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# THE NIAGARA REPORTER

FREE

February 6th, 2019 - February 12th, 2019

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## Officials Await Dyster to Go Public on His Future as Word Circulates He's Not Running

By: Tony Farina

Analysis

I wrote back in June of 2013 after the four-year gaming stalemate between the state and the Seneca Nation was settled that Mayor Paul Dyster played a smart hand in backing Gov. Andrew Cuomo during the bitter fight that saw Niagara Falls fall behind more than \$60 million in casino revenue payments dating to 2009.

Dyster had held firm against what appeared to be long odds for a favorable settlement, putting his trust in Cuomo on being



(Cont. on pgs. 2)

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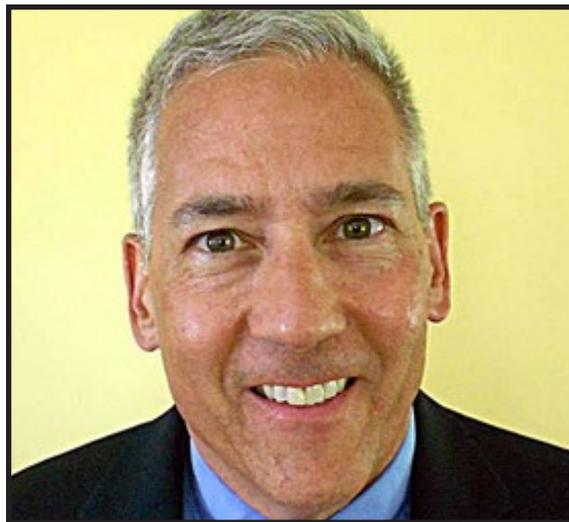
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## Pecoraro to Run for Re-Election

By: Brendan McDonough

Current city Alderman-at-Large Robert Pecoraro announced today that he will be seeking his second full term on the North Tonawanda Common Council.

Pecoraro, a 61-year-old retired Colonel who served over 30 years on active duty in the United States Air Force (USAF), commanded units at the detachment, squadron, and group levels. He was a results-oriented leader and manager who achieved the rank of



(Cont. on pg. 6)



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# NIAGARA FALLS

## Dyster Cont.

able to negotiate a deal, which he did.

Here's a quote from my story from 2013 on Dyster after the stalemate was settled and Niagara Falls was set to receive \$89 million in back payments:

"Dyster said he feels 'vindicated' by the outcome that he made the right political judgment in backing Cuomo and now the city is in a position to move forward, building on the strong relationships he believes are in place with the state and the Senecas."

That was then, and before a second gaming impasse that put Dyster's city on the brink again before a recent gaming arbitration ruling in favor of the state appears to have settled things although the Senecas are reportedly still mulling their options as of this writing about paying the state the money the panel ruled they owe from 2016.

Dyster was hopeful back in 2013 that there was an opportunity to build on the settlement with the Senecas going forward but there is no sign his administration was able to develop any strong bonds with the Seneca Nation preceding the latest gaming war.

In fact, the Senecas said the compact provided no further language for payments beyond 2016 and abruptly stopped the payments leading to the arbitration in December.

So while Dyster was loyal to Cuomo in both gaming wars, it has been a very tough road for the city trying to hold things together without the casino cash which Dyster had used to balance budgets against the advice of the state comptroller.

Now, as he enters the final year of his third four-year term, Dyster is still

waiting for casino cash, again, and has not committed to running for a fourth term even as the June primary petition nears.

What will he do, this learned man who backed Cuomo through the gaming wars and the much-delayed, state-backed Hamister Hotel project?

We attempted to reach him for comment on whether he will run in a primary that will likely include one of his top aides, Seth Picirillo, and School Board President Robert Restaino. All three are Democrats. Dyster did not respond to our requests for an interview for this story, so there is no comment from him.

While Dyster has remained publicly mum about his future, City Hall sources say he has confided to close confidants that he is not running. As Frank Parlato pointed out in a story last week, he is still too young to collect his state pension, so if he doesn't run, what will he do?

