

CLOSED-DOOR MARKET MEETING

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NIAGARA FALLS REPORTER

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SIC SEMPER TYRANNIS

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Mayor, Chairman, Senator: Investigate Cottrell conflict



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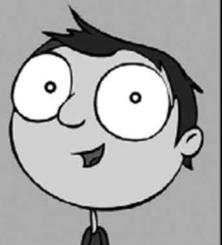
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Events

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Should struggling city continue to fund concert series?

The question of whether or not the impoverished city of Niagara Falls should be in the concert promotion business has already been answered – by Mayor Paul Dyster, whose idea it was, and the City Council, which has continued to provide funding for the Hard Rock Concert Series here.

In a city that cannot afford to keep its Department of Public Works office open all day on weekdays, where the streets are a disgrace and the number of vacant, abandoned buildings will soon surpass the number in which the dwindling population chooses to live and do business, the concert promotions have cost the city somewhere between \$800,000 in recent years.

And this year, our city fathers – in their infinite wisdom – have taken the first step toward promoting shows that don't even take place in the city, but in the state park.

Think about it. The whole point of the concert series was to bring people into downtown Niagara Falls, where revenues from parking would more than make up for the cost to the taxpayers, Dyster said.

Even when the concerts were held downtown, parking revenues were flat. Now, with the popular Buffalo Philharmonic Orchestra show being held on Goat Island, any money that might have been made will go directly into the coffers of the New York State Office of Parks, Recreation and Historic Preservation, located a bit more than 300 miles to the east of the city.

At the falls themselves, massive parking lots will make it possible for Buffalo Philharmonic fans to see the show without ever setting foot in Ni-

MIKE HUDSON

agara Falls, despite the fact that Niagara Falls taxpayers are asked to foot the bill for the extravaganza.

Last week, the City Council turned down a request from Dyster for an additional \$5,000 to help the poor old state of New York further subsidize an event it will make a tidy profit on.

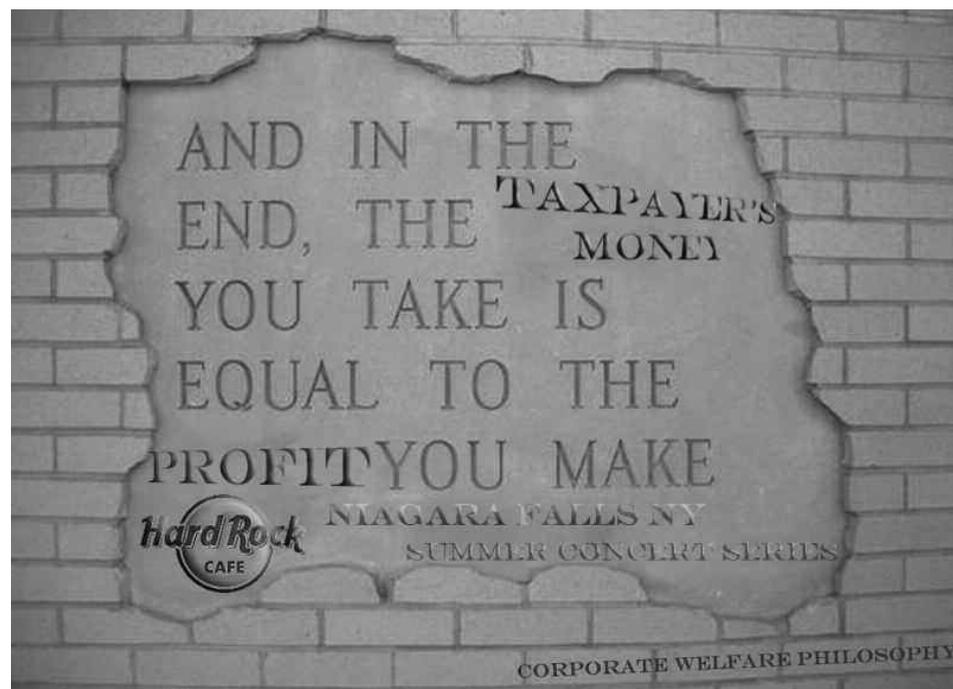
But that doesn't spare them the shame of authorizing \$150,000 for the summer concert series along with an extra \$50,000 for a New Year's show in the first place.

Other municipalities such as Lockport and North Tonawanda have free concerts during the summer but there's a big difference. In those municipalities, a real concert promoter is brought in.

The promoter pays the city for the privilege of staging the shows, books the bands, pays their guarantees, buys advertising and hires security, hoping that beer, food and souvenir sales will more than offset these costs and earn him a profit.

In Niagara Falls, the taxpayers pay for the bands, buy the advertising and provide security with police officers being paid time-and-a-half or double overtime. Meanwhile, the Hard Rock Café, which doesn't invest a dime in the concerts, is given exclusive rights to the beer, food and souvenir concessions.

For the Hard Rock Café, part of a billion-dollar multinational corporation wholly owned by the Seminole



Nation of Indians, it's all free money.

"Places like mine do very few concerts in the summer," said concert promoter and Rapid Theater owner John Hutchins. "Why would you come and pay me \$35 for a ticket when you can go to free public concerts. The state is in the concert business, the county and the cities are in the concert business. They use my tax money to compete against me."

Hutchins invested millions of dollars building the Rapids and did get a grant from the city of \$150,000. Over the last 2.5 years he has done in the neighborhood of 100 concerts -- none of them funded by the city.

Because of the government funded free concerts, Mr. Hutchins said he does "weddings and reunions and corporate events in the summer.

"It is very difficult for us to put on concerts in July and August because we can't charge for tickets when the government has free concerts everywhere from Art Park to Hard Rock," he added.

Still, the mayor of the poorest and most crime infested city in all of New York defends the Hard Rock series.

Why not? He enjoys himself tremendously!

Following a 2010 appearance by Sugar Ray at the Hard Rock, lead singer Mark McGrath told the audience that the Niagara Falls show was the only one on the tour where the band had the opportunity to pound shots with the mayor backstage.

That same night, on the way to Darien Lake after the show, the band's tour bus was reportedly pulled over by state police and the driver charged with drunk driving. Mayor Dyster, we must assume, on his way home, employed a designated driver.

Interestingly, Sugar Ray was allegedly paid \$30,000 for the Hard Rock concert. Last week, the Reporter put in a call to a source at Grabow of Beverley Hills, a booking agent that

has the band.

Grabow – whose motto is "Putting the show biz into your biz" – specializes in corporate events, and also represents comedians, magicians and motivational speakers.

The base asking price for Sugar Ray when the band is out on tour and going to be nearby anyway?

\$15,000.

This year's Hard Rock concert lineup is particularly grim. Other than the aforementioned Buffalo Philharmonic, the premier acts are the Guess Who, or at least the bass player and drummer from the Guess Who, and KC and the Sunshine Band, a 1970s disco group that has had 36 different members over the years, according to the online encyclopedia Wikipedia.

Other headliners include bands you've never heard of like Sloan, Talas and Finger Eleven, all of whom will be leaving Niagara Falls with wads of your cash in their pockets and smiles on their faces.

The remarkable thing about the great rock and roll swindle known as the Hard Rock Café concert series is that it hasn't managed to attract bigger acts, who would presumably be as eager for the easy money as the cast of has-beens and never-weres that have characterized the event since its inception.

