't Grandinetti or Touma. All are worthy of consideration, and the election of any three of them would go far towards restoring the checks and balances system of government here that the Founding Fathers imagined nearly 250 years ago.

Republican Chris Voccio recently retired as publisher of the Niagara Gazette following a nearly three year tenure. He also stepped down from the boards of the Niagara USA Chamber and the United Way of Greater Niagara. In his announcement, Voccio described himself as "a lifelong arch-conservative – limited government, free enterprise, law and order."

Republican Bob Pascoal, president of the Landlords' Association of Greater Niagara, was a surprise, dark horse candidate for mayor in 2015. He left the race after losing to John Accardo in the primary.

His view of the Dyster administration re-

mains unchanged, however.

"I continue to watch this administration set forth unmeasurable and costly programs and policies without proper checks and balances from certain members of the current council," Pascoal said. "We have two separate governing bodies in City Hall. If one fails to act responsibly to ensure the best interests of residents and businesses are met, then it is the sworn duty of the other to protect constituents. I believe I can provide residents with the level of oversight needed to slow the speed at which the issues that burden residents and businesses prevail, while offering solutions to the many concerns people continue to voice."

"I want to be there for the residents whose issues get lost due to inefficient practices at city hall. I want to be there for the business owners whose tax burden leaves them feeling the pinch from unbridled spending," he added.

Republican Sam Archie, a former vice chairman of the city GOP committee, managed the unsuccessful mayoral bid of Glenn A. Choolokian two years ago. Archie lost Council races in 1993 and 1995.

"We don't have the right leadership on the Council to effectively supervise and manage the current administration in the best interests of the residents of Niagara Falls," Archie said. "They have forgotten that it's about your money. We have all seen current Council members turn their backs on residents and allow the careless and unfocused spending of casino funds by the administration."

And Democrat Bill Kennedy said it's time to start taking the tourism business back from the state and make Niagara Falls, not Albany, the decisionmaker on tourism issues.

"We need to start directing traffic into the city so that tourists park outside of Niagara Falls State Park and frequent our downtown establishments, patronize businesses on 3rd Street, and venture into our core neighborhoods," he said.

"Revitalizing Pine Avenue is essential. Starting from the Aquarium and all the way up Pine Avenue there should be street signs that advertise locally-owned businesses.

"We need new ideas to attract developers to increase business here, to grow out of the situation we are in," Kennedy added.

So you pay your money and you take your choice. Numerous Republican candidates have won elections here in recent years because crossover Democratic voters had conscience and the courage of their convictions.

Come November, we hope you do as well.

The Status Quo Must Go

The Primary election is over and the stage is now set for the General election in November. We know who the players are, so what are we going to do make a real difference in the lives of the people of Niagara Falls?

Something has to change. That much is certain. Elections don't wipe the slate clean, but they are a good start.

If you are happy with the highest unemployment in the state, stay the course.

If you are satisfied with the highest violent and property crime rates in the state, stay the course.

If you have no problem with the nearly highest rates of poverty and taxation per capita in the state, stay the course.

But if you want to see things change, think about what your vote means, and who will act to make things move differently.

The incumbents in office seeking reelection do not represent change. They are the portrait of the status quo, moving in lock step with a Mayor who has not done anything to effectively improve the lives of the citizens of Niagara Falls. Albany has been a relentless bully against Niagara Falls, taking its lunch money and leaving it lost and lonely in the corner of the state. Who can you elect that will likely stand up for Niagara Falls? In other words, who is more likely to take Gov. Andrew Cuomo to task?

Examine the choices, be they Democrat



We need to elect a City Council that will stand up to Albany!

or Republican. Look at the relationships between Mayor Dyster and the candidates, and how they work together. Do they work for the benefit of the taxpayer, for their donor friends, or for their buddies in Albany? What dynamic represents the best chance to make a change in the next four years?

November is only a few short weeks away. The cast of characters who will direct the course of government for the next four years will be decided then. Make your choice and make a change for the better.

