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Robert M. Restaino

Attorney at Law



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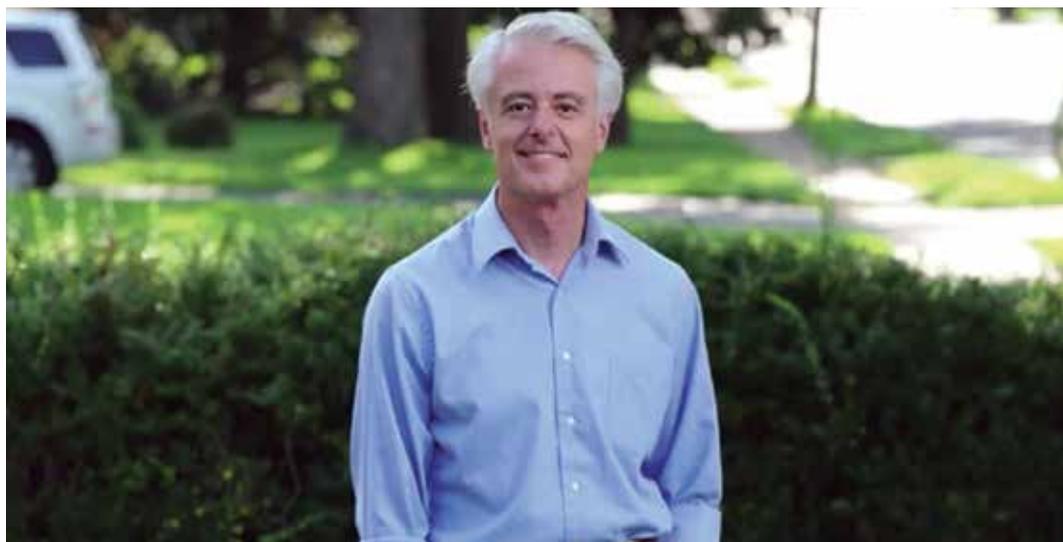


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TRANSPARENCY



By: Robert M. Restaino
Candidate for Mayor of NF
Analysis

Today we hear so many people talking about "transparency" whether in gov-

ernment, business or other institutions. It seems that everyone either claims that they have it or that more of it is necessary. We live in a world today where there are very few secrets; technology, social media

(Cont. on pg. 2)

Common Council President Zadzilka Announces Re-Election Campaign

By: Brendan McDonough

Common Council President Eric Zadzilka will ask voters to allow him to continue several high-profile efforts in the city that have "made North Tonawanda an even better place to raise a family and make it their home," he announced this morning.

He also vowed to "fight to keep our neighborhoods safe and clean, Maintain



(Cont. on pg. 7)

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THE CRIME

PAGE 4

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\$224,900

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\$114,900



NIAGARA FALLS

Transparency Cont.

and the 24 hour “news” cycles have put that to rest. But is transparency just talking about things openly or is it being honest about the things we openly talk about? Transparency presumes candor, clarity, openness, honesty and accountability. Do these qualities reflect the culture of City Hall or are we dealing with the “spin” of a story or worse, less than full disclosure?

Just look at the recent history of the current administration in the presentation of the garbage tote program or more recently, the garbage user fee. In both instances there was a failure to be clear and straight forward with the public. Either through ignorance or fear, City Hall did not provide full disclosure to the public which lead to mistrust and a disregard for the concerns of the public.

In order to have true transparency City Hall needs a mayor who is not afraid to engage in a free flow of information with the City Council, department heads, city employees and, especially, the residents of the city. When this openness is valued and encouraged by the mayor, demonstrating the mayor’s belief in the value of public opinion, department heads will become willing to rethink the most basic assumptions on how their departments should

operate. When constructive dissent is valued by the mayor a more effective level of decision making is the reward.

Currently there is a cohesive group of “insiders” in this administration who act with a sense of entitlement and superiority since they “know” something that everyone else doesn’t. This culture has been institutionalized as a privilege of rank within City Hall. While the group pays lip service to public participation in programming and budgeting, a sense of entitlement convinces this group to believe that their decisions are flawless. They govern believing that they can do no wrong and the public should be happy to blindly follow their “enlightened decisions.” This City Hall ethos has put us in the precarious financial situation we face and is as far from transparent as one could get.