The Nik Wallenda high wire walk that will take place this summer is an example of an event that will cost the taxpayers of Niagara Falls nothing, provide spectacular entertainment and help restore some of Niagara Falls' lost luster.

This is because it was handled by entertainment industry professionals looking to make a profit.

The Hard Rock concert series is an example of an amateur hour embarrassment.

(contact Mike Hudson at info@niagarafallsreporter.com)

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Cottrell investigation underway

Reporter story prompts action by city, state officials

By Frank Parlato Jr.

Spurred by a story published last week in the Niagara Falls Reporter, an investigation is now underway at city hall and possibly in Albany concerning a potential conflict of interest for Kevin Cottrell, the man in charge of the city's plan to develop an Underground Railroad exhibit.

Mayor Paul Dyster confirmed to the Reporter that there is an investigation "underway" concerning Mr. Cottrell but declined to state specific details saying it was a "personnel" matter.

While no fan of the Reporter, Mayor Dyster said concerning the Reporter's inquiries into Mr. Cottrell, "I always wonder if you are interested in learning facts or creating them. There have been a lot of facts said about me in the paper that have no relationship to reality. On the other hand, every once in a while, you put something in there that is factual or that leads in a direction that maybe government has to investigate."

An investigation can originate only through the Mayor office or through a request by the city council.

"Based on the information I read in the Reporter, it appears there is direct conflict of interest, and a violation of law," said Council Chairman Sam Fruscione.

Mr. Fruscione said he met with Corporation Counsel Craig Johnson last week and asked the city's top lawyer to expedite inquiries into allegations made about Mr. Cottrell in the Reporter story.

Mr. Fruscione said Mr. Johnson, the Mayor and he will be meeting this week and he plans to provide the law department and the Mayor with printed copies of emails purportedly written by Mr. Cottrell soliciting business for his private enterprise, Motherland Connections, a company that, as a condition of Mr. Cottrell's employment with the city, he agreed he would not operate or benefit from.

Mr. Cottrell signed a document on March 4, 2009 that reads he "will not be operating, engaging in any aspect, or profiting from the Motherland Connection (sic) business during the term of this agreement consistent with the provisions of the Public Officers Law."

Mayor Dyster also signed the agreement.

Last week, the Reporter employed an operative to arrange to book 24 tours directly from Mr. Cottrell for

Motherlands Connexions while he was apparently on city time.

Since Mr. Cottrell is paid jointly by the city and the New York Office of Parks Recreation and Historic Preservation, the matter also falls under the watch of state officials.

New York State Senator George Maziarz (R-Newfane) said he is personally taking the matter of Mr. Cottrell's potential conflict directly to Mr. Cottrell's supervisor, Commissioner of Parks, Rose Harvey.

"I am going to meet with her and bring her a copy of the news story, the emails and other details," said Sen. Maziarz "and ask her to investigate. I will be reporting back on this matter to my constituents."

While Mayor Dyster declined to address what was being investigated, sources at city hall said last week that the Mayor ordered an audit of all of Mr. Cottrell's time sheet records. The handwritten time sheets for all city employees are inputted into a computer software system at the offices of the Human Resources Department, as a back up, a method of checking and preventing changes to time sheet cards at a later date.

Part of what will be checked apparently is whether Mr. Cottrell has taken appropriate sick days or vacation time when he might have been absent from work. Mr. Cottrell, who works in an office on the first floor of city hall, reportedly does not or is not required to appear on a daily basis.

According to City Controller, Maria Brown, Mr. Cottrell, like any city employee, can collect, depending on length of his employment up to 60 percent of his unused sick time in cash after three years and 100 percent of his vacation time, up to 6 weeks.

Niagara Falls Corporation Counsel, Craig Johnson said the agreement Mr. Cottrell signed with the Mayor in 2009 is in force and that, if an investigation determines Mr. Cottrell was operating his private business while conducting work for the public, it would be "precisely a conflict of interest."

Mr. Johnson said the Niagara Falls Code of Ethics, Section 107.02: F addresses this: (A city employee) "shall not invest or hold any investments directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his or her official duties."

The New York State's Public Officers Law, referred to in the 2009 agree-

ment signed by Mr. Cottrell and Mayor Dyster also addresses the conflict under section 74 parts 2 and 3.

In 2008, city and state officials reached an agreement to transfer Mr. Cottrell from his job with the New York State Parks – where he was employed as a grant writer - to his current position in the city.

The arrangement allowed Mr. Cottrell to take a leave of absence from the state while he worked for the city to create an Underground Railroad exhibit in the old Customs House near the Whirlpool Bridge.

According to city records, Mr. Cottrell is paid \$74,800 with benefits package totaling \$120,972. State Parks contributes \$75,000 from their budget and the city pays \$45,972.

In addition to his salary, Mr. Cottrell heads the Niagara Falls Underground Railroad Heritage Commission. According to FOIL request obtained documents, the commission received a check from the city on July 1, 2010 in the amount of \$350,000 from Seneca Casino funds to aid in the promotion of tourism for the Underground Railroad exhibit and planned attractions.

As of press time, there has been no financial reports showing how Mr. Cottrell's commission spent the money.

Under requirements set forth in New York State Finance Law 99 H section 4 part b, all entities that receive casino money must file a report and "such report shall include an accounting received by such entity ...and the expenditure of any such monies" by April 1 of each year.

According to city controller Maria Brown, she has never seen a report filed and it is now two years late.

As of press time, it is unclear if the money was spent, who has the money or, if any is left, where it is.

The Reporter intends to investigate this matter fully in the coming weeks.

Meantime, Mr. Cottrell's immediate issue of a potential conflict of interest suggests he faces penalties, including fines, discharge from the city, and the state, and, if fraud is uncovered, possible criminal charges and forfeiture of his pension.

His company, Motherland Connections exclusively sells tours and souvenirs connected with the Underground Railroad history in this region, a history that critics of Mr. Cottrell suggest Mr. Cottrell made up, using his official position with the city to en-

dorse fabricated history that supports his private business.

Unlike calls made by our operative to book tours which were returned promptly by Mr. Cottrell, repeated calls to Mr. Cottrell over the past week were not returned to the Reporter.

For Council Chairman Fruscione this issue is clear: "Everybody has to follow a certain code of ethics and you need to adhere to that," he said. "Everybody, no matter who you are-- the mayor, the council or employees."

Stay tuned.

Facebook exchange



Sam Hoyt

If ever you need a little humor, it will rarely be a waste of time to check out local politicians' Facebook pages.

On Sunday, May 13, for example, the Buffalo News wrote a feature about Sam Hoyt, recently named head of the regional office of Empire State Development - an organization dedicated to providing corporate welfare for developers who donate to politicians. At 11:24 pm., Mayor Dyster wrote on his Facebook about Mr. Hoyt:

"The right man, at the right time, in the right position... Andrew Cuomo is taking a big chance on WNY; we've said for years all we needed was a chance to show what we could do. Now we've got it. We ALL need to pull together. I absolutely guarantee you Sam Hoyt is the right guy to make it happen."

"Thank you, Mayor Dyster," responded Sam Hoyt at 11:27 pm.

At 11:28pm, Paul Dyster responded, "Thank YOU, Sam Hoyt."

At 11:41, Terry Shaw, former publisher of the Niagara Gazette, concluded the love-fest when he commented, "Get a room, you two!"

More Holiday Market secrets revealed

The Reporter takes you inside a closed-door meeting at city hall

By Frank Parlato, Jr.

