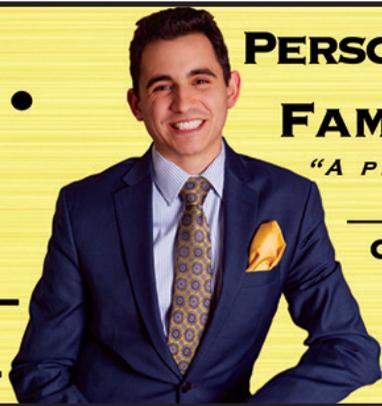


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FREE

May 22nd, 2019 - May 28th, 2019

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REJECTED

Members of Niagara Falls City Council "disappointed" and "appalled" at process which lead to 4-1 vote rejecting proposed landmark designation for Johnnie Ryan Building



By: Nicholas D. D'Angelo
Analysis

The Niagara Falls City Council found themselves in an unparalleled position Wednesday, May 15th, 2019, according to Council Chairman Andrew Touma.

"This is unprece-

dened," said Touma. "It's probably the first time that it has ever come before council for a vote as to whether the government can force a private individual to change the status of their building after purchasing it."

For those unfamiliar with the situation, a

(Cont. on pg. 2)

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Western Regional OTB Resolution Invites State Audit

By: Tony Farina

Already subject to regular audits by the state but under pressure from Niagara County and Schuyler County on its financial operations, the Western Regional Off-Track Betting Corporation is scheduled to approve a resolution this week (Wednesday, May 23) requesting an audit by the state comptroller.

The resolution refers to recent state-

(Cont. on pg. 6)

Another Developer Takes Aim at Piccirillo's Policies

By: Tony Farina

It seems as though possible investors in Niagara Falls are taking aim at mayoral candidate Seth Piccirillo, suggesting if elected he would continue the policies of his mentor, incumbent Mayor Paul Dyster, and that would be bad for business.

As we reported last week before the City Council voted thumbs down on a landmark designation for the former Johnnie Ryan building which had been sought by Piccirillo, Buffa-

(Cont. on pg. 3)

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NIAGARA FALLS

Rejected Cont.

private owner of 822 Niagara Street, also known as the Johnnie Ryan Building, had finished the costly process of asbestos removal before having an application for a demolition permit denied by Seth Piccirillo.

At some point between applying for the permit for demolition and the denial, the Niagara Falls Historic Preservation Commission met and voted to designate the property as a "landmark." The status would have effectively taken away the owner's ability to do with the property what he wanted.

The denial then led to litigation in Niagara County Supreme Court where the Honorable Daniel Furlong, J.S.C., gave the Niagara Falls City Council a May 16th, 2019, deadline to designate the property as a landmark.

Piccirillo, Director of Code Enforcement and current Mayoral Candidate, injected himself into the process even after denying the demolition permit by posting a video and blog on his campaign website and Facebook page discussing his idea for a land value tax. The video was posted one day prior to the Council's vote on its landmark status.

Almost as if the denial of the demolition permit was to further his idea for a land value tax, Piccirillo argued, while directly referencing the Johnnie Ryan Building, "our city's two-tiered tax system punishes small businesses. Meanwhile, land speculators comfortably occupy acres of vacant land that could be used for development. The solution to these problems is to work with New York State to implement a Land Value Tax."

Piccirillo was noticeably absent from the City Council meeting where the council denied the landmark status he was publicly in favor of issuing. In fact, by voting to reject the proposal to designate the Johnnie Ryan Building as a landmark they essentially overrode Piccirillo's decision to deny the demolition permit and approved it themselves.

Mayor Paul Dyster, attempting to come to the aid of Piccirillo and the Historic Preservation Commission, stated, "in defense of the historic preservation commission, which is appointed by the council and not by the mayor, they acted in the appropriate fashion when they became aware of the situation."

However, documents available on the City website show this not to be the case as the mayor does appoint three of the seven members of the commission.

"The problem here," said Councilman Ken Tompkins, "was that the private owner had already received the permit to shut the water off at the street. When you shut the utilities off at the street there is no question what is going to happen."