Critical to true transparency and a good civic relationship are clarity and straight forward communication about what’s really going on in City Hall. How was it that last fall the NYS Comptroller designated Niagara Falls as one of only three NYS cities to receive his highest crisis designation of “significant fiscal stress” and yet members of this administration tell us that we

are enjoying great progress and wonderful success? Being honest and accountable are indispensable to transparency. Our city needs a mayor who is prepared to face the challenges that lie ahead; having an open conversation with the public; and ready to confront situations which may come with some personal cost. I understand this experience and have endured and overcome the consequences. As mayor I am prepared to meet the fiscal challenges that confront the City, but not alone or with a group of “insiders” who will not speak truth to power.

Within our community, I believe there is a real need to restore the public’s trust in and respect for city government. The public wants to believe that the decisions made at City Hall are not based on a secret agenda that reflect a particular special interest, but, rather, the decision being proposed is in the best interest of the entire community. Do you feel that the recent proposal to enact a garbage user fee was developed with the opportunity for department heads to voice an opposing point of view? Was there an opportunity for public input prior to the policy being put in front of the City Council? I believe the organizational culture currently prevailing within City Hall is characterized by denial and

self-deception. Some have criticized the current administration as being too reactive rather than proactive. I believe the tendency at City Hall has been to wait for Albany to provide our city with its latest “bail out.” My vision as mayor would be to construct a collaborative system of government founded on strong working relationships with our first-ring suburbs, Niagara County, and area business groups so that Niagara Falls can demonstrate to Albany that it has the talent to solve its own problems

Restoring the public’s trust and respect for city government will not be easy. It will take an honest, candid conversation with government officials, public employees, business people, labor leaders and city residents. It will take listening to new ideas, re-evaluating current systems and accepting constructive critique. It will take opening communication with all levels of government and with our Native American neighbors. If we can do this we can get Niagara Falls back on track. If we can do this we will truly achieve transparency in City Hall.

I think we can, and as mayor I would be committed to the task, and with your help reset city government for a successful future.

NIAGARA



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Frank Parlato, Jr.
Publisher & Editor in Chief

Nicholas D. D’Angelo
Managing Editor

P.O. Box 3083, Niagara Falls NY 14304
(716) 870-1175 niagarareporter@gmail.com



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North Tonawanda: Bishop Gibbons, Broadway Hotel, Budwey’s Market, Carousel Park Apartments, City Hall, DMV, Kimek’s Tavern, Lou’s Diner, Platter’s Chocolates, Public Library, Olympia Restaurant, Tops, Roman Café & Save-A-Lot

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

It's the Charter, Stupid!



Ken Hamilton

Why should we believe that someone knows what's best for us and they believe that they can deliver it through running our government?

We shouldn't.

I just bought a new, much needed computer a few weeks ago. Because there are only two major operating systems for most home computers, it wasn't necessary for me to ask the salesperson which programs it can run. Instead I asked him about clock speed, random access memory and storage capacities, and about price. If those parameters were right, then it would run any program that any software manufacturer makes, and I could then choose the programs that I wanted – most of

which I already have.

So then, the question is, why don't we elect politicians like we chose computers? After all, we aren't electing politicians to pave roads, mow grass, pour concrete sidewalks, collect our public utility bills and the likes; we elect them like we buy computers – based upon the parameters of their capacity to effectively and efficiently process the data that they need to make decisions, being able to mentally file the information that they need to form coherent policies and then being able to retrieve it and apply it correctly in a way that increases tax base without increasing the citizens taxes, and to do so at a reasonable price. It would be foolish to elect them based upon personal relationships such as they are an in-law, cousin, coach or of the same ethnicity as ourselves.