The issue of accountability for the public's money was front and center at a closed-door city hall meeting held on the afternoon of May 15, on the final report from Global Spectrum on the Holiday Market.

The differences at the meeting seemed to focus on whether or not the public is entitled to know how its money was spent for this venture or whether the details of how \$760,000 of mostly public money was spent should remain private.

The meeting, held at the City Council offices, was attended by Council Chairman Sam Fruscione, Councilmember Glenn Choolokian, City Corporation Counsel Craig Johnson, USA Niagara President Chris Schoepflin, Global Spectrum Manager Ryan Coate and the city's Media and Public Relations person, Kevin Ormsby.

The Niagara Falls Reporter through a FOIL request obtained the minutes to what would otherwise be a private meeting not open to the press or public.

The minutes reveal an interesting dimension of how government operates and tells a further story about the publicly-funded Holiday Market.

This story will quote liberally from the minutes.

Mr. Fruscione, who convened the meeting, opened it by presenting a letter to Mr. Coate, manager of the Conference Center, the man who was charged with monitoring the expenses of the Holiday Market for Mark Rivers, the Idaho developer entrusted with \$450,000 of public money to develop the Market. Mr. Rivers was not in attendance.

The letter asked that a number of questions be answered, one of them being a detailed report on \$114,000 in salaries Mr. Rivers paid to various, unnamed people – with public money- for his 37 day event.

Mr. Coate, after reading the letter, "responded respectfully saying the salaries of the Holiday Market event were private."

According to the minutes, Mr. Schoepflin "stated (the) same and a discussion took place regarding those salaries, the notion of what is and is not private in relation to the city contributing to the event and so on."

Mr. Coate and Mr. Schoepflin argued the public was not entitled to know who got paid with public money or what they did for that money.

Mr. Rivers has claimed (including to this writer) that he developed the market out of "love of the community" and spent more than \$114,000 in salaries.

Mr. Fruscione thought it might be worth learning more about it.

Love takes us only so far. Especially love from a man who was handed \$450,000 and loves us at a distance. Mr. Rivers lives in Boise, Idaho .

Mr. Fruscione said, "The salary line is very troubling."

Mr. Choolokian said, "It is unacceptable that the city would contribute in the way it has and have information withheld!"

Mr. Schoepflin said, "Perhaps a city employee might be allowed to look at the salary records, such as (city controller) Maria Brown. But all information would remain private and not for publication."

His view is the public can't know who was paid

by Mr. Rivers and perhaps check to see if these are real people, whether they work for Mr. Rivers for something else, whether they put in the time, whether they gave some of the money back to Mr. Rivers. Whether he loved us as much as he said he does.

Mr. Coate said, "All time sheets of all workers are in my possession."

Mr. Fruscione "noted that one of those employed by the Holiday Market was a former USA Niagara employee."

Mr. Schoepflin "acknowledged same" and said there was nothing inherently wrong with this.

Mr. Fruscione "noted that he has been in touch with representatives of Aaron Neville and he has concerns as to how the concerts had been booked and billed."

The Global Spectrum report was to be a fact-based report for the public to judge how its money was spent and how successful the Market was. It was not supposed to be colored by interpretations in lieu of facts. Mr. Coate, in his report, described Mr. Neville as having a "soul quenching voice" which, by the way, may be the first time that a financial report on a publically –funded concert ever tried to quantify soul-quenching values in lieu of monetary ones.

I mean, after all, how to you put a price tag on having your soul quenched?

Lamentably, few thirsty souls ever got the chance. Mr. Neville, a performer at one of four, money-losing concerts at the Market was allegedly paid \$25,000. Along with other costs associated with the concert, the soul – quenching event cost the public more than \$40,000 and brought in \$9,000.

Mr. Rivers "booked" the concert but did not appear at the soul –rewarding show. In fact public records show he wrote a bounced check to the production company – Advanced Production Group – who almost did not do the show- since they liked to be paid for their work in cash and not in soul – quenching nectar.

At the meeting, Mr. Fruscione expressed doubts that Mr. Neville really was paid \$25,000 since he generally books for about half that amount and suggested Mr. Rivers might have skimmed a bit, booking through middle men, a common practice when fools, who should not be in the concert business, get separated from their (or in this case, the public's) money.

The Reporter contacted Mr. Rivers on this matter and when asked how much he really paid Mr. Neville, Mr. Rivers hung up the phone and declined to take further calls.

Mr. Coate and Mr. Schoepflin "noted," according to the minutes, "they have all the concert information in their office and can share same. They do not share Fruscione's concerns as to how the concerts were billed and booked."

"I want you to be honest," the minutes quote Mr. Choolokian as saying. "Do you think there was \$760,000 (invested in the Market– as was reported)?"

Mr. Schoepflin: "Yes. It was good."

Mr. Choolokian contradicted: "There's no way his thing cost (nearly) \$800 thousand. This report is a joke. I want receipts and backup."

Mr. Fruscione: "The Council has the fiduciary responsibility here... We have to answer for how this money is spent."

Mr. Schoepflin "expressed disappointment that he was not consulted 'before you (Mr. Fruscione) 'went to the media.'"

Mr. Fruscione "stated that he believed a 'bait and switch' had been pulled with regard to the participation of Tony Walker (at the Market).

"Mr. Schoepflin did not believe this had occurred."

Before he got the \$450,000 of public money, Mr. Rivers promised that Tony Walker, a high end apparel and accessories company, would take ten booths at the Market. They never showed, but curiously Mr. Rivers' website continued to advertise Walker prominently throughout the days of the market as one of the vendors.

Contrasting Walker's non appearance at the Market was the generally unknown fact that the man who loves us so dearly as to operate a Holiday Market for us – for free – just out of love – Mark Rivers - had vending booths that he operated himself.

"A discussion took place" the notes continue "regarding (Mr. Rivers') consignment sales. Fruscione questioning the figures of the report. Fruscione asked Schoepflin and Coate if they knew how many booths Rivers himself operated during the Market. Fruscione stated he suspected Rivers was operating possibly seven of the booths himself. Fruscione questioned whether sales tax was properly collected throughout the event by the 30 vendors."

Mr. Schoepflin "stated several times that he was upset that the Council Chair had not discussed the final report with him before talking to the media."

Mr. Fruscione replied "he could have been much more pointed in his public remarks but held back. He also noted he received the report on the day of a Council meeting and purposely declined to make a public statement until he had time to study the report. He noted that in the interim ... some people leaked the report to the media before he could make an official public statement."

Mr. Choolokian and Mr. Fruscione pressed for more details. Among these was the high cost of the ice rink. Mr. Coate and Mr. Schoepflin said the actual cost of the rink was less than originally reported.

It was the Reporter that exposed the ice rink's true cost after contacting Ice Rink Events manager John Civiletto who said the cost was \$99,000 and not as Global Spectrum reported \$146,000.

"The new figures (for the ice rink) were offered at this time," the minutes report. "(Mr. Coate) also said he would offer a correction for the concert line."

Mr. Choolokian said, "So we were given an inaccurate report?"

Mr. Coate and Mr. Schoepflin said "it was a simple error and was now corrected."

The councilmen questioned the more than \$15,000 in travel Mr. Rivers charged to the public. "No further details as to where and when travel was made were offered."