Dyster then responded, stating, "and it was after that the historic preservation committee acted."

Council Tompkins, rebutting Dyster, said, "that's not true. It wasn't until someone drove by and saw them removing asbestos removal that this kicked into gear. We were a little bit behind on this from the beginning."

Other Council members did not parse words when discussing the position this put them in.

"I think this really exposes the fact that we need to start a discussion with our code enforcement department and



Members of the Niagara Falls City Council voted 4-1 against designating the Johnnie Ryan Building as a "landmark."

planning department," said Councilman Ezra Scott, "and the way that they are working together and communicating because if those departments were working in a functional manner this would not have even gotten this far."

"Don't wait for someone to say, 'I think I want to knock down a building, or put a new façade on it,' said Councilman Chris Voccio. "Come now and we can make a determination in a rational mindset instead of an emotional one."

Council Chairman Touma summed it up succinctly, stating, "the fact that it is even before us is embarrassing to tell you the truth."

"A lot of the residents that I spoke to are quite frankly appalled that we would force a private developer to change the status of his building," continued Touma. "What are we saying to developers in the future if they are going to purchase a piece of property and then we come in and change its status after the fact. In this city we need

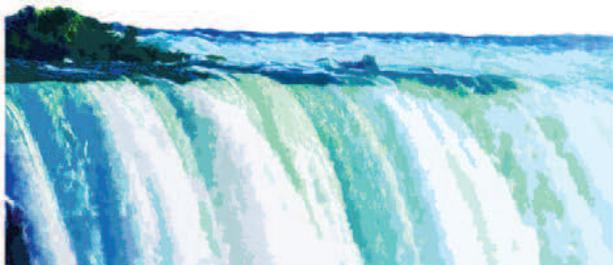
less red tape and to be more business friendly and work with our business owners. I don't think this is the way we want to conduct business."

The only council member to vote to proffer the landmark designation was Councilman Bill Kennedy. While discussing the vote, Councilman Kennedy said that he "wanted to be on record" as "want[ing] to see [the building] stay."

In fact, Kennedy even went so far as to say that Niagara Falls Redevelopment, which had been a prevalent topic of conversation earlier in the day on various Niagara Falls social media pages, was involved. "We all know what they've done Downtown," said Kennedy.

To his credit, Mayor Dyster even admitted the process was not perfect. "What needed to happen here," said Dyster, "was that anyone who had an inkling about possible demolition... the first person who heard that it should have rung a bell."

NIAGARA



REPORTER

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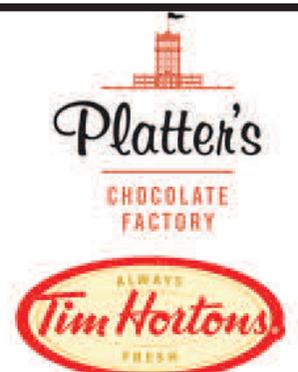
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Sanborn: Smokin Joes (gas station and store) & Tim Hortons

Wilson: Lakeside Market

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

TOMPKINS ASKS THE \$12 MILLION QUESTION: Where is the \$12.3 Million Promised by Cuomo?



Nicholas D. D'Angelo

Although the landmark status vote overshadowed much of the City Council Meeting, equally important, as well as troubling, was confirmation from the City Controller, Daniel Morello, that Niagara Falls would run out of cash by July.

Councilman Ken Tompkins kicked off discussion on the \$12.3 Million promised by Governor Cuomo to aid the 2019 budget.

Mayor Paul Dyster responded directly, stating, "we have been in discussions with the State. What we are basically trying to do now is ascertain how things are going to line up. We don't want it to go through advanced payment if we don't have to."

Dyster's response was not satisfactory for Council Chairman Andrew Touma, though.

"Our residents are affected by this," said Touma. "We need to know what the time frame is. We are going to be starting to work on the 2020 budget. It is hindering our decision making on capital projects which is causing us to hold back on certain things."