Why Strong Mayors Need Strong Councils

In an ideal world, checks and balances would actually check and balance each other. That is the primary function of the two major branches of government, the executive and the legislative. The executive leads, administers and directs the business and relationships of the government. The legislature passes laws and, where necessary, approves the budget and spending of the executive.

That system fails when the legislative branch allows the executive too free a hand, and as a result, becomes a rubber stamp, rather than a co-equal partner in governance. That has been happening for too long in Niagara Falls. It is time for a change.

Typically, the failure comes about when a single political party controls both the execu-

tive branch and the majority of the legislative. Everyone is too concerned with being friendly and playing on the same team to remember that their job is to serve the taxpayers, not the party bosses. Due to that collegiality, there may be some hesitation to take a harsh stand against a fellow partisan. That's why it is incumbent upon those in the opposing party to take their role seriously.

To be sure, this is not a call for obstructionism. Opposition for the sake of opposition serves no one. This is a plea for fidelity to duty and due diligence. A strong council probes, asks questions, and when the situation demands it, says no.

Going along to get along is getting us nowhere.

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Collusion on State Park project nothing new, Business as Usual

Mike Hudson

The collusion between a state official and a high priced Saratoga Springs, NY design firm where his wife serves as a ranking executive is nothing new, the Reporter has learned.

Stephen McCorkell, a \$115,000 a year project manager for the New York State Parks system, and the Saratoga-based LA Group, where his wife, Lisa Tonnelson-McCorkell is employed as a lead designer, have a long-standing relationship that stretches back for more than a decade.

In June 2003, the LA Group sponsored a high end golf tournament to benefit the Glens Falls Area Habitat for Humanity, a not-for-profit Stephen McCorkell was then heading. The LA Group was one of the major contributors to the not-for-profit organization.

In 2013, the LA Group worked to design a plan for High Rock Park in Saratoga Springs, NY, that integrates the naturalistic setting with a memorial sculpture. The sculpture, named "Tempered in Memory," transforms steel artifacts from the World Trade Center towers and stands in the park as a monument to 9/11.

The state and the LA group also collaborated at Wiawaka on beautiful Lake George.

Created in 1903, Wiawaka is the oldest and longest continuously operated retreat for women in America. Boasting visits from extraordinary women, including artists like Georgia O'Keeffe, this place has remained an affordable opportunity for working women to vacation on the shores of Lake George within view of the vistas of the Adirondack Mountains.

Starting in 2012, The LA Group prepared a site facilities master plan, and Lisa Tonnelson-McCorkell worked closely with Wiawaka to help achieve the goals of sustaining this historical place.

For money, of course.

Lately, the LA Group – Stephen McCorkell connection has been making headlines for the botched multi-million dollar paving job at Niagara Falls State Park.

McCorkell handed the design job to his

wife's firm, which then went on to specify that the stone used to pave over what used to be beautiful natural trails and scenic overlooks could only be provided by another Saratoga-based firm, Champlain Stone, where a young lady named Kirsten Anthony works.

Kirsten Anthony is the daughter of S. Jeffery Anthony, who founded the LA Group and is Lisa Tonnelson-McCorkell's direct superior.

"Someone is getting a free cottage on the lake for this one" said a contractor at the time.

Another contractor, referring to the high-priced "Corinthian" granite, said, "They're paving the park with gold, and there are potholes all over the city. What a waste."

And the expensive stone may have been the poorest choice imaginable for a paving project at the park, where Frederick Law Olmstead would have said no paving was needed at all.

The highly polished granite is notoriously slippery when wet, a condition that – between the mist of the falls, rain and melting snow – is present at the park for most of the year.

It is also not very durable, prone to cracks and flaking. More are cracking every day and one can only wonder about what they will look like 20 years from now.

Gov. Andrew Cuomo's \$50 million "Landscape Improvements" project at Niagara Falls State Park has served largely to line the pockets of downstate contractors and consultants, as well as improving revenue to Albany by increasing the number of paid parking spaces.