Mr. Choolokian said, "Our phones are ringing off the hook with angry taxpayers. We got taken plain and simple. There'll be no more projects like

(Continued on page 17)

Dyster answers the bell, and new information hints at more problems

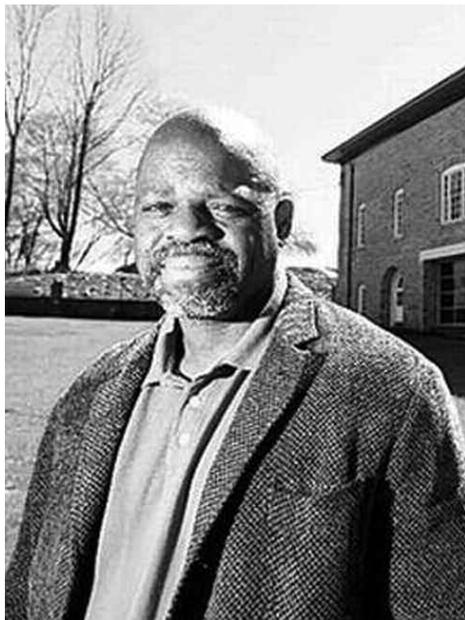
By Tony Farina

I'm pleased to hear that Mayor Paul Dyster is moving to get to the bottom of the apparent conflict-of-interest matter involving the city's paid Underground Railroad promoter, Kevin Cottrell.

Cottrell pockets a public salary of \$74,800, paid by the city and state, to promote Underground Railroad sites, but his agreement with the city precludes him from making money on the private side by selling tours through his own company, Motherland Connections, to the same sites he is promoting on the public's dime.

The Niagara Reporter found Cottrell in what appears to be blatant violation of his agreement as an operative for the paper was able to secure a quote for the Underground Railroad tour from Motherland Connections and Cottrell himself. By agreement, Cottrell can't have it both ways and Mayor Dyster along with other city and state officials are going are looking into the matter as a result of the Niagara Reporter's expose.

But there are even more disturb-



Kevin Cottrell

ing developments involving the Underground Railroad Heritage Commission that have surfaced even as we prepared to go to press. The Commission has failed to file the required financial reporting for its receipt of \$350,000 from the city back in July of 2010, according to City Controller Maria Brown.

We learned of the check in a FOIL of city records, and the con-

troller has confirmed that while she has received the required financial reports from the school district, the hospital, the NTCC, and the county, she said "I never received one for the Niagara Falls Underground Railroad Heritage Commission." Under state law, the Commission is required to file a report detailing receipt of the money and expenses, and the first report was due on April 1, 2011, with a second report due a year later. "They are now two years late," said the controller.

While Mayor Dyster has taken a good deal of criticism in the past from the Niagara Reporter, it is certainly worth noting that he now appears ready to act when something questionable is uncovered, and he acknowledges such in his comments to Publisher Frank Parlato in this week's follow up to the Cottrell story. This new information will certainly challenge the mayor to find out why the detailed financial reports were not filed with government officials as required by state financial law in addition to the apparent blatant conflict of interest.

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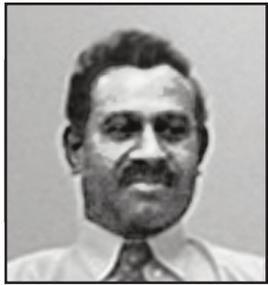
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Bad message, bad leadership left city unprepared on Wallenda walk



Joseph F. Donovan

Instead of assuming a positive role, the chief executive of the city of Niagara Falls, Mayor Paul A. Dyster has been the voice of carping criticism, taking the role of throwing darts at the high wire walk of Nik Wallenda from the start.

Both the Niagara Gazette and The Buffalo News wrote recently about concerns many are feeling that the city fell short in preparing for the Wallenda Walk and the financial opportunities arising out of this event.

"Some of the problems," the News wrote in an editorial, "may have more to do with (a feud) between State Sen. George D. Maziarz, D-Newfane, and Niagara Falls Mayor Paul A. Dyster. Both need to make a point of demonstrating their cooperative efforts at ensuring the high-wire walk is the public relations success that the city and region need it to be."

It is odd that Senator Maziarz is mentioned as part of the problem. He is the reason for the walk. He, along with Assemblyman John D. Ceretto, R-Lewiston, drafted the legislation -- later signed by Gov. Andrew M. Cuomo -- that made Wallenda an exception to the state's anti-stunting law.

However, was Mayor Dyster slighted in the beginning, feeling blue that Mr. Maziarz was getting the credit?

When the walk was fighting for needed bi-national governmental approval, Don Glynn, for the Niagara Gazette (June 17, 2011) wrote, "That Flying Wallenda wire walk over the Niagara Gorge moved a step closer to reality Friday with the measure moving into the Assembly for consideration. Earlier, the bill sponsored by State Sen. George D. Maziarz, R-Newfane, passed the Senate, 62-0 That comes as a surprise to Niagara Falls Mayor Paul Dyster ... who reportedly (was) never informed of the plan Dyster said the city was not consulted before the bill was submitted to the Legislature."

After that, from around the world, the press was mainly positive about the event except for one consistent voice of worry and concern.

CKTB News (June 23) reported, "Mayor Paul Dyster (said), "he does



Not a real photo

Mayor Paul Dyster threw darts at the project from the start.

worry about the repercussions of a highwire act over the Falls. Dyster says while Wallenda is a trained professional, he may encourage amateur stunters to attempt the feat, attempts he says will almost certainly end badly."

The LA Times wrote, "Skeptics such as Mayor Paul Dyster of Niagara Falls, N.Y., worry about copycats....

"We're also concerned about our first responders who would have to go and rescue people," Dyster said."

Next it was the reputation of the Falls themselves.

The New York Post reported on July 5: "Dyster has said his economically struggling city needs to take into account concerns that the event could be perceived as a 'sideshow' to the falls."

CKTB reported, "Dyster says respect must also be paid to the Falls themselves. He doesn't want a 'sideshow' over them that he worries would take away from their elegance and beauty. Dyster's stance doesn't line up with that of his Canadian counterpart (who supports the proposed walk)."

During the following months, Mayor Dyster was a voice of negativity, even raising the specter of lawsuits and unjust treatment of other daredevils, who a few weeks ago he worried

might be copy-cats.

On October 28, 2011, the Buffalo News wrote, "Mayor Paul A. Dyster said, 'The one concern I had about this is that because Wallenda was the only (tightrope walker) who was offered this opportunity, and he has competitors, you just want to be careful there's not a conflict of interest here.'"

His next concern was not unjust treatment of other wirewalkers but that there might be too many wire walkers.

"If this occurs often, it cheapens the real attraction," said Paul Dyster, in the Buffalo News, February 19, 2012.

Throughout the winter and spring, Mayor Dyster made no plans to promote and organize the city to use the event that would likely draw hundreds of thousands to foster business and attractions in the city. He set his eyes on the penny wise.

"One of the first questions that we would ask, is if we can identify, for example, police overtime costs, related to this, is there a way of getting compensated for that in whole or in part," said Dyster" WGRZ reported on April 26.

The Tonawanda News on April 26 reported, "Dyster said. '...the question of who pays for it and why is clearly up in the air. Early on, there were assurances given by people who said security costs would be covered. What's the mechanism for that?'"

But not a word on what to do to make money for the people of the city from the crowds.

In fact he expressed worry that Niagara Falls would get too many people.

"Niagara Falls Mayor Paul Dyster says, this could all backfire," reported WIVB News on May 2, "If we don't have rooms to sell to people, then the benefit is less. To us, to do it off of peak helps us," said the mayor."