Councilman Tompkins questioned Dyster, asking "but I thought [the State] guaranteed the money?" To which Mayor Dyster responded, "yes but considering all of the work that's required

to do that advanced payment you just assume not do that until public money is spent."

The state asks periodically for updates on the city's cash flow analysis, according to Dyster. The analysis, as shared by City Controller Morello, caused confusion among many watching in the council chambers as it made abundantly clear how financially stressed Niagara Falls already was in 2019.

Morello provided the council with documentation showing that the City averages \$7.5 Million of cash disbursements on a monthly basis. Information was also provided showing that the city takes in \$3.8 Million in revenue each month between the summer months of June and September.

Given the gap between expenses and revenue experienced on a monthly basis, the City Controller stated "there is a deficit built into the cash flow analysis."

"Where we are at currently, and projecting forward, we will, in my estimation, begin to have some cash flow issues in July," said Morello.

Capital projects and paving roads were mentioned as two of the biggest efforts that will be impacted by the shortfall of money.

"It's a problem," said Chairman Touma, "and it isn't going anywhere."

Developer Cont.

lo-based developer Matthew Moscati had written a letter to lawmakers suggesting that while he didn't identify him by name, Piccirillo's landmark bid may have been driven by a political agenda.

In opposing the landmark designation, Moscati urged lawmakers not to be part of a process that changed the rules of development in the middle of the game, saying it would send the wrong message to developers. The council agreed by a 4 to 1 vote.

Now another investor has weighed in, asking in a letter to this newspaper "why would a Seth Piccirillo Administration be any different than what's occurred the past 12 years under Paul Dyster," saying that Piccirillo, a Democrat like Dyster, chose to do Section 8 Housing to serve the progressive wing of his party. Piccirillo is Dyster's director of Community Development.

Fearing political retaliation in the future, the letter writer asked that we not publish his name, and we are respecting that request given that Piccirillo has steadily refused to answer any questions from this newspaper on any issue, political or otherwise.

The letter writer, unlike Moscati, attacks Piccirillo by name, saying he has had his opportunity to shape Niagara Falls and created an environment that will be difficult to overcome.

Regarding the Section 8 subsidized housing, the developer says: "wrong locations, all for the sake of developer write-offs, and in the process destroyed market rate housing in the South End by undercutting investors."

The developer claims that investors cannot compete with \$300,000 subsidized housing resulting in the creation of a whole cottage industry "where tenants moved out of older housing stock into newer subsidized Section 8 housing."

giving Piccirillo's political allies locations that could have been market rate housing. Locations cited in the letter to this newspaper are Walnut and 6th and South Junior.

Another negative return on the Piccirillo policy, claims the developer, was more housing abandonment, causing much of the city's housing stock to be picked over in favor of the new Section 8 housing, many times just across the street from where the tenant previously lived.

"This poor planning exercise," according to the developer, "resulted in much of the older housing stock being passed over and as a result, investors lacking revenue would allow their homes to go into disrepair."

Many argue, according to the disgruntled investor, that the majority of the housing in the South End has some kind of major code violation which is being overlooked by Piccirillo (code enforcement officer) as a result of his Section 8 efforts.

Piccirillo will face off against former Niagara Falls City Court Judge Robert Restaino in the June 25 Democratic primary for mayor. As we have reported many times, Piccirillo will have a tough time escaping the problems of the Dyster Administration including the misguided spend-down policy of the casino cash while it was still coming in.

Even when Niagara Falls was flush with casino cash after the end of the 2013 gaming stalemate, the Dyster Administration ignored the state comptroller's recommendations not to balance budgets with casino cash and did so regularly until 2017 to the tune of about \$9 million a year.

The Senecas stopped paying the slot revenue in 2017 and the city is facing an uncertain cash flow future given there is no sign yet that the Seneca Nation will honor the gaming arbitration panel's ruling that it resume slot payments to the state.



Mayor of Niagara Falls Paul Dyster has pledged his support for Seth Piccirillo as his successor to continue the policies of his administration.