I think that anyone who seeks to operate our governments should first of all know how governments are supposed to run, know how they do run and know and understand the difference between the two to accomplish that efficient and effective operation of government. In short, they should know the city charter inside and out. And be able to modify it to fit what is needed to meet the higher expectations of the citizens whose lives they impact. The questions that we should be asking them, long before we ask them what they are going to do, is:

1) have you read and understood the city charter?

2) what in the charter have they done that works best for the citizens?

3) Are we following the things that work well?

4) What in the charter doesn't work well and are we willing to change it?

If we don't ask them those four things, then what is the point of asking them anything else at all? Because if they haven't read and understood the charter then it is like trying to run Apple software on a MSDOS computer – or worse, and expecting any positive results at all.

Let's take the example of once-city council candidate Chris Robins. He was in a string of several interrogated candidates at the library during a city council forum, all of which were spewing what they would do if and when they got in. I was the last person in the audience at the microphone. In knowing and understanding city government, I had only a statement for them all. I said that I had heard everything that each of them had said that you were going to do when you got in; and I told them that none of them will be able to do any of those things, because the city charter won't let them!"

I have to credit Robins as the only candidate to come to me and, after getting counsel from another person in the audience who under-

stood the charter, admitting that I had told the truth.

Again, this is no endorsement of any candidate for mayor or city council. While Democratic mayoral candidate Robert Restaino has experience in cobbling together two broken charters, the extent of his charter-based knowledge is simply a cobbled-together charter; but it is a starting point. His opponents, Democrats Community Development Director Seth Piccirillo and potentially City Councilman Ezra Scott – whom I am told may run for reelection to city council, both have experience in working within a discombobulated charter. Republican Glenn Choolokian may be in the same boat with the last two.

If we are to make a selection of which candidate in any of the races will best be able to govern, let's look at them like computers and ask the question: which ones have the mental hardware that will be best at executing their prospective operating systems in order to run the software programs what will give the best outputs. That is the ultimate test in an ability to serve; and if we fail to assess their knowledge of the operating systems, then we are wholly responsible for their outcomes. But to do so, we citizens must know and understand the charters and systems ourselves.

Are you voters up to it?

Still No Casino Cash as Politics Begin to Take Center Stage

Tony Farina

Still no word on when -- or even if -- casino money will begin flowing again to the state and the three host cities several weeks after the arbitration panel ruled in early January that the Seneca Nation was wrong to stop the revenue sharing payments in 2017.

Lame duck Niagara Falls Mayor Paul Dyster said after the 2-1 vote in favor of the state that he was "thankful" for the panel's ruling but as we approach March, the Senecas remain tight-lipped about what they are going to do and Gov. Andrew Cuomo's office is equally silent.

Seneca President Rickey Armstrong Sr. said after the decision "we know we are right in the law," but added the Senecas will take the appropriate time to review and respond to the opinion, although so far there's no hint of what that response will be. Sources say the Senecas are not ready to write any checks to the state anytime soon and could find a way to challenge the arbitration decision.

All this is playing out as the

political season begins in earnest in Niagara Falls with former City Judge Robert Restaino, a registered Democrat, gaining momentum via the Independence and Conservative Parties of Niagara County which both gave him their strong endorsement for mayor in separate announcements last week.

The other Democrat in the race is top Dyster aide Seth Piccirillo, director of community development and code enforcement officer for the Dyster administration who was the first to announce even before his boss, the three-term incumbent, said he would not seek re-election. The only other player to date in the race for mayor is Republican Glenn Choolokian, a former Democrat whose "write-in" votes four years ago helped Dyster defeat Republican John Accardo even though Dyster only received 47 percent of the vote.

So far, the city Democratic Committee is holding its powder, perhaps with the proverbial finger in the wind to help guide its decision. After all, the Dyster administration, of which Piccirillo is a major player, has to live with the gaming

war aftermath which has once again crippled the city's finances.

After the first gaming war ended in 2013 with the city on the brink of collapse, Dyster went against the state comptroller's recommendations to go easy on spending the casino cash and instead used about \$9 million a year to balance the city's budget, a strategy that left the city vulnerable for the sudden halt of casino payments in 2017. The city is now living on a loan from the state until the casino payments resume, assuming they do.