If anyone deserves a reward for loyalty to the governor, who is known to value loyalty from his underlings, it is Dyster. A plush state patronage appointment would appear appropriate for him, given his unquestioned support of the governor. But so far it hasn't happened and perhaps the governor is just waiting for the Senecas to write the state a check stemming from the arbitration ruling.

So how will history judge Dyster's years as mayor? Well, only time will tell. Republican Councilman Chris Voccio, who has only served as a lawmaker for 13 months, says this of Dyster he knows: "I like him. He is a

smart man and well intentioned." But Voccio added he has had very little personal contact with the mayor and they have different visions for the role of government, especially in these current times.

"I see a future with smaller government, a greater private sector role, and more welcoming economic development initiatives," said Voccio in a telephone interview for this story.

Voccio said the city needs smaller budgets that look out for taxpayers and take care of city employees "as best we can afford."

Council President Andrew Touma has continually taken the position that with or without the casino cash now or beyond 2023, the next renewal period for the gaming compact, the city must find a way to bring budgets into structural balance, a difficult task given the high labor costs and reluctance to make tough decisions to increase revenue.

So where is Dyster on this and his future? We couldn't reach him but maybe we'll be hearing from the mayor in the very near future as word is that the gaming arbitration panel will be meeting with the state and the Senecas this week to come to some kind of agreement on the recent 2 to 1 ruling in favor of the state.

A final determination, at least for the short term, could free up Dyster to come out publicly about what he will do this year and beyond. Maybe his friend Andrew Cuomo will recognize the mayor for his unwavering loyalty and let him ride off into the sunset in a cushy state job. It is my view that he has earned it.

## Liberty Tax Ready to Help You File Return

Liberty Tax Service on Transit Rd. in Lockport would like to remind everyone that with the new Trump tax cut, more people should file and get bigger tax refunds.

Individuals must file Form 1040, single individuals with gross income over \$10,650, married individuals filing separately with gross incomes over \$4,150, and married couples with joint income over \$21,300.

In addition, individuals must file if: -net earnings from self-employment is at least \$400; you owe FICA on tip income, you owe alternative minimum tax due on an IRA, first-time home buyer's credit, sale of a home or rental property, casino or gambling winnings even if you have losses, rental income, interest or dividends over \$400, capital gains, trust income.

There is no age exception. Even a 1-year-old who appears in a TV commercial or a 99-year-old uncle who has pension income.

Also, there are many reasons why someone might want to file. A citizen or resident alien are both liable for federal income tax on worldwide income without regard to whether the income came from sources within or outside the U. S. or whether illegal or legal.

If you have income or expect to receive credits, you should file. Anyone expecting a refund or who received wages should file and if any of the following occurred in 2017 or 2018 you should file: contribution of health-saving account, moving expenses, contributions to a retirement plan, distributions from a retirement plan, alimony paid or received, tuition and fees, jury duty pay or pay as an election inspector, unemployment benefits or had to pay back benefits.

Also, child and dependent care credits, foreign tax credits, retirement contributions, residential energy credit, farm income.

Taxpayers have until April 15, 2019 to file 2018, 2017, 2016 or 2015 returns.

You can contact Liberty Tax at 716-650-4076 or Michael Gawel, CPA, at 716-622-0700 (gawelmichael@yahoo.com) to schedule an appointment or if you have any tax questions.

# NIAGARA



# REPORTER

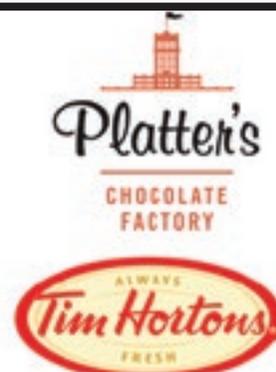
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**Sanborn:** Smokin Joes (gas station and store) & Tim Hortons

**Wilson:** Lakeside Market

**Youngstown:** Anchor Spirits & Wines, Bandanas Bar & Grill, Public Library, Rite Aid, Village Diner

# So Sad, the Closing of the Old Community Center



**Ken Hamilton**

On can't help but to notice a new and beautiful "Big Blue" building as one drives on Interstate 290 through the LaSalle section of the city of Niagara Falls NY.