Annual Memorial Day Ceremony at the American Veteran Monuments at Niagara Falls

The Niagara Falls Veterans Memorial Commission will again sponsor its Annual Memorial Day Ceremony at the American Veteran Monuments at Niagara Falls on Pine Avenue (US-62-B) and Hyde Park Boulevard (NY-61) on Saturday, May 25, 2019 at about 12:00 noon after the completion of the City's Citizen Memorial Day Parade. Ken Tompkins and volunteers have done a fantastic job in assembling a parade that consists of more than 100 units, and it will start from the City Market at Pine and 19th Street at 10:00 a.m.

This year's theme is honoring those from Niagara Falls's and the area's Korean War Killed-in-Action Veterans.

Words will be celebrated to celebrate the return of the remains of Sgt. Meredith F. Keirn, the last of the city's MIA from that war. His brother, Jan Reeves of North Tonawanda, and family members will be in attendance.

The Master of Ceremonies for this year's event will be WKBW-7 news reporter Jeff Rusack, who did the story on the return of Keirn's return.

The Keynote speaker is the president of the Korean Students Association at the New York State University at Buffalo, Inha Jung, whom, on behalf of her fellow countrymen thank the American veterans for the sacrifices that they made to keep their country

safe and free.

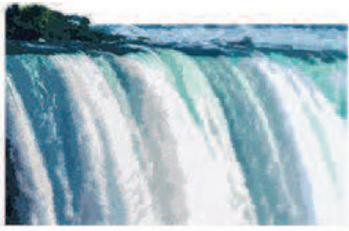
While the city will be providing much seating, it is recommended that you bring your own seating to this event. Some seating will be reserved for Keirn family members, area-Korean War veterans and senior citizens

The Republic of Korea flag will be flown during the ceremonies along with the American flag and all service flags in commemoration of the service that the brave men and women who fought and served along with Korean troops in that often forgotten war. Both anthems will be played.

Refreshments will be provided by the Niagara Falls Sikh Community.



Keynote speaker is the president of the Korean Students Association at the New York State University at Buffalo, Inha Jung



THE CRIME

WEEKLY HEADLINES

-Niagara Falls Police responded to Calumet & Greenview Terrace at Center Court in the evening hours of Monday, May 13th, 2019, with a 3-year-old who was discovered walking outside half dressed by herself.

-Niagara Falls Police responded to 6th and Ferry Avenue in the evening hours of Tuesday, May 14th, 2019, for a purse snatching. According to reports, a male in a red hoodie grabbed the victim's purse out of a stroller she was pushing and ran away.

-Niagara Falls Police responded to 15th and Michigan Avenue in the late evening hours of Wednesday, May 15th, 2019, for an armed robbery. According to reports, two male suspects with masks and long guns demanded money from a delivery driver. No money was ultimately taken, but the Chinese food was.

-Niagara Falls Police responded to the 2900 block of Pine Avenue in the early morning hours of Friday, May 17th, 2019, for a burglary at Pine Fuel. According to reports, police discovered a broken window and missing cash register after responding to an alarm that was triggered.

-Niagara Falls Police responded to the 2300 block of McKenna Avenue in the early morning hours of Saturday, May 18th, 2019, for a stabbing. According to reports, police and fire responded to reports of a domestic altercation between a male and female. The altercation escalated into the male being stabbed by the female. The male was transported to ECMC for treatment while the female was arrested and transported to jail.

-Niagara Falls Police responded to multiple reports of fights throughout the day on Saturday, May 18th, 2019, including some with weapons. The first was around 4pm on the 1900 block of Walnut Avenue where at least two people were arrested and multiple individuals required medical treatment. While police were responding to the Walnut Avenue incident, another call came in on the 1100 block of Niagara Avenue for a male standing in the middle of the street allegedly holding a butcher knife trying to fight with people. This individual was ultimately detained by police. Within thirty minutes, around 5pm, police responded to the 1900 block of Niagara Street for people fighting with one person possibly armed with a gun.

-Niagara Falls Police responded to 70th and Girard Avenue in the evening hours of May 19th, 2019, for reports of teenagers writing on the playground with sharpies.