The people of Niagara Falls have benefited not at all.

The project, begun in 2012, has since become part of Gov. Cuomo's Buffalo Billion initiative, which is now under investigation by federal authorities. Allegations of bid rigging, kickbacks and other crimes have led to the indictments of a number of people, including some of Mr. Cuomo's closest advisors.

What happened at Niagara Falls State Park was a crime, and needs to be investigated.

It's like déjà vu all over again; Same retreads survive primary

Mike Hudson

Kristen Grandinetti.

Who among us can figure out the sorceress-like spell she's cast upon the Niagara Falls voter? Garnering some 1,457 votes in the Democratic primary Tuesday, finishing third after incumbent Andrew Touma (1,784) and newcomer Bill Kennedy, she still clinched a spot on November's general election ballot.

Her record could not be worse. Aside from running an illegal bed and breakfast, turning her Facebook page into a forum for early childhood sex education, her crusade against cats and their owners and her habit of texting on her telephone during the public comment period at City Council meetings, the two time incumbent and grade school teacher has advanced no meaningful legislation during her too many years in office.

Both Lakea Perry, with 1,205 votes, and Amber Hill-Donhauser, with 1,275, came remarkably close to unseating Grandinetti despite a lack of party support.

Mr. Kennedy ran a spirited campaign, telling the Niagara Falls Reporter, "I always said I had to get through the primary, then the Dems will have to help me, even against their will."

"I'm not a yes man," he added.

Ms. Grandinetti's low level of support came as good news to Sam Archie, Chris Voccio and Robert Pascoal, who will represent the Republican Party in the November election. Former city councilwoman Candra Thomason finished out of the money.

"I just fear we may end up with some of the same people getting in again," she told the Reporter. "I sent an email to the Republican candidates that won congratulating them and wishing them good luck in the general election."

With three open seats on the Council, at least one new face will be a certainty. But with the power of incumbency and the support of Niagara Falls Mayor Paul Dyster, it may be difficult for any of the newcomers to dislodge Mr. Touma or Ms. Grandinetti, she added.

On a brighter note, local attorney James Faso handily won on all lines in



Kristen Grandinetti

the primary and will almost certainly be our next city court judge, replacing Robert Merino, who will turn 70 this year, which is the mandatory judicial retirement age in New York State.

Mr. Faso comes from another prominent area family. A Democrat, Mr. Faso was the winner on the Democratic, Republican, Conservative, Independence and Working Families Party lines.

Mr. Faso lives in Niagara Falls with his wife, Valerie, a teacher at Niagara Falls High School, and their two daughters. He has been around the legal system and politics all his life as the son of longtime of Town of Niagara Justice James J. Faso, Sr.

A graduate of Niagara University and the University of Toledo College of Law, Mr. Faso is a member of the Niagara County Bar Association and is also a member and general counsel for the Niagara County Police and Judges Association.

"Our community recognizes the importance of having members of the legal community serving in our court system that have the experience and maturity to handle the cases presented," he said. "I am ready to do that work starting on day one."

Those who voted for Ms. Grandinetti and Mr. Touma, who serve as rubber stamps for the mayor's policies, apparently think everything is peachy in Niagara Falls, just as those who returned Mayor Dyster to office last year do.

In reality, it is the most crime ridden, highly taxed municipality in New York State, also boasting one of the highest levels of poverty, and the highest rate of unemployment.

"In a democracy the people get the government they deserve," Alexis de Tocqueville famously wrote.

Nowhere is this truer than Niagara Falls.

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9/8/2017 & 9/15/2017



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



Three Sisters Islands in the Niagara Falls State Park was leveled with bulldozers, fenced off from the water and covered from one end to the other with granite pavers that are so slippery when wet that State Parks closes it off from autumn to springtime so that visitors don't slip and fall and break their neck. Thanks, Cuomo.

THE ANSWER TO... WHAT'S WRONG WITH THE CONGRESS?