As the walk came closer to reality, Mayor Dyster sounded dire about the

prospect of tragedy.

He told the Buffalo News, "I think the story line is man versus Mother Nature," he said, pointing out that it's no secret people have fallen to their deaths at the falls, either in accidents or in suicides.

"If Mother Nature wins, maybe, in a way, that heightens the mystery of the falls," Dyster said. He quickly added: "I'm not suggesting I'm rooting against him."

And he expressed worry about Frederick Law Olmsted who originally designed the Niagara Falls Reservation, which was later altered to become the highly commercialized Niagara Falls State Park, as the Mayor absented himself from press events for Mr. Wallenda.

Don Glynn wrote in the Niagara Gazette, on May 3, "By the way, it shouldn't have come as any surprise that Mayor Paul A. Dyster was missing from VIPs at the (Wallenda walk) press session. It is common knowledge that Dyster was opposed to the Wallenda walk from the outset. The mayor, a staunch preservationist, is a firm advocate of Frederick Law Olmsted, the landscape architect whose 1880's plan was to preserve the beauty of the falls and surrounding parklands."

After stalling for almost a year and voicing every conceivable objection, he finally joined in. While tempering enthusiasm with the disclaimer that the city cannot do much given its late start and lack of Seneca Casino money, he told WIVB on May 14, "We're going to do the best that we can with the resources we have available and I think it's going to be a lot of fun for everyone."

Fun, indeed, yes, and I suppose better late than never.

(contact Joe Donovan at info@niagara fallsreporter.com)

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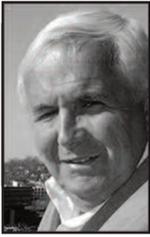
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Will he or won't he wear a harness?

And can Niagara Falls get it right?



By Tony Farina

There are still lots of questions at press time of this week's Niagara Reporter about Nik Wallenda's planned tightrope walk across the falls next month.

Among the uncertainties are will he or won't he wear a harness, will he start his walk on the Canadian or American side, and will the thousands of visitors who come to the city to witness the historic walk from the state park have to pay for the privilege?

Assemblyman John Ceretto is urging the state not to charge visitors, saying in a letter to Gov. Cuomo that making it a free event "will help to turn it into an even bigger success for both our Niagara Falls region and the state."

Ceretto says a free event will attract more people and will allow them to spend more money in local shops and restaurants. No word as of press time from the governor.

And as I wrote a few weeks ago in the Reporter, the eyes of the world will be watching what happens in Niagara Falls before, during, and

after Wallenda's historic attempted crossing, and unfortunately some of the pre-walk publicity has not been favorable to say the least.

Wallenda himself growled about receiving less than warm treatment from the city, especially after police ticketed visitors who came to see him train at the Seneca Niagara Casino on Mother's Day, prompting an editorial comment in the Buffalo News: "Is the city so desperate for cash that it is willing to frustrate visitors?"

While visibly upset over some of the treatment he has received on our side, Wallenda said they are rolling out the red carpet across the river in Canada. We've all heard that before, one way or another, about how the Canadians seem to be able to get it right and things don't quite as smoothly, or agreeably, on this side of the river.

Things may have gotten a little better later in the week as the City Council agreed to issue special licenses for vendors to operate around the Wallenda event and Mayor Dyster proclaimed that things are coming together at last, blaming some of the problems on too short notice. We can

only hope things get better in the coming days if the city is to capitalize on this once-in-a-lifetime event that will be broadcast live for three hours by ABC.

The television network is also said to be lobbying hard for Wallenda to wear a safety device in case there is a problem during the walk, an effort that Wallenda and his family are resisting. A decision could come this week, but the reality is that if he walks with a harness it won't quite be the highly-anticipated spectacle that he promised when he announced his plan to live out his childhood dream and walk a wire across the falls on his own, without a safety device of any kind. That would be a truly death-defying act that would rivet the world's attention on the mighty falls as never before.

Now of course no one wants to see this daring young man fall into the gorge. I'm quite certain everyone watching will want to see him make the 1,800-foot journey without mishap. But let's face it. Wallenda knows that walking across that two-inch wire rope without a harness is the event that will capture the world's attention much like the early American astronauts did

when they rocketed into space, landed on the moon, and sent us back the pictures. Those of us who were around at the time will never forget the moon walk, and if Wallenda's rope walk comes off as planned, it will go down in history as one of the greatest daredevil stunts of all time. Now, ask yourself, does he really want to settle for less?

As to whether Wallenda will start from the Canadian side, as the network reportedly favors, or from the American side, as he himself prefers, remains up in air, so to speak. We could know for sure about the harness and the starting point as soon as this week.

In the meantime, the ABC network, and its local affiliate, Ch. 7 (where I once worked), will ratchet up the pre-walk publicity to get as much attention as possible for its three-hour, prime-time special that will most assuredly be seen by millions. With the world watching, we can only hope Niagara Falls can come together and put on a show that will lure visitors from around the world to see the wonder where Nik Wallenda walked into history.

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Niagara "United we stand, divided we" Falls

By Frank Thomas Croisdale

There is no doubt we have all heard the phrase "United we stand, divided we fall" used on numerous occasions. It is first attributed to the great fable writer Aesop, as he introduced the word grouping in his "Four Oxen and the Lion."

More poignantly, it was adopted as an American axiom when it was presented by John Dickenson in the Revolutionary War era ditty, The Liberty Song: "Then join hand in hand, brave Americans all! By uniting we stand, by dividing we fall!"

The state of Kentucky uses the phrase as its motto, while Missouri has it incorporated into its state flag. Numerous pop and rock groups have woven the words into their songs, like Pink Floyd in "Hey You" and Wilbert Harrison in "Let's Work Together."

It seems as if the phrase is used almost everywhere – except Niagara Falls, that is.

Here our division is so great that about the only thing we stand united in is our steadfast resolve not to ever agree on one point that involves public or governmental input.

For instance, take the Nik Wallenda walk. For the first time in the city's history a major network is devoting its complete primetime schedule, a full three hours, to what will amount to a free infomercial for tourism here. To calculate the value is of such a block of time, consider this:

In 2010-2011 the average cost of a 30-second national commercial on a major network was about \$225,000. Each hour of the Wallenda coverage will constitute 88 of those spots (44 minutes of air time, with 16 minutes devoted to commercials.) Times that number by three and you get the equivalent of 264, 30-second spots.

Now, multiply that number by the \$225,000 per spot average and you'll see that the city is getting \$59.4 million in free advertising. If the city were to receive the entirety of the, three years in arrears, money it is owed by the Seneca Nation it would take nearly every penny of it to buy what the Wallenda walk is bringing in for free.

Furthermore, the national exposure is sure to draw hundreds of thousands of extra visitors to the region over the summer. As morbid as it sounds, if anything goes wrong on the wire that number will grow larger.

Anywhere else that sort of news would be met with whoops and hollers and spontaneous public parades of joy. Here, not so much. Many people are calling the stunt carnival-like and are dissing it in print and online.

I won't dismiss their viewpoint as I believe that the awe-inspiring natural beauty of the Falls should be protected, but I also believe a city on the brink of extinction like ours needs all of the national exposure it can get.

In a perfect universe, one where the "united we stand" mantra reigned supreme, there was a great compromise to be had. The dissenters could have agreed to temper their disdain for the stunt in exchange for a small segment on the program that spoke to the Olmsted vision of the park and a plea to America to remember the beauty long after Wallenda's wire was lowered back to the ground.