There's more than just Dyster to blame for the over-reliance on casino cash as city lawmakers took the easy way out, at least in a political sense, and went along with the spending of casino cash instead of reducing costs and finding new revenue streams, both which would have affected taxpayers and possibly their political future. But now, even if the slot money starts to flow again, lawmakers and the next mayor will have tough decisions to make to avoid sinking Niagara Falls further into red ink.

And remember, the gaming compact is up for renewal in 2023

and even if the Senecas resume the payments later this year, what will happen in 2023 given the contentious nature of the relationship between the state and the Senecas?

The next mayor will have to lead the city's position in those compact talks, hopefully by improving the relationship with the Senecas, something the current administration -- which has been largely deferential to Cuomo -- has not succeeded in doing.

But as all of it plays out, with the future well-being of Niagara Falls at stake, taxpayers should heed closely what the candidates for public office have to say about the course they plan to take in improving the relationship with the Seneca Nation with an eye toward 2023.

Restaino is already up on television and expect Piccirillo to follow soon as he runs for mayor and prepares for the likely endorsement to come from his mentor, Paul Dyster, the mayor who brought him to the dance but whose support may not be all that helpful given the city's poor financial state.



THE CRIME

WEEKLY HEADLINES

-Niagara Falls Police responded to the 2400 block of Linwood Avenue on Monday, February 18th, 2019, after a female damaged three vehicles trying to chase a male in another vehicle. According to police, the woman did eventually catch up to the man's car ramming and damaging it while yelling profanities. A total of five vehicles were damaged by the woman and she was arrested for reckless endangerment.

-Niagara Falls Police responded to the area of 20th and Walnut searching for one or more suspects who allegedly shot at a pizza deliveryman. According to police, it is believed the suspect(s) ordered the food first and then attempted to take the food without paying during the delivery.

-Niagara Falls Police responded to the DiCamillo Bakery on 17th and Pine Avenue in the evening hours of Thursday, February 21st, 2019, for an armed robbery. According to police, the suspect drew a gun and was described as a black male around 6 feet tall who was wearing a black North Face jacket.

-Niagara Falls Police executed a raid on the 1100 block of Niagara Avenue in the evening hours of Friday, February 22nd, 2019, which resulted in several arrests.

-Niagara Falls Police responded to the 600 block of 24th Street in the late evening hours of Friday, February 22nd, 2019, for an armed robbery. According to police, the victim stated that a male robbed her purse and that he was carrying a shotgun.

-Niagara Falls Police responded to the 500 block of 12th Street in the early morning hours of Saturday, February 23rd, 2019, for reports of shots fired. Upon arriving at the scene, police found several shell casings but no injuries were reported.

-Niagara Falls Police responded to Niagara Falls Memorial Medical Center in the afternoon hours of Saturday, February 23rd, 2019, after a shooting victim was dropped off at the ER. Police are continuing to investigate the incident.

-Niagara Falls Police responded to Niagara Falls Memorial Medical Center in the evening hours of Saturday, February 23rd, 2019, after a woman arrived with multiple life-threatening injuries from stab wounds. According to reports, officers followed a trail of blood from the emergency room to an apartment building at 518 10th Street where they found the crime scene.

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NORTH TONAWANDA

Zadzilka Cont.

and sustain our infrastructure for our families and especially for NT's children."

Zadzilka, who represents the Third Ward in city government, succeeded the late Alderman Russ Rizzo two years ago as council president—a role where he has helped set the city's agenda. "For several years in a row on this Council, we maintained or minimally raised taxes, and as the leader of the Council, we strive for the best city services for the taxpayers dollars," he said.

The Council President noted that city policies under Mayor Arthur G. Pappas and his predecessor, Rob Ortt, were strongly pro-economic growth, and that projects initiated when he first entered office eight years ago are consistently bearing fruit.

"Our city government has, over the last several years, made a concerted push for economic development and invested deeply in our city infrastructure," Zadzilka said. "There has been a real resurgence of business Downtown. We also helped bring about progress at Buffalo Bolt with the Armstrong Pumps vacant property they purchased a while ago with talks now to take action this year on an \$18 million expansion

project there, as well as expansion of Platters Chocolates in the city's third ward, and recently Woodcock Brothers Brewery and Beer Gardens which represents positive new economic growth and jobs for our city."