J. Gary DiLaura **The Right Side**

This is easy; NY Senators Schumer and Gillibrand, NY Congressman (EVERY SINGLE ONE except, maybe, Collins), California Congresswomen Pelosi, Waters and Boxer and Senator Feinstein... it would almost be accurate and a LOT easier to just say EVERY SINGLE DEMOCRAT and about 1/2 of the REPUBLICANS currently serving!!! That's why Steve Bannon said what he said on 60 Minutes: "It will take 'decades' to drain the swamp!"

When you have elected representatives running a country who NEVER had a real, productive job, business, or significant contribution to ANYTHING... conditions are ripe to "fill" a SWAMP!

When you allow a scumbag like Luis Gutierrez to insult an honored military hero like General Kelly without recourse (like a \$50,000 fine by the House for Conduct unbecoming a Congressman but... typical of a "Community Organizer"), there is no morality in Congress! Gutierrez was eligible for the draft in 1971, during the Vietnam War. Somehow, he apparently wasn't drafted nor did he enlist. How come? Why didn't he enlist to protect the country his family ran to in 1953? The only "jobs" he ever held were Councilman, Alderman, Community Organizer, Congressman... he's certainly fully qualified to be an "Obama-like President." He paid his wife \$400,000, paid a friend \$500,000 to "train" his staff (continues to this day), and has increased his NET Worth to \$1.5 mil as Congressman. All legal I'm sure! Although he's not close to Obama's record breaking "rags to riches" rise as President, \$20 mil in 8 years (\$15.6 mil from the sale of his horrible books AFTER becoming president). Amazingly... that's the same free enterprise system Obama tried his best to destroy!!! Go figure!!!

How bad are they? Here's an example: in the early 1970's I was on the NY Truck Squad, a squad that worked mostly truck hijackings by John Gotti's crew. Gotti wasn't a "don" then, only a wannabe, smart, well-liked killer who was on his way up. He knew EVERY single agent on the squad by name and hated every one of us! What does that have to do with political corruption? Absolutely NOTHING... I'll explain how EASY it is to make a political corruption case... all you need is a good source and some great agents!!

In the early 1970's, Congressman John Wilson Jenrette of South Carolina was seeking contact with an oil rich Saudi Sheik. It seemed most of his "friends" had a Saudi sugar daddy, and he needed money! So, with superb skills, the agent who had the source convinced the powers to be that our squad, the Truck Squad, should open and handle the case we named ABSCAM. The squad provided surveillance help a few times, but the agents involved, especially the undercover agent, were phenomenal, pulled it off, arrested,

tried and convicted MANY members of congress including Jenrette! The case became a MAJOR case because so many members of Congress were involved! The case was moved to a more glamorous location, with more glamorous supervision but was made by the Truck Squad! In 1980, Jenrette was sent to jail for 2 years for accepting a \$50,000 bribe and... in 1989 was again arrested for shoplifting a tie and served another 30 days in jail!

Soon after that case, the Department of Justice, in their almighty wisdom, sent down a new DOJ regulation, we had to sign off on, REQUIRING DOJ approval before opening ANY cases on politicians! We were too successful, as the FBI was nailing many members of Congress and I guess they needed a "heads up" or to be "spotted" a head start, to make the "chase" a little more fair!!!

That's a very TRUE story... google ABSCAM and see for yourself!

The "Lobby" in Washington is the

nation's and the world's biggest and most influential business... correction, criminal enterprise!

President Trump is fighting a battle almost by himself AGAINST the Old Guard, Washington Lobby, a mighty force, THE SWAMP, as the President calls it!

He will only be successful if the American people cover his back, denounce the underhanded, back stabbing, well-organized, Obama-led, anti-USA groups like Obama For America, ANTIFA, Black Lives Matter, Move On and many, many more, financed by George Soros and others. These groups are responsible for rioting, violence, anarchy, property destruction and are getting away with it because left wing governors, mayors, and city leaders support anarchy and violence and order police to stand down! Anyone wearing a mask MUST be arrested and should be charged with a multitude of crimes and investigated to follow the money! The FBI should be the lead agency... but

where are they? Our Chief Law Enforcement Officer should ORDER that a RICO case be opened!!!