-Niagara Falls Police responded to the 400 block of 24th Street in the late hours of Sunday, May 19th, 2019, for a male and female who were beat up and robbed while walking home from a store. One of the victims was transported to a hospital.

-Niagara Falls Police responded to 19th and Walnut Avenue in the early morning hours of Monday, May 20th, 2019, for an attempted robbery. According to police, a possible drug deal gone wrong resulted in an altercation with a victim sustaining facial injuries.

Library Reflects Condition of the City – It's In TROUBLE



Ken Hamilton

You might have seen her walking the main streets of downtown Niagara Falls pulling a small metal wire cart like the ones that you used to be able to buy at K-Mart before it closed. Sherrill Fulghum always looked old to me, even as we aged together; and she still looks much the same as she did the first time that I saw her, all of those years ago. Her colorful, sometimes mismatched clothes flows loosely across her body, making her look like she had just stepped from the 1970s California's Bay-area and through some small opening in the space-time continuum, just to make the city a bit more cosmopolitan than it would have been had she not been here. With her over-sized sun hat and signature yellow glasses, she made me feel as if I was here, and there, all at the same time, like when I was in the presence of those whom I met on the streets of San Francisco the first time that I visited it in 1971. That was three years before the city finished that design-plagued Earl Brydges Building that houses its central public library. As it is with most of us, time has not been very good to it; and like the condition of the city, it is in trouble; so much so, that Sherrill is walking away from it.

"I used to go there for the art classes that they had," Sherrill said. "I was Wendy's helper, but Wendy up and quit, leaving because she was just fed up. Now there's no more classes and I don't go much any more."

Sherrill's plight came to me when she wrote on Facebook about her complaint about the library locking their front doors, making patrons walk across uneven potholed pavement to the poorly-lit parking lot to enter through the back door of the massive building. She says that the librarian closed the front doors because of the unruly middle school children who came into the building disturbing the patrons.

In speaking with the Library Director Sarah Potwin, she admits that while that some of the children did "create some challenges" not all of them did.

Sherrill, like many others, thought that it was wrong to punish everyone because of the few. She said that the teens were banished from coming into the library after school, but thought that it was discriminatory to people who have mobility issues not to be able to enter and exit in the front. But if everyone has to walk around then it couldn't be discriminatory.

She cited that those who were accustomed to entering through the front door couldn't know that they no longer could because the signs telling them that were too small to see unless they were close enough to read them. Potwin said that

they large white sign with red letters that are large enough to see from the street are placed on the doors every night to let people know that the library is closed. It is clearly a case of both not hearing what the other is seeing. Potwin also said that if someone does have a mobility issue they can enter and exit through the front. "I have helped," she said, "and saw my staff helping people in wheelchairs and with canes in and out of the front door."

Sherrill counters that in the event of an emergency and someone has to flee the building, the doors are physically locked and they couldn't get out. "Someone has to alert the fire chief about this," she said.

I am awaiting a call back from the fire chief.

It is true that the building floors need leveling, the parking lot needs paving and there is a serious issue with the lighting around the city-owned building. City Administrator Nicholas Melson is aware of it and said in a telephone call that the city is working to improve lighting in all of its parking lots, including the one at the library. "We have scheduled new lighting for the golf clubhouse parking lot and one of the fire halls," he said, "and are looking to get to the library." Paving, he said, as it is with a lot of areas that need it, are held up and contingent upon the timing of the return of the tribal payments that come through the state to the city; but the library's parking lot is one to look at and include.

But, like the city, there's no question that the library has both material and personnel issues, as exemplified by, as Sherrill put it, "... Wendy up and quit, leaving just because she was fed up." While that hasn't been verified, several other staffers have left or will be doing so. Potwin said that they expect to replace the librarian within a couple of weeks.

There's more in the hopper and more to come on this issue as we await a return call from former school superintendent Carmen Grant, the President of the Library Board.

We have just got to fix everything wrong with the library. Too many people need it. Instead of Sherrill walking away from it, more people need to be walking through the Fulghum space-time continuum and into a library that beckons patrons of every stripe – especially the teen-aged youth.