Zadzilka noted that he has also been a strong proponent of a planned new 72-unit residential development on River Road.

"The River Road development is a major accomplishment that should bring young, engaging people close to our downtown," Zadzilka said.

"We are working to make sure that the reinvigorated NT we've seen the last few years continues to prosper, and can continue to be a good place for families to live."

Infrastructure improvements including updates to our Wastewater Treatment and Water Distribution plants have also been a major priority for Zadzilka since he entered office.

Zadzilka also vowed long-running city efforts could reach a successful conclusion this year. "I'm committed—our city government is committed—to finishing the projects of yesterday," he said. "I continue year after year to focus on what NT taxpayers really want and need...solid results."

Zadzilka, a professional lead technician and Optician at an ophthalmological practice in addition to his role administering city government, admitted that City Hall policies are just part of that effort, however, and community-oriented efforts have been equally important.

"NT is a city of volunteers, and I'm glad to work with so many great neighbors and to volunteer myself," Zadzilka, said. "In particular, I'm proud of what we've done right in my own Third Ward neighborhood with the city's Botanical Gardens. We've made an effort to restore, maintain, and sustain a long-neglected city park at Sweeney and Old Falls Street—including securing a new gazebo and grants for improvements for park visitors to enjoy."

Zadzilka praised neighbors who have worked alongside him planting, mulching, and cleaning the park. To make change and progress happen, Zadzilka organized the NT-BGO committee of local residents which is now a 501(C) 3.

"The best part is, our community did that—we continue to work with the city and NT Parks dept at the Botanical Gardens, restoring them, and we did it without costing

the city taxpayers money," Zadzilka said. "I'm just glad I got to be one of the guys out there with a rake, watching my own community show so much pride." "I believe you should serve in order to take a lead, firm in manner and strong in deed."

Zadzilka stressed to supporters this morning that he would continue to pay close attention to environmental concerns.

"Our homeowners deserve strong property values. Our families deserve to see their kids grow up safe and healthy," Zadzilka said.

"Our City has experienced unprecedented growth and a housing boom the last few years attracting families to our schools and our community."

The former security guard and martial arts instructor also promised to continue focusing on preserving a strong public safety infrastructure in the city.

"Our police, our neighborhood watches, our merchants all need to continue working together to keep our neighborhoods safe," Zadzilka said. "NT is a safe city, and we're going to keep it that way."

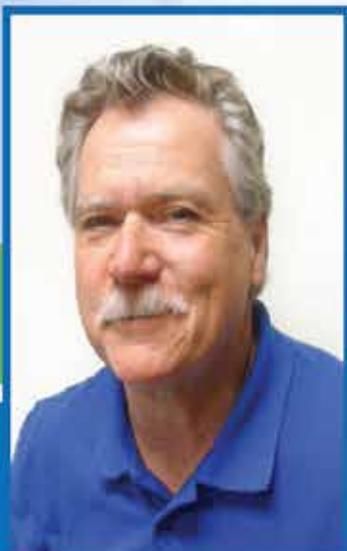
Zadzilka lives in the Wurlitzer Park neighborhood and has two sons, Brandon and Jared.

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NT Community Development

Brendan McDonough

A home on Vandervoort Street in North Tonawanda will soon getting a whole new look thanks to Niagara-Orleans Regional Land Improvement Corporation. In 2017 NORLIC began a joint venture with several towns to take over donated foreclosed homes and fix them up and sell them.



“Thank you for letting us take 162 Vandervoort, it is the worst house on the street, we are going to clean it up nice and then we are going to sell it and put someone in there,” said Rob DePaolo, Code Enforcement Officer.

They did a similar project last year at 250 Miller Street in North Tonawanda. The property was sold in 2018 and is being renovated by its new owner.