It was an opportunity for the protectors of Niagara's greenway and blue cascading waters to get that message to millions of people all at once. It is an opportunity that won't happen again for a long, long time – if ever.

People have often asked me over the years, "How can you write for such a negative newspaper when your style

is so opposing in nature?"

After reminding them of all of the big stories that this paper broke that defended the good people of this community, I always add, "Besides, I get the same exposure to the audience as anyone else in the paper does. Why not use that to get my message out?"

It's not just Wallenda, but think about every major issue discussed here – we're divided on all of them. Removal of the Robert Moses Parkway? Split 50/50. Maid of the Mist or Hornblower? Another split. A new Chamber of Commerce or letting the countywide Chamber handle everything? You don't need a banana to see it's another split.

Heck, we can't agree if we should build more low-income housing or tear down the ones we already have. We can't agree what the signs should say or look like that direct tourists in the downtown corridor.

Did Harriet Tubman lead slaves through our city on their way to Canada? Depends on who you ask. Should we fund an experience center? The "yes" and the "no" votes cancel each other out.

Are the Hard Rock concerts worth the public money? Will private busi-

(Continued on page 13)



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Now Welcoming New Members

Niagara Falls Schools face challenge on referendum

By Frank Parlato Jr.

Less than 10 percent of the city's 25,000 registered voters are expected to vote in the upcoming Niagara Falls School District referendum, to be held on Sept. 25, a vote by the people of Niagara Falls on whether they want the state to fix up local schools or pay for it all locally. Total cost: \$65 million.

With 7,000 students, 50,000 residents who will be affected and more than 25,000 registered voters, the last school board election saw less than 2,000 voters come to the polls.

A referendum last year that would have brought \$130 million in state benefits to Niagara Falls only interested 2,600 and they voted against it, as if seemingly only naysayers rushed out to vote, because they like to get out and vote against something.

Niagara Falls qualifies to receive 100 percent reimbursement for capital improvements made to school campuses because the school district is designated by New York State as a "special needs" district.

According to Earl Smeal, energy manager and assistant capital projects manager; and David Spacone, assistant supervisor for operations management for the district, all 11 campuses are in need of renovation. Some need roofs, some boilers, lighting, security, energy-efficient heating, cooling and ventilation, in place of costly, failing systems, wiring, windows that work, updated communication systems, fire alarms, proper locks, useable parking lots, lowered ceilings, a new busing loop, better lockers, kitchens that provide hot lunches, pools that don't have dehumidification and more than 400 other major and minor interior and exterior repairs and improvements that affluent school districts have as a matter of course.

The repairs the schools need are so basic and necessary, the state will reimburse the district 100 percent. Niagara Falls students can have the same basic standard of school conditions that other schools in the state have, despite the poverty of the community.

This is what the referendum is about on Sept. 25.

Whether Niagara Falls voters, or the few that bother to vote, want to have the state pay for it, or whether they prefer to make any and all repairs to the schools locally, through a probable raise in property taxes.

Sixty percent of the voters, a super majority, have to vote yes on Sept. 25 to get state money because the district has to sell bonds -and this requires

voter approval - do the work then get reimbursed by the state.

"Obviously the comfort level of the students and staff in these buildings will increase as a result of the planned improvements," said Mr. Smeal.

"Just like your home and mine, our schools need regular maintenance and improvements," said School Supt. Cynthia Bianco. "Obviously, a more comfortable environment means a better learning environment."

In addition to essential repairs, the district came up with a plan to include educational-centered improvements – such as upgrading classrooms and building STEM (Science Technology Engineering Math) labs.

If the referendum passes, local union workers will complete \$65 million in construction work.

Niagara Falls represents 0.25 percent (one quarter of one percent) of the state population. If the referendum passes, state taxpayers outside Niagara Falls will pay \$99.74 out of every \$100 used to renovate Niagara Falls schools. State taxpayers in Niagara Falls will pay 26 cents

If the referendum fails, Niagara Falls taxpayers will pay the full 100 percent of the cost, \$100 out of every \$100 dollars for repairs made to the schools. If the referendum fails, even if only one percent of repairs now planned are made and the other 99 percent of needed school improvements are ignored, Niagara Falls taxpayers will pay more.

STEM LABS WILL BE PART OF THE STATE FUNDED PACKAGE

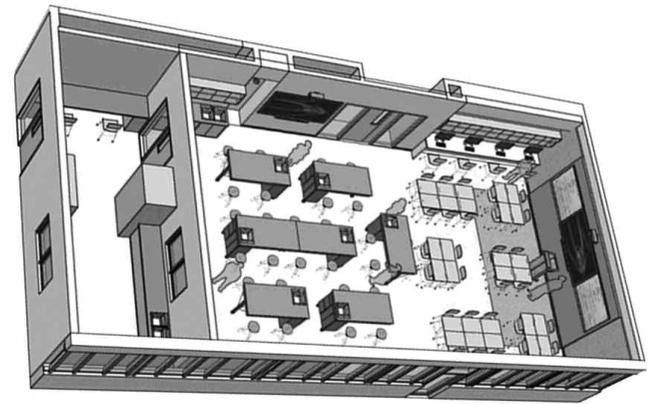
Cameras, virtual field trips, skyping, data bases, probeware, green screen technology, multimedia presentation, weather stations, broadcasts, cameras, recording devices, virtual field trips and more will be included in the Science, Technology, Engineering and Math (STEM) labs planned for each school as part of the September 25 referendum initiative.

"Instead of reading about something, students will be able to go into the Stem Lab and actually do it," said Darlene Sprague, administrator for Information Services for the district. "It could be a Weather Station or earth science study of rocks in our area. In the Science Stem Lab we can recreate within a few degrees a Rain Forest."

Students would still have science, social studies and math where they learn from book.

The STEM Lab is where they go to apply it.

Lynne Tompkins, a school administrator working with Ms Sprague on the STEM Lab project ex-



Model of Stem Lab to be installed in every school.

plained, "In the lab we have the materials where students are able to construct a model bridge or an overpass using math skills and engineering skills. Then have the ability to place it in a chamber that would apply stress and see if it would hold up or how it would hold up."

Because Niagara Falls is designated as a "special needs" district it qualifies for 100 state reimbursement for classroom technology improvements such as STEM labs.

"What we are trying to promote to our kids is college and career readiness," said School Supt. Bianco. "We want our students to have experience tied to the real world of research scientists, engineers, robotics, and medical field labs to introduce them to a world students don't typically receive."

"The highest kind of learning and knowledge is applied knowledge. What good is it if you learned it all in a book? If you can't do something with it, apply it towards a career or research or study or finding a cure for cancer? During the experience of touching and doing things, kids see opportunities that can develop into a career. To actually touch and do things you learn in science or math and apply it and see the outcome. It gets kids thinking about their careers."

Each of the STEM labs will be approximately 1,400 sq. ft. And set up to accommodate a full class of 28 students. It will cost \$300,000 - \$350,000 to construct each or about \$4 million for all 12.

On Sept. 25 voters in Niagara Falls can decide whether they want STEM labs along with other renovations officials say are needed paid locally or by the state which by all accounts has never been shy, through taxation and mandates of charging the people locally for grandiose and wasteful schemes in New York City and elsewhere.

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Guess Who is really not coming to Hard Rock?