Sherrill Fulghum, Resident of Niagara Falls

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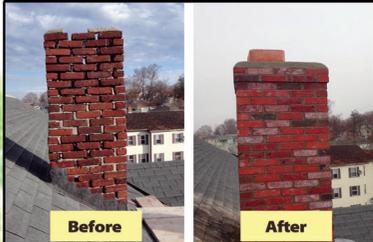
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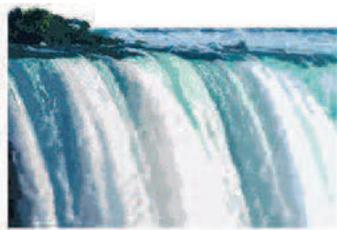


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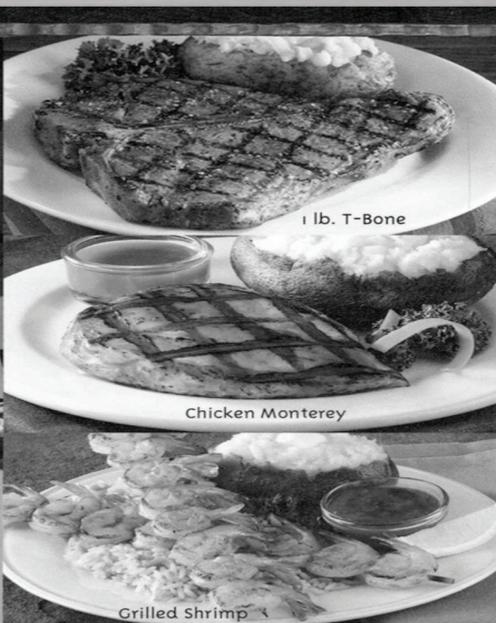
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OTB Audit Cont.

ments that have been made publicly relating to the financial operations of the public benefit corporation and requests the state comptroller's office to conduct an audit "to demonstrate WROTB's strong financial operations and growth."

According to the resolution, the audit request is intended as a reaffirmation of the board's commitment to transparency. WROTB, which is based at Batavia Downs, is owned by 15 counties, including Niagara, and two cities, Buffalo and Rochester.

The resolution states in part that since its inception, "Western OTB has generated over \$231 million in operating and surcharge revenues to the taxpayers of the those participat-



Henry Wojtaszek, President of WROTB

ing municipalities, and has created hundreds of jobs in the Western New York Community."

The resolution also notes that past audits of WROTB finances by the state comptroller "have not revealed any irregularities or improprieties," and that the corporation will continue to operate at the highest levels of transparency, including full compliance with the state comptroller's office.

Henry Wojtaszek, the president and CEO of WROTB, refers to recent media reports on the corporation's financial promotional operations in a letter to the state comp-

troller and says the commitment to transparency is the focus of the resolution requesting an additional audit.

In his letter to Comptroller Thomas DiNapoli, Wojtaszek notes that in addition to periodic audits conducted by the state, the public benefit corporation also employs both internal and external auditors to review the corporation's finances on a regular and ongoing basis.

"Past audits of our finances have not revealed any irregularities or improprieties, something we are very proud of," said Wojtaszek in his letter to DiNapoli.

Earlier this month, the Niagara County Legislature defeated a resolution calling for an audit of WROTB, spurred in part by complaints of promotional improprieties leveled by former State Sen. George Maziarz.

Last week, the Schuyler County Legislature voted to ask the state comptroller to conduct an audit of OTB.

It would appear that Wojtaszek and WROTB have countered that political pressure by inviting a state audit of their finances by Comptroller DiNapoli.