“We have more ability to take fast action by putting it through this process, than we do through an auction and then hoping that the resident completes that in a timely fashion. I think this is already showing the fruits of the labor and Miller Street is a prime example of its success,” said Eric Zadzilka, Common Council President.

After a period of 2 years the City can foreclose and add it to the foreclosure auction. This year it will take place on March 9th. The hope is that someone wants to do the work and fix it up. The problem is that more often than not these homes are not move in ready and require a lot of work.

With the help of NORLIC these “zombie” homes can become, show

pieces one house at a time.

“It is working out very well, in this format for the worst house on the block, we can go way past what we could require from just the building department. The code is a minimum, the way we are doing it at the land bank we can go way past that,” said DePaolo.

They are also working on another house at 403 Rodger Street. This property they did not get from the Council.

“We did some exterior repairs, those are complete. Now we are going some interior stuff, like heating work. At first, we were not going to do that but now we are going to make the house, salable and livable right off the bat,” said DePaolo.

It’s a project that City leaders say not only improves the house but the whole neighborhood. With one vacant or problem home, they say sometimes it can create a downward spiral, where other neighbors stop taking care of their houses too. By fixing up these foreclosed homes, all that is avoided.

“It looks so much nicer, it is a better improvement to the neighborhood,” said DePaolo.



Trump Repeals OSHA Safety Standards

The Occupational Safety and Health Administration has gutted an Obama-era rule that required employers to report on-the-job injuries and illnesses. The Trump Administration’s new rule returns injury reports back into the darkness of corporate filing cabinets and makes it much more difficult for regulators and safe workplace advocates to collect reliable data. Sections of the Improve Tracking of Workplace Injuries and Illnesses were officially killed on Jan. 25 in the midst of the nation’s longest government shutdown, when the federal government’s own employees – including thousands of IBEW members – were forced to work without pay. It inspires a certain amount of cynicism that they considered this a lifesaving regulation, a rule that lets employers hide who gets hurt or killed, so important they fast-tracked it through the shutdown. They even seemed to speed up the final review. Three months is the normal term. The silica standard was held for review at OMB for two years. The reporting rule revocation took a lightning fast six weeks.

“This is only the latest attack on the wallets and safety of working Americans by this administration,” said International President Lonnie Stephenson. “It’s one thing to run as some kind of guardian of the working class, but the record speaks louder than any stump speech: attacks on pensions, limits on who gets overtime, delayed safety rules. We can trust our own eyes to tell us what working families mean to this White House.”

The now-eliminated portions of the standard required most employers to electronically submit detailed injury and illness reports to the agency each year (with individually identifying information removed).The goal was to make it easier for inspectors to focus resources at dangerous workplaces and let public health and worker safety advocates find –and respond to– trends in workplace injuries. The administration’s justification was that the anonymized injury reports could be reverse-engineered to somehow identify the injured or ill workers, violating their “privacy.”

Unions had been asking for decades for OSHA to collect the information and make it public in a way that would keep workers safer. The companies already had the information; submitting it wouldn’t add much cost, and there was a real opportunity to save lives. Public Citizen, a nonprofit group that promotes science-based policies, immediately filed a lawsuit to block the changes, claiming the revision violated the Administrative Procedure Act. The APA requires that regulations can only be changed where there is a rational justification. Rule changes cannot be “arbitrary or capricious.” It has long been held that OSHA rules are written in blood. Somebody paid for every protection.

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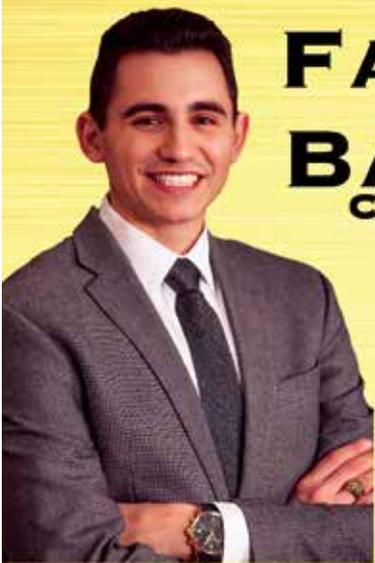
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