It stands looming large behind the now-closed and former Niagara Catholic High School, whose small but mighty basketball team was once known as the "Big Red."

Like the big blue building that bears, not one, but two names that were important to many "different" Niagarans, its placement was supposedly there to augment the activities of the students of NCHS – the high school from which Niagara Falls Mayor Paul Dyster graduated and went on to gain a higher education. It is all a reflection of what we have become, yet stands as a mirror image of its two namesakes, both of whom are dead and whose significance will likely be forgotten: Buffalo Bills owner and western New York benefactor Ralph C. Wilson and the original Niagara Community Center.

Don't get me wrong; I am thankful to the Wilson foundation helping to sponsor Gary Hall's vision. Hall was the building's developer, as well as being a significant contributor to the much needed 17th Street Boys Club located near Pine Avenue. Nonetheless, my telephone calls went un-

answered when I heard that he was naming the building after the now-defunct Niagara Community Center, once located on Centre Avenue and Aaron Griffin Way in the Highland Avenue neighborhood.

I begged Hall not take the name Niagara Community Center for his new building. It was a name that was dear and historic to the black community; and he did so seemingly minutes after the judge dropped the gavel that wrested the organizations charter away from former Niagara County Legislator Renae Kimble's ersatz agent Shirley Hamilton, both of whose antics surely played major roles in the building's dilapidation.

But who cares? As one resident and former youthful attendee said when I told her, now some 10 years ago, that "they" were going to close the Community Center, she nonchalantly shrugged her shoulders and declared, "Well, that's just one more thing that we don't have any more."

In black circles, the term "they" often means some group of notoriously big and often unidentified white men. And yes, it was a very wealthy white guy who commandeered the name of the only non-church institution in Niagara Falls that the dreams, hearts, sweat and tinkling dimes of a small population of African-Americans began to build as far back in the 1920's.

In fact, even some white folks helped with the institution. Journalist Michael Boston, PhD, wrote in his well-written, well-cited, must read Blacks in Niagara Falls, New York: 1865 to 1965, a survey, that, "Besides the increase in population, the formation of a community center was one of the greatest single events that benefited black Niagarans during the Age of Freedom. It is rumored that black Niagarans who patronized the local YMCA were told to get their own



recreational facility government, about sponsoring some social and recreational facility for the black community ... Nonetheless, during the late 1920s, Eugene Ellis, Benjamin Bolden and Reverend D. B. Barton, who were prominent leaders of the black community, approached the Community Chest, a division of the local Niagara Falls government, about sponsoring some social and recreational facility for the black community."

Boston had cited earlier in his treatise that the 1920 census had indicated that some blacks were factory workers, albeit listed as laborers. The funny thing of it is that some 80-years later it would be some very highly-educated blacks who would close the community center that was the legacy of those who had so few resources and such big dreams.

Ironically, it is also some highly educated African-Americans who have set about replacing the institution. The original pact for the Centre Avenue center indicated that if the Niagara Community Center would eventually fail then the land that the city granted to the-then new Niagara Falls housing Authority upon which the Center

was built would ultimately be returned to the city. But, by the time that the smoke from the court case that had withdrawn its charter was over, it was less costly to build a new Center elsewhere than to even renovate the old one to current codes.

I would love to criticize Mayor Dyster for to this day not signing off on the building and land's return to the city; but honestly, how could I blame him for not so doing, neither for not getting into the fracas that stewed around it for so many years. It was indeed a hornets' nest of political and social intrigue, with names at fault, among others, like Stephanie Cowart, Charles Walker, Cynthia Bianco, Cathy DeSantis, the Niagara Ministerial Council and scores of others. There's neither enough room to finish here, nor enough newspaper to print it all. But next week, we will work our way backwards to understand what happened, focusing first on the misguided efforts of a small group who wants to yet plant another dandelion among the thorny roses. It is the black history that should be taught to our young, far more important than even the knowledge of Martin Luther King.