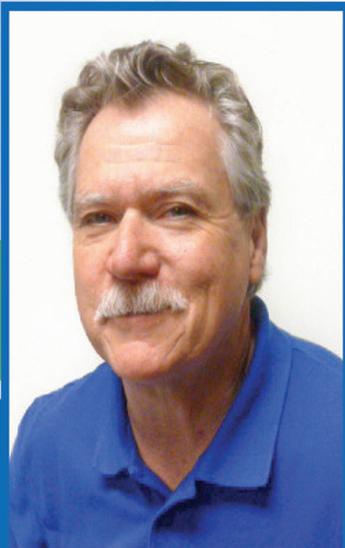


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NORTH TONAWANDA

Neighborhood Watch in NT



Brendan McDonough

Residents across North Tonawanda are keeping an extra eye out for crime. Across the City residents are coming together. They are looking and listening for anything that might be out of the ordinary. It's all part of a neighborhood watch group, aimed to help take a bite out of crime.

"The key thing I have learned since being a member of the watch is that the best way to prevent crime is to eliminate the opportunity for it," said Joe Marranca, Neighborhood Watch Member.

From Webster to Oliver Street they are coming together. Residents, working hand in hand, to help try and make the area a little safer. They hold regular meetings. It is usually on Thursday nights. Along with them is usually a member from law enforcement. Together they work on looking at the problem areas in the City and look at ways to make North Tonawanda a better place for everyone.

"Our motto is "See something-say something", so even if you might think it's nothing, we would still say to make the phone call and make a police report. Every little bit helps, so that law enforcement will have that information at their disposal," said Marranca.

From the young to the old, people of all ages are welcome to join the watch group. Nina Marranca is Joe's daughter. She is also a member of the watch group. For her safety is a top priority, that's because she is blind does not have

that sense of sight. Nina is a sophomore in College in Buffalo and uses the assistance of a seeing eye dog. For her safety is important, both as a student and as a local resident.

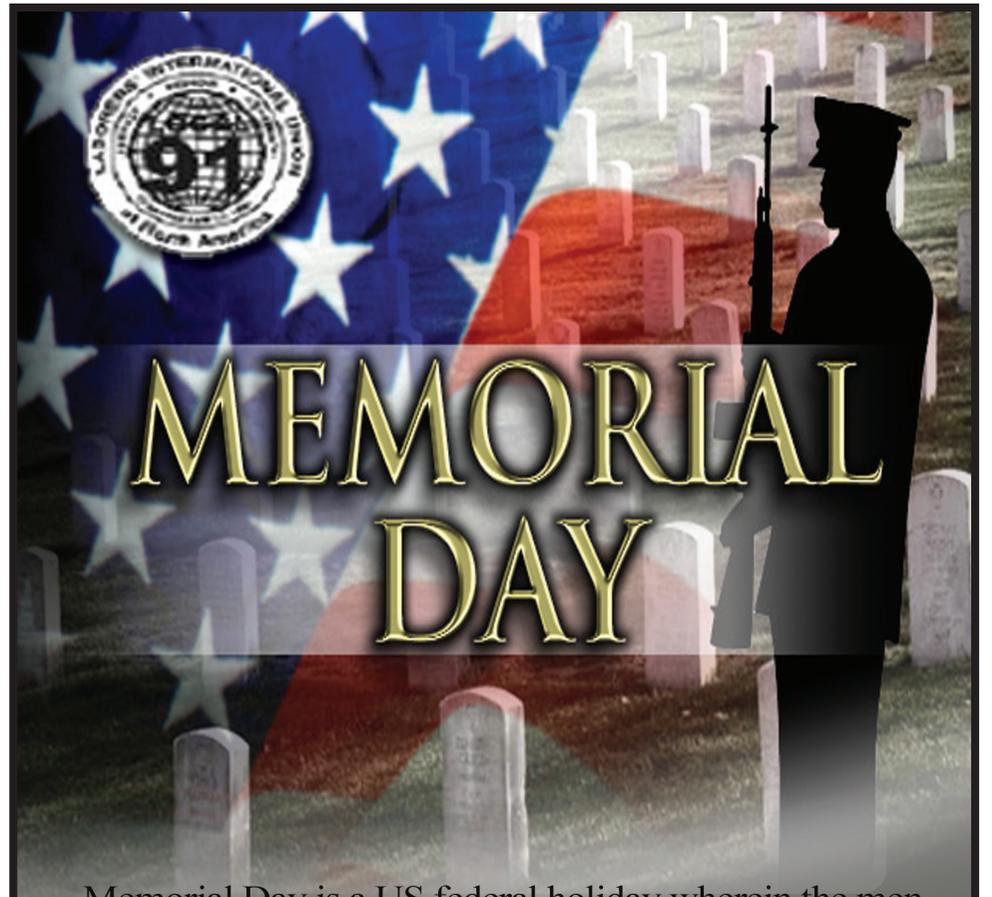
"Because I am at school a lot, I kind of look at things within the community at school and how we can keep ourselves safe. Then I come back here to North Tonawanda I listen to everyone else and I compare the 2 and sometimes it is really interesting," said Marranca.