Rogues secured name depriving star members from calling themselves The Guess Who



**Shellene
D. Reich**

The Niagara Gazette calls the group coming to the Hard Rock this summer, "Canadian rock legends The Guess Who."

According to the Buffalo News, "The city's popular Hard Rock Cafe concert series ... will feature rock legends The Guess Who on July 7."

But the band that will be appearing at the free, outdoor, taxpayer-funded concert this summer for corporate welfare recipient, the Hard Rock Cafe, is not comprised of the two stars that created the sound fans know as The Guess Who.

If you think you are going to see the original singer, Burton Cummings, when the so-called The Guess Who performs for the Hard Rock's profit, and taxpayers' expense, think again.

Mr. Cummings wrote most of the group's famous songs along with guitarist Randy Bachman who also will not appear.

It turns out the original bassist, Jim Kale and drummer Garry Peterson own the legal rights to the name. These two will be appearing, along with some youngsters who were not born when the group appeared out of Canada in the late 1960's.

Mr. Kale and Mr. Peterson were members of the original Canadian group but neither wrote the songs nor sang them.

This is not the real Guess Who. It is like new formula Coke. It is Coke, technically, but not the same drink. It is like saying the Beatles are in concert with George Martin and Pete Best.

The Guess Who's rich sound came from singer Burton Cummings' signature voice, guitarist Randy Bachman impressive chording and the novel, expressive songs the two of them co-wrote.

The reason the two who created the true sound of The Guess Who don't tour under the name is, while the two men were creating sensational music and lyrics, the clever original bassist, Jim Kale quietly registered the name.

He now makes his living capitalizing on the songwriting talent of the two men he snatched the name from.

What kind of man would play the songs of the two men he used to play with in a band and not let them use the name they played together in?

A similar set of circumstances happened to John Fogerty who wrote and sang all the hits of Creedence Clearwater Revival. A rogue group uses his songs and arrangements, performs under the name and will not allow him to use the name that he –through his talent - made famous.

For the past several years, Mr. Kale has toured

the United States with his rogue The Guess Who without Mr. Bachman and Mr. Cummings -- a group Mr. Cummings calls "Kale's Klones."

Mr. Cummings and Mr. Bachman are responsible for the band's major hits: Laughing, Undun, No Time, No Sugar Tonight, Hand Me Down World, These Eyes and they co-wrote the song American Woman with the entire band.

Mr. Cummings sang them.

Mr. Bachman and Mr. Cummings have toured together on and off since 2005, and having failed to win the rights to use The Guess Who name, adopting the moniker Bachman-Cummings.

Since 2004, Mr. Kale and Mr. Peterson, who now jointly own the name, have been misleading gullible audiences into believing they are "The Guess Who" when in fact they are rather more like a tribute band - but without the usual respect tribute namds pay to the originators.

People coming on July 7 expecting to hear Burton Cummings and Randy Bachman will come away disappointed.

According to sources, taxpayers paid more than \$25,000 for the band that is legally named The Guess Who but is not.

Mr. Cummings who has appeared at the Seneca Niagara Casino commands about the same amount for his performances, according to sources in the music industry.

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From lucky bets to a career in sports gambling and early odds on football



Lenny Palumbo

This column is intended for those ready to free themselves from a life of indentured servitude and be their own man, on their own terms.

For those not up to the mark, if you live here locally, the Seneca Niagara Casino is available 24/7 to take from you whatever money the rapacious tax policies of your local, state and federal governments have not yet confiscated from you.

We are talking about skill gambling here – based on logic, knowledge, discipline, hard work and a little luck, but with better odds than the stock market, commodities trading and bond investing.

This week we'll get into a little detail for those interested in wagering on baseball.

Baseball is bet on a money line, based on odds. There is no point-spread like football and basketball. All your team has to do is win. While this might sound easy, the odds ensure that winning money on baseball is as challenging as other sports.

Most newspapers list the odds for Major League Baseball everyday. The favorite is listed first, followed by the odds and then the underdog.

New York Yankees 8-5 Toronto Blue Jays 8-5 means if you want to bet the favorite, New York, you have to bet \$8 to win \$5, or \$160 to win \$100. If you bet Toronto, the underdog, you stand to win \$150 on a \$100 bet. The 10% difference is the house's edge.

Betting the favorite when odds are 6-5 means you risk \$120 to win \$100.

7-5 odds risks \$140 to win \$100, if based on the 10-cent or "dime line."

Wagering a 9-5 favorite requires \$180 to win \$100. If a gambler bets exclusively 9-5 favorites, he has to win 64% of his bets to break even. The underdog player, on the other hand, needs to win just 37% of his bets to break even.

For this reason it is usually wise to avoid favorites on any game listed at -160 (8-5) or higher. The oddsmaker has good reasons for posting steep odds. Underdogs getting 8-5, 9-5 and 2-1 odds are often bad bets too. These are usually poor teams unlikely to improve without a drastic overhaul to their lineup.

That being said, it cannot be stressed enough that the point-spread or odds are not necessarily the oddsmaker's opinion of the potential margin of victory one team will achieve over another but what the odds-maker thinks will most evenly divide his action. Remember, sportsbooks and bookies are not gamblers, they're brokers. Ideally, they want an even amount of money bet on both sides. When this happens, their 10% commission or "vigorish" will ensure them a profit regardless of the outcome of the game.

The number that appears in your local newspaper as the odds has as much to do with "public perception" as the statistics produced by both teams. Since public perception is usually way off base, there are many opportunities for pros to exploit. Simply betting against public opinion can be a useful strategy.

When a professional gambler finds a large enough disparity between the odds and what he believes is the true difference in strength between two teams, he has a play. If he can consistently

find these disparities week in and week out, he has a career.

A significant truism applies to baseball as it does other sports: most gamblers tend to bet favorites. Oddsmakers know it and factor this into the line, forcing favorite players to pay a sort of "tax" for their preference. This makes it more difficult for "frontrunners" to beat their bookie.

Similarly, most amateurs tend to bet overs rather than unders. Oddsmakers are well aware of this tendency and force over players to pay for it.

Because starting pitching plays a large role in setting odds, baseball handicappers devote most of their time to charting pitchers. Baseball bettors must not only be familiar with who the top hurlers are, but their current form and that of the bullpen.

Betting on top pitchers, however, carries the same risk as betting on top teams. A lot of sucker money based on preferences and emotion moves odds in the wrong direction, not unlike the stock market. Last year's American League Cy Young Award Winner Justin Verlander often carries a price tag of 2-1 odds or higher. The same can be said of other consistent winners like San Francisco's Tim Lincecum or the Dodgers' Clayton Kershaw. Successful gambles often back middle-of-the-road hurlers in more modest price ranges.

When betting baseball totals, as many pros successfully do, be aware of the "key numbers": Between 25-30% of all total final scores are 7, 9 and 11. The reason for this is that tie games require one more run before they end. If you're going to bet over/unders it is essential that you stay on the right side of these key numbers.

Also, know umpires and their strike zones. No two umpires are the same. A hitter's umpire with a large

strike zone is to be avoided when making plays on the under, while pitcher's umpires with small strike zones should be avoided when betting overs.

Knowing weather forecasts, wind speed and direction, coupled with knowledge of ballparks, whether they have short left and right field fences, can turn the tide for or against your wager.