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# THE CRIME

## WEEKLY HEADLINES

-Niagara Falls Police responded to the 600 block of 4th Street on Wednesday, January 30th, for a stabbing. According to reports, two brothers were treated for stab wounds and taken into custody.

-Niagara Falls Police responded to the 3000 block of Livingston Avenue in the morning hours of Thursday, January 31st, after at least eight vehicles had their tires slashed over-

night. Police are continuing to investigate the incident.

-Niagara Falls Police responded to the intersection of Military Road and Bollier Avenue in the afternoon hours of Sunday, February 3rd, for a vehicle theft. According to the reports, the victim stated that he was rear-ended by another vehicle and upon getting out to check the damage someone else got inside his vehicle and drove away.



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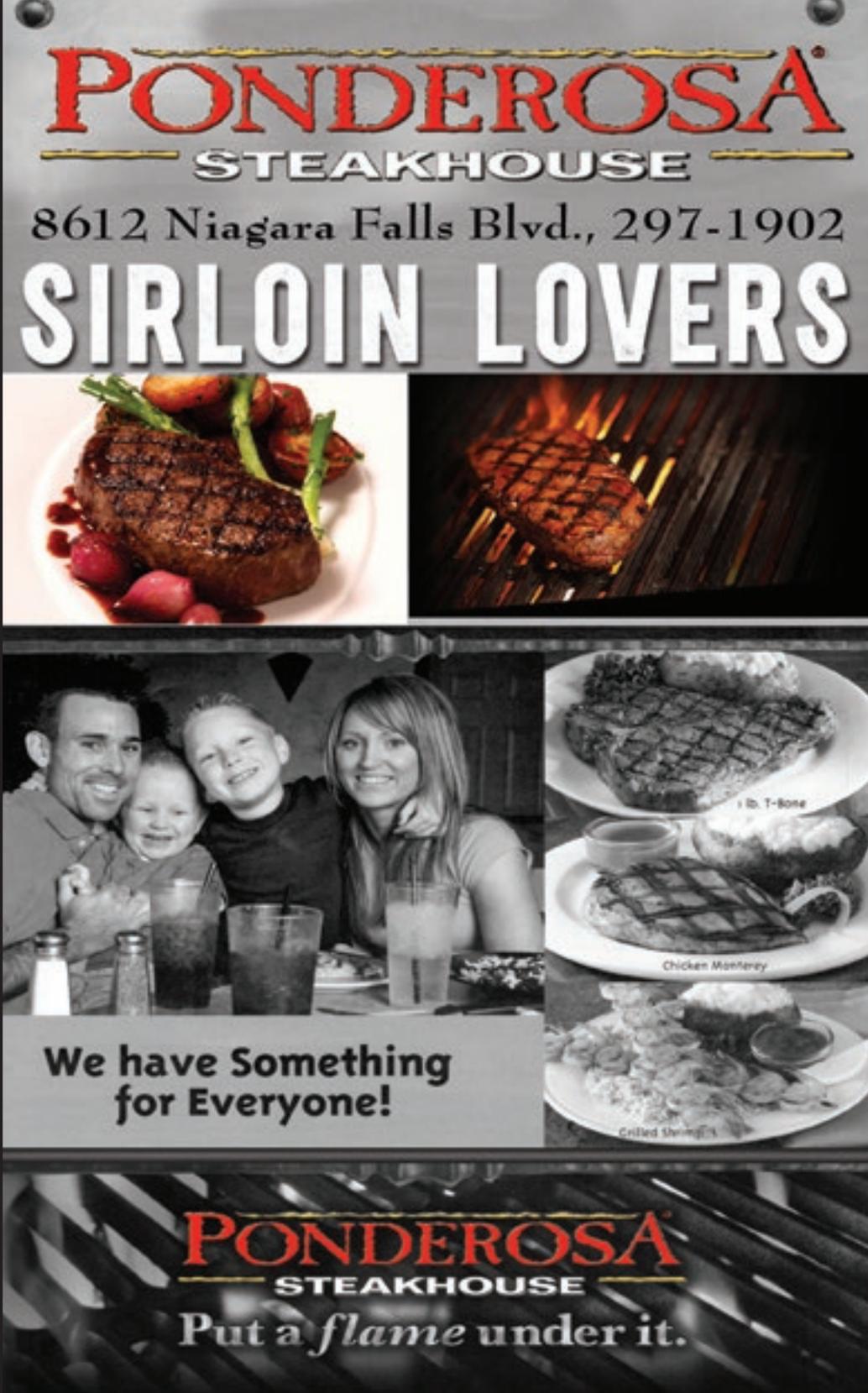