WHAT HAPPENED TO OUR ATTORNEY GENERAL?

Vote every left wing extremist looking to CHANGE your country out of office! The CHANGE they want is your Constitution and your rights and don't let ANY of them tell you differently!

Eventually an investigation WILL lead to Obama... in the meantime... Congress should WITHDRAW all funding to Secret Service Protection for any former President traveling overseas for private business not requested by the President, and withdraw ALL funding to multi-millionaire former Presidents who receive public funds for all their lucrative, self serving, ego supporting endeavors being perpetrated by all former Presidents (libraries, houses to write memoirs, statues, and other nonsense projects!).

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State Ed Dept.: Your kids are getting smarter every year!

James Hufnagel

The New York State Department of Education's "Measuring Student Progress in Grades 3-8 English Language Arts and Mathematics" report, released two weeks ago, has some very good news for Niagara Falls schools. Or does it?

Put forth as an update on the ESSA (Every Student Succeeds Act) as it has impacted New York State, the 47-page summary purports to serve as the basis for the state's draft ESSA plan to be submitted to the federal government this month.

A federal law passed in December, 2015 that governs United States K-12 public education policy, ESSA replaced its predecessor, the No Child Left Behind Act (NCLB), and modified but did not eliminate provisions relating to the standardized tests given to students.

Instead of scrapping ESSA, the Trump administration merely loosened some of its requirements moving forward. Submission of a plan remains a federal government mandate.

What the "Measuring Student Progress" document does is present table after table of



Geraldine J. Mann Elementary School on 95th Street had by far the best test scores among Niagara Falls schools.

numbers supposedly reflecting average student achievement scores for New York State in English and Math, broken down by grade level, region, school district size, student ethnicity, gender, students with disabilities, and Charter school vs. Public for each of four years from 2014 to 2017.

And across all of those categories, comprising over 40 pages worth of graphs and tables, those tests scores, without exception, are reported to have gone up each year from 2014 on.

The across-the-board improvements have taken place, of course, because of the Common

Core-espousing educational policies of Gov. Andrew Cuomo. The State Education Department wouldn't fudge any numbers to make those guys look good, now, would it?

The Niagara Falls numbers, of course, are what got our attention. Niagara Falls 3rd to 8th graders improved from 18% (2015) to 21% (2016) to 23% (2017) for math, and went from 15% (2015) to 23% (2016) to 25% (2017) for English, according to the testing bureaucracy. The only schools that didn't show year-to-year improvement were Henry J. Kalfas Magnet, Maple Avenue and

Niagara Street for English, and Kalfas and Maple Avenue in Math.

Strangely, while the Education Department's "Measuring Student Progress" report brags, "Overall, students statewide have made progress in ELA and math... The Big 5 districts made progress in ELA & math (and)... All race and ethnicity groups made progress, continuing to slowly close the achievement gap," it doesn't offer a shred of explanation as to why scores have improved steadily since 2014.

So we asked Niagara Falls school teacher Kristen Grandinetti, who replied, "I can only speak for the building in which I work... The reason for the improvement is better relationships with parents, teachers who are qualified and who care, and who encourage the students to do their best. Also, creating a non-hostile environment for them to do so," which sounds to us, like business as usual.

In summary, nobody can explain why test scores went higher universally across so many geographic and demographic categories. They just magically did so. And the students have shown improvements. We know this because the Cuomo-instituted Common Core test scores tell us so.

Faso Wins City Court Judge Primary, and in Essence, the Election

In a quite decisive manner, James J. Faso, Jr. won the Niagara Falls City Court Judge race on every contested primary party line on Tuesday night. The Democratic, Republican, Conservative, Green, Working Families, Independence, Women's Equality and Reform parties all went to Faso, to the disappointment of Alan J. Roscetti and Nicholas A. Pelosino,

Jr., the other aspirants to the position. With no other party lines available, they are out of the running. Come Election Day on November 7, only James Faso's name will be read across eight ballot positions.