Learning about how other communities keep safe and then bringing that information back home, is something that residents say benefits everyone. Helping to keep the city safe and forming friendships along the way.

"I have met so many politicians, police officers and residents that I would not have otherwise known. A lot of citizens come to our meetings just to socialize and have that sense of community," said Sherri Marranca, Neighborhood Watch Member.

The group also works as an advocate for residents. If you have concerns about stairs or if street lights or out, residents can contact the group to get those issues addressed. Another issue they deal with is residents who have issues with another neighbor. Working with neighbors and officials to make sure people not only get along but feel safe in North Tonawanda.

One June 11th the group will be doing a "Slow Stroll" in one of the neighborhoods. It will be about an hour walk, taking small steps to try and make a big impact on crime.



Memorial Day is a US federal holiday wherein the men and women who died while serving in the United States Armed Forces are remembered. The holiday, which is celebrated every year on the final Monday of May, was formerly known as Decoration Day and originated after the American Civil War to commemorate the Union and Confederate soldiers who died in the Civil War. By the 20th century, Memorial Day had been extended to honor all Americans who have died while in the military service.

In a nation distracted by financial problems, environmental issues, senseless acts of aggression and continued political bickering, we still see our military heroes dressed in camouflage or veteran hats moving next to us every day. But concerned with our own issues and concerns, they seem lately to become increasingly transparent.

On Memorial Day, remember and honor the men and women who not only gave their lives for our freedoms in this great nation, but also to all those who have chosen to serve our country. The older men and women walking among us gave you, and all of us, FREEDOM for America. Do not let them become transparent. When you see a veteran or active member of our armed forces, walk up to them and say thank you. Thank them, not the reporter, for giving us freedom of press. Thank them, not the poet, for giving us the freedom of speech. Thank them, not the politicians, for ensuring our right to Life, Liberty and the Pursuit of Happiness. And give thanks to all of those who supported them, and who continue to support them at home and abroad.

It is the Soldier who salutes the flag, who serves beneath the flag, and whose coffin is draped by the flag. If you don't stand behind our troops, PLEASE feel free to stand in front of them! Remember, Freedom isn't Free. Thousands have paid the price, so that you can enjoy what you have today. THANK YOU for ALL you have given US and for ALL you continue to do for US.

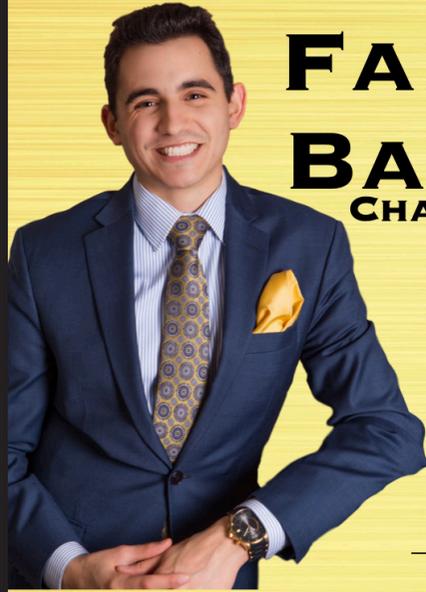
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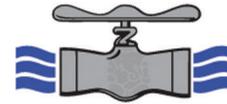
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