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# NORTH TONAWANDA

## Pecoraro Cont.



Colonel due to his sustained outstanding performance in command, operations, staff responsibilities, and academics. Specific responsibilities were diverse, from commanding an airbase in Spain supporting expeditionary operations in Iraq and Af-

ghanistan to commissioning quality leaders for the USAF. Today, he is putting these strengths to great use in North Tonawanda, where no problem is too big to solve.

Pecoraro, who grew up in North Tonawanda, credits the teamwork in the Mayor's Office, the Common Council, and the North Tonawanda Municipal Departments for his success as Alderman and is thrilled to continue his service to the community with his main focus on ensuring economic growth and continued infrastructure improvements, while pursuing quality-of-life initiatives for all residents.

While serving as Alderman at Large, Pecoraro has supported economic growth of the city as many new businesses opened, from Ivy Lea Construction Headquarters, the move of Old Editions Book Store into the former Platters Chocolate facility, to the most recent announcement of the opening of

Spot Coffee as a function of DESTINATION in the former G.C. Murphy building. He will continue this on the Council and also as First Vice President of the Chamber of Commerce of the Tonawandas. Likewise, he serves on the City's Downtown Revitalization Initiative Team, where he procured \$2.5M from Empire State Development Corporation in 2017. He also realized the need to upgrade the Water/Waste Water Treatment Plant and actively serves on its Capital Improvement Plan to ensure the upgrade and financial management of this \$6M activity. The city roads have never been in better shape as he advocated for a new paver. In 2018, the City Department of Public Works set a new paving record of 17.1 lane miles. The waterfront is also at the forefront of his activities. He recently was a member of the committee who put the plans together for \$1.7M Gateway Park improvements including a new harbor master facility, new electrical upgrades and the extension of the Sweeney Wall docks. With all this progress, Pecoraro was a member of the Mayor's Budget Committee, ensuring the funding was in place for these initiatives while keeping taxes affordable.

He is excited to represent the residents of the entire municipality. His many achievements include implementing the quarterly Hub for Services (bringing services directly to the residents) and setting up a monthly WNY Law Center Satellite office. He was awarded the Gold Key from the Western NY Chemical Dependency Consortium while serving on the Executive Committee of the Community Health Alliance of North Tonawanda. His leadership is felt throughout the area where he serves as the First Vice President of the Chamber of Commerce of the Tonawandas (Chairman of the Business Connections Committee and member of the Gateway Cities Promotions and Economic Development Team), is on the Board of Directors of the Niagara Community Action Program and the Buffalo and Erie County Naval and Military Park, is President of the Western NY Military Officers Association, President Elect of the Erie Niagara Sunrise Exchange Club (brought the Memorial 9/11 Tribute Field to Gratwick Park), Vice President for