In other words, Mr. Faso has already won.

It should be made clear that nothing is being implied, or should be inferred,

about the quality of Mr. Faso as a candidate, the nature of his campaign or his presumed tenure on the bench. Mr. Faso won fairly, legally and honorably. The voters spoke and made their choice.

It just seems odd that the race is over after the first lap. These are supposed to be "contested" elections, so where is the competition? The primaries are meant to weed out the candidates within the party, not for the general election itself.

But apparently, that is what happened. There were 4,748 votes cast in the election, of which 2,263 went to Mr. Faso. This is across all party lines. Mr. Pelosino received 1,321 votes and Mr. Roscetti, 1,153. It demonstrates a clear preference for Mr. Faso, which cannot be denied. But when you consider that the estimated population of Niagara Falls is 48,632, it is not quite a mandate.

New York State allows fusion voting, which lets candidates for public office to run on the party lines with which they are not affiliated. Thus, an enrolled Republican can run on, and win, the Democratic line (or any others he or she becomes eligible to run on). In this case, Mr. Faso's sweep of all of the lines has kept any other names from appearing on the November ballot.

If candidates could only run in their own party's primary, it could guarantee there would be a contested election in November, even if the bulk of the voters belong to one or two of the parties. Mr. Faso received the vast majority of his votes on the Democratic line with 1,607, which alone outweighed the total votes Mr. Pelosino and Mr. Roscetti received from all lines.

All of this begs the question; can one candidate properly serve the agenda of every party line? In theory, a judge is supposed to be impartial, fair, and capable of acting without prejudice. A



James Faso, Esq.

political party line, by its very definition, stands for a particular set of principles and values. While the Democratic party and the Working Families party may be similarly aligned, the Conservative party is not likely an easy fit with the Green party. Nonetheless, they all have the same standard bearer for the City Court Judge general election.

At the national level, these distinctions are more notable. Being a "conservative" or "progressive" judge is a part of their identity, and is reflected in their qualifications. Local judicial contests tend to focus more on philosophically neutral issues like temperament and experience. They cannot campaign on political issues, which somewhat makes one wonder why they run on political lines in the first place.

Nevertheless, Mr. Faso won in admirable fashion, and will undoubtedly serve with distinction. He did not make the system as it currently exists, and cannot be blamed for successfully operating within it. To the victor goes the spoils; in this case, the spoils are the scales of justice in the City of Niagara Falls.



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Niagara Falls Jokes

While the official Niagara Falls' City Hall website is rarely updated, we were still concerned to find, when clicking on the Ethics page, "Sorry - Under Construction."



In the year 2020, the contractor hired by the city finally finished paving Lockport Street and one of its workers was putting the last touches on the pavement, painting the lines that went down the center of the street.

The first day he managed to paint 2 blocks, and his foreman was very pleased.

The next day he only painted half a block, but his foreman thought that he'd probably started off too energetically on the first day.

But on the third day he was only able to paint 20 feet.

The foreman called him into the office and demanded an explanation.

"Well, you see it's getting so darn far to walk back and forth to the paint bucket," the worker explained.

Mayor Dyster and Seth Piccirillo were in a pub on Niagara Street enjoying craft beers when Seth told the mayor, "Look, I'll give you \$200, if you let me smash ten craft beer bottles over your head."
Dyster thought for a while and finally agreed

because he needed cab fare to get home, since it was after midnight and the free Discover Niagara shuttle had had its last run hours before.

So the Community Development director smashed the first bottle over his boss's head, then the second and so on, but he stopped after smashing nine bottles.

"So, when are you going to smash the tenth bottle?," demanded the mayor.

"Why?," replied Piccirillo, "then I would have to give you \$200."