Membership of the L.D. Bell Chapter of the Air Force Association, volunteers with the Riviera Theater, the American Red Cross (Service to Armed Forces Committee, Sound the Alarm, Disaster Services Support, and is a Transportation Specialist for their blood products), the Buffalo History Museum, and is an active member of the Niagara Military Affairs Council (NIMAC) to support the growth and development of the Niagara Falls Reserve Station and its important economic impact to the citizens of North Tonawanda. In addition, because of his unique understanding of the Civil Air Patrol, the auxiliary of the USAF, Pecoraro joined and quickly became the Western New York Group Commander with geographic reach from Jamestown to Niagara Falls, commanding 250 adults and cadets through six squadrons with an aviation focus specifically centered on aerospace education, cadet development and emergency services. He is an active member of the Sikora American Legion Post, where he is in their Honor Guard, and he proudly highlighted local veteran contributions to the Lumber City with the Banner Program on display in the Farmers Market.

Pecoraro is a 1976 graduate of Cardinal O'Hara High School (inducted into their Alumni Hall of Fame in 2018), received a Bachelor of Arts Degree in Political Science from Canisius College, a Master of Science in Management and Human Relations from Abilene Christian University, and a Master of Arts in Strategic Studies from the United States Army War College. He has been married to his wife, Laura, for over 30 years and has three children: His son Edward, a Canisius College graduate, serves as a Captain in the US Army in Fort Belvoir, Virginia; his daughter Lillian, a graduate of Cornell University, is a statistician living in Framingham, Massachusetts; and his son Vincent, a graduate of the State University of New York at Geneseo, is a photo-journalist living in Washington, DC.

Pecoraro is seeking the Republican, Conservative, and Independence Parties lines for the November election.

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# Art Project on Oliver Street



## Brendan McDonough

Lumber City Development Corporation.

Parts of Oliver Street will soon be looking a little more colorful. City officials are asking for people to submit their best art work. The project is being called "Art on Oliver" and aims to showcase artwork in storefronts between Thompson and Wheatfield Streets. Artists interested in having their work on display are asked to submit their best work to

The deadline for submitting artwork is March 1st with the winners being announced March 11th.

The work will be installed in June and a grand opening celebration will be held at the Project 308 Gallery.

For more information you can contact Laura Bernsohn at 716-695-8580 ext 5516.



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## OSHA TOP 10 VIOLATIONS for 2018

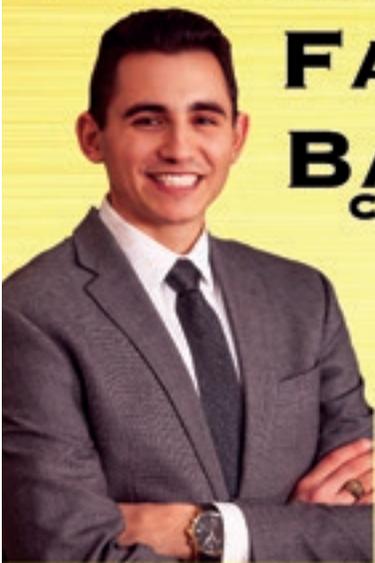
### OSHA's Top 10 Violations of 2018

Every year, federal OSHA releases its list of top 10 violations over the past year. While the violations on the list stay relatively constant, one change worth noting is the total number of citations being issued. In 2018, the top 10 violations totaled 31,816 citations. That's a 10 percent increase from 2017, when the total was 28,774. The number of violations issued in 2017 also climbed from 2016, but the increase was much smaller, at only 3.5 percent. It's unclear whether this increase is being driven by more inspections, more citations being issued during inspections or another reason entirely, but the takeaway for LIUNA signatory contractors and all employers should be clear. Despite beliefs that an OSHA run by the new administration would mean a lot more compliance assistance than strong enforcement, it appears that OSHA is continuing to hold contractors accountable for safety violations that occur on worksites.