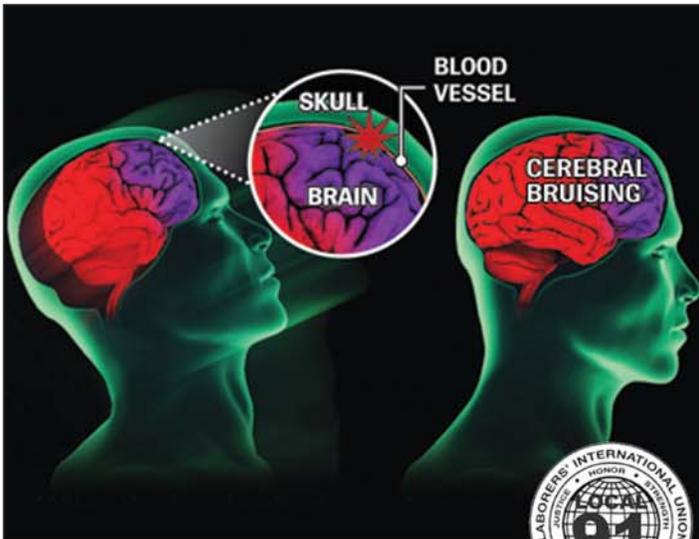
Mayor Dyster needed to relax from the pressures of City Hall and decided to take up horse riding as a hobby. Although he had no previous experience he skillfully mounts the horse and appears in complete command of the situation as the horse gallops along at a steady pace. After a short time the mayor becomes a little casual and he begins to lose his grip in the saddle.

Panicking, he grabs the horse round the neck shouting for it to stop. Onlookers start to scream and shout for someone to help him, as by this time he's slipped completely out of the saddle and is only saved from hitting the ground by the fact that he still has a grip on the horse's neck.

Dyster decides that his best chance is to leap away from the horse, but his foot has become entangled in one of the stirrups. As the horse gallops along Dyster's head is banging on the ground and he is slipping into unconsciousness. The gathering crowd is now frantic and screams and screams for help!!

Hearing the screams, the craft beer brewmaster comes out from behind the bar, and unplugs the horse!

With respect to voter turn-out for Tuesday's primary election: "Apathy is a sort of living oblivion." - Horace Greeley



Concussions: It's Not Just Football Players Who Are at Risk

The frequency and consequences of concussions among players in the National Football League is getting a lot of press these days, but construction workers are also at risk for suffering this type of injury on the job. According to the National Institute for Occupational Safety and Health (NIOSH), the construction industry has the highest number of fatal head injuries in U.S. workplaces. Between 2003 and 2010, more than 2,200 construction workers died from traumatic brain injuries (TBIs).

A concussion is a type of traumatic brain injury caused by a sudden and direct bump, blow or jolt to the head or body that causes the brain to bounce and twist inside the skull. This violent movement can cause bruising, damage blood vessels and nerves and create chemical changes.

Concussions, which can occur even if the head never smacks the ground, can range from leaving a worker feeling slightly dazed or experiencing a very brief loss of consciousness to a prolonged loss of consciousness and longer recovery times. Severe TBIs can be life-threatening.

Repeated concussions, even when mild, can also lead to serious health problems. These include post-concussion syndrome, in which the effects of a concussion, including headaches and dizziness, last for weeks and sometimes even months after the initial injury.

Symptoms of a concussion include:

- Loss of consciousness for a few seconds to a few minutes
- Feeling dazed or disoriented
- Headache
- Nausea or vomiting
- Dizziness
- Blurred vision, ringing in the ears, bad taste in mouth

OSHA requires employers to provide hard hats when workers are in areas where there is risk for a head injury from impact, falling objects or electrical shocks and burns. Hard hats come in a variety of types and are made to meet the American National Standards Institute hard hat standard (ANSI Z89.1-2014). Employers must provide the appropriate hard hat for the task at hand. The LHSFNA offers a number of materials that can help reduce the risk for falls and struck-bys at construction sites that can lead to concussions.

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