The 10 most common violations which are all considered "serious" violations and carry a maximum penalty of \$12,934 per exposed employee for 2018 were:

- 1. Fall Protection – General Requirements (1926.501)**  
Year after year, falls kill more construction workers than any other hazard. This citation was issued most often for a lack of fall protection measures such as guardrails, covering floor openings and personal fall arrest systems.
- 2. Hazard Communication (1910.1200)**  
While most of the citations on this list are for safety violations, this one has to do with protecting worker health. Employers were cited for failing to train workers how to recognize, handle and mitigate hazards associated with the chemicals they are using.
- 3. Scaffolding (1926.451)**  
The second of four fall-related violations in the top 10 included not protecting employees from falling to a lower level, not fully planking the entire scaffold and not providing safe access to scaffold platforms.
- 4. Respiratory Protection (1910.134)**  
The most common violation of the respiratory protection standard was a failure to have workers undergo medical fit testing prior to donning a respirator.
- 5. Lockout/Tagout (1910.147)**
- 6. Ladders (1926.1053)**  
This is the third violation in the top 10 related to falls. The most common ladder violation by far was for ladder side rails that didn't extend three feet or more beyond the upper landing surface and were not secured.
- 7. Powered Industrial Trucks (1910.178)**
- 8. Fall Protection – Training Requirements (1926.503)**  
The last entry in the top 10 related to fall protection involves training requirements.
- 9. Machine Guarding (1910.212)**
- 10. Eye and Face Protection (1926.102)**

# MATRIMONIAL LAW PERSONAL INJURY



# FAMILY LAW BANKRUPTCY

CHAPTER 7 & CHAPTER 13

# CRIMINAL DEFENSE WILLS, TRUSTS, & ESTATES

# NICHOLAS D. D'ANGELO

ATTORNEY AT LAW

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6 **990-3677**

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## SILVER PACKAGE (\$90 MONTHLY)

2 JOBS PER MONTH FOR TOTAL  
OF 2 HOURS

- CLEANING GUTTERS
- FIXING WINDOWS OR SCREENS
- FIXING MINOR PLUMBING LEAK
- REPLACING KITCHEN FAUCET
- REPLACING LIGHT BULBS
- UNPLUG SINKS
- CHANGE OR REPLACE FURNACE FILTER
- HANGING CURTAINS/BLINDS/PICTURES
- RAKE YARD
- CHANGE LOCKS (2 PER CALL)
- REPLACE TOILET SEAT

## GOLD PACKAGE (\$115 MONTHLY)

2 JOBS PER MONTH FOR TOTAL  
OF 2 HOURS

- INCLUDES ALL FROM SILVER PACKAGE
- INSTALL WINDOW (2 PER CALL)
- UNPLUG TOILET
- FIX SWITCHES OR OUTLETS
- REPLACE SINK • CLEAN FURNACE
- REPLACE SMOKE DETECTOR OR CO (4)
- RE-ROUTE CABLE FOR TV
- FIX HOLE IN WALL (UP TO 12")
- REPLACE MIRROR
- MOVE FURNITURE IN HOUSE
- ASSEMBLE STORE • FIX SIDING BOUGHT PRODUCTS
- INSTALL DRYWALL (3 SHEETS UNFINISHED)
- FIX MINOR FENCE PROBLEMS
- REPLACE INTERIOR DOOR

## PLATINUM PACKAGE (\$135 MONTHLY)

3 JOBS PER MONTH FOR TOTAL  
OF 3 HOURS

- INCLUDES ALL FROM SILVER & GOLD PACKAGES
- INSTALL CEILING FAN (WIRING MUST BE PRESENT)
- REPLACE HOT WATER TANK
- REPLACE EXTERIOR DOOR
- FIX GARAGE DOOR
- JUMP START VEHICLE
- PAINT ROOM (12' BY 15')
- CLEAN SEWER
- REPLACE SHOWER FIXTURES
- CLEAN WINDOWS (4, DOUBLE HUNG)
- REPLACE LIGHT FIXTURE (2 PER CALL)
- FIX ROOF LEAKS (1 SQUARE)
- INTERIOR PAINTING (1 HOUR)
- VEHICLE TOW WITHIN 15 MILES
- REPLACE TOILET
- FIX TILE (ONE SQUARE)

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