Of course, be careful. There are many hypocritical laws of anti-freedom states and countries where the harmless occupation of betting on sports is illegal. Many of these same tyrannies hold that government-sponsored gambling, with worse odds, and where almost all people will lose money if they gamble, are legal. Try to avoid fascist states like these.

On a different note, Las Vegas and offshore sportsbooks have released NFL Week #1 pointspreads. Local fans will not be surprised to learn their beloved Buffalo Bills have been installed as 4½-point underdogs for their road opener, September 9 versus the New York Jets.

These early pointspreads are one barometer for sports bettors to gauge the relative worth of each NFL team. ESPN can hire all the swimsuit models it wants, but the real experts are those who risk real money on their opinions. No one is more qualified than sportsbooks and handicappers whose livelihoods depend on the accuracy of their predictions.

Here are a few Week #1 NFL pointspreads that might be of interest to gamblers:

Defending Super Bowl champion New York Giants are 3-point favorites at home versus the Dallas Cowboys. This number may appear low at first glance but every week amateurs are

(Continued on page 14)

As we near another Memorial Day and rightfully remember and honor all the men and women who serve



and have served the U.S. Armed Forces, we also need to pay tribute to the family members of our brave service personnel. These often overlooked extended members of our Armed Forces family act as the support mechanisms each and every day of the year. May 11 marked Military Spouse Appreciation Day. As with our service members, too often "thank you" goes unsaid. So this month, in addition to thanking all who serve and have served take the opportunity to honor and recognize the military spouses who have selflessly served alongside their active-duty husbands and wives. These are the men and women who anchor the home front during long deployments and who offer support and comfort to other military spouses. No one knows better than military spouses that when their husband or wife is deployed, the challenges at home continue. It is the military spouses who bear those burdens each day in support of their loved ones and in service to their nation. So a special thanks to each of our military spouses for all that they do — though you may not wear the uniform, your honor, courage and commitment sustain us.

— LEGAL NOTICE —

NOTICE of FORMATION of a DOMESTIC LIMITED LIABILITY COMPANY
New Frontier Construction LLC

Date of filing Articles of Organization with the NY Dept of State: April 6, 2012
Office of the LLC: 43 Pennsylvania Ave, Lockport, NY, Niagara County.
The NY secretary of State has been designated as the agent upon whom process may be served. NYSS may mail a copy of the process to the LLC at: 43 Pennsylvania Ave, Lockport, NY, Niagara County.
Purpose of LLC: Renovation and Custom Homes. No specific duration attached to LLC.

5/15/12 5/22/12 5/29/12 6/5/12 6/12/12 6/19/12

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DeSantis pays price for not paying on time

At the risk of being accused of overkill, it is necessary to make clear the repercussions that City Planning Chief Thomas DeSantis incurred as a result of his failure to file timely work permits for the kitchen and half-bath renovation work he had done at his Pershing Ave. home some 15 months ago.

As this newspaper reported exclusively in its May 1st edition, Mr. DeSantis failed to obtain the required permits for what he has now admitted was \$38,480 in kitchen-bath renovation he had done more than a year ago.

After our story broke, Mr. DeSantis filed the necessary permits, on May 8 and 9, 2012, paying \$1,200 for the building permit, \$90 for the plumbing permit and \$50 for the electrical permit. In addition, Mr. DeSantis was required to hire, after the fact, a licensed electrician and plumber to inspect the work he had done previously without permits.

Mr. DeSantis, as the permits show, hired Art McGill Electric Inc. as electrician and H.W. Bryk and Sons Inc. as his licensed plumber.

Dennis Virtuoso, the city's acting code enforcement chief, told the Reporter that Mr. DeSantis had to pay double fees as a penalty for not filing permits before the work started. In addition, the permits will trigger an inspection by the city tax assessor's office to determine if a property tax increase is in order.

Mr. DeSantis, the city's top planner, certainly can't claim ignorance of the law in his defense for not obtaining the permits, as required, before getting the work done. Whatever his reasons, it cost him in dollars and cents and most likely damaged his oth-

erwise strong credibility.

The Reporter's stance on permits and other intrusions into citizens' homes and businesses lean toward the libertarian. We presume every man has the intelligence to protect himself in his own home and wish to afford him that freedom. We believe in the intelligence and honor of Americans. We believe the more laws, the worse for any country.

The Reporter would not normally report on a man not getting permits for his home or his castle.

Mr. DeSantis, however, is a man who has made a 20 year career enforcing tedious, petty, tyrannical, anti-business and cumbersome municipal laws. He is a letter of the law kind of guy. He is now revealed as a man who required others to obey laws that he himself chose not to follow. He wanted freedoms for himself he did not afford others.

This was the whole point of our coverage.

BUILDING PERMIT

City of Niagara Falls
Department of Code Enforcement
745 Main Street, Niagara Falls, NY 14302-0069
(716) 286-4450 (716) 286-4454 fax

Property Address:
8502 Pershing Ave

Property Owner:
DE SANTIS THOMAS J &

Applicant
Name: De Santis Thomas J &
Address: 8502 Pershing Ave
City, St, Zip: Niagara Falls, NY 14304
Phone: (716) 283-1868 Work:

Type: RESIDENTIAL REMODELING INT./EXT. (0225)

Description: REMODEL KITCHEN AND 1/2 BATHROOM TO CODE.

Line 3: BP-1 ON FILE

Total Cost: 38,480 Total Square Feet:

Croisdale

(Continued from page 8)

nesses ever thrive again on Main Street? Should the NTCC spend so much of its budget on the East Indian market? Should city department heads be sought locally or rocurd through national searches?

We have no consensus on any questions. What is worse we have no true public discourse. What we have is opposing sides screaming through megaphones and slinging mud at one another. What we have is a house divided and, as Abraham Lincoln said, using the words of Jesus, in his anti-slavery speech to Republican delegates in June of 1858, "A house divided against itself cannot stand."

The fault for this sad state lies at the feet of all of us. Surely, it is often true of elected officials, but they serve at our appointment and mirror our substandard behavior. The same can be said of most of our not-for-profits and public organizations, including most I have been involved with. People get sidetracked from the altruistic desires that drew them to a cause becoming e mired in power struggles and vendettas meant to protect molehills at the expense of the shared mountain. There isn't much sand in Niagara Falls, but when you come across some you can be sure someone has drawn a line in it.

If we are to properly turn this city around it will only come with far less conflict and far more compromise. I will tell you right mow that the sentiments I have expressed in this column are spot-on and are beyond reproach and should be embraced by all the people of this great city that we love and share.

I'm certain that a full 50 percent of you will whole-heartedly agree.

STEVE'S

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**"WOMEN, MONEY AND FRIENDS COME AND GO
BUT DOGS ARE FOREVER."**

Skill needed for sports-betting

(Continued from page 12)

where almost all people will lose money if they gamble are legal. Try to avoid fascist states like these.

Sports betting is a profit able skill for the wise and a diversion for the average man.

On a different note, Las Vegas and offshore sportsbooks have released NFL Week #1 pointspreads. Local fans will not be surprised to learn their beloved Buffalo Bills have been installed as 4½-point underdogs for their road opener, September 9 versus the New York Jets.

These early pointspreads are one barometer for sports bettors to gauge the relative worth of each NFL team. ESPN can hire all the swimsuit models it wants, but the real experts are those who risk real money on their opinions. No one is more qualified than sportsbooks and handicappers whose livelihoods depend on the accuracy of their predictions.

Here are a few Week #1 NFL pointspreads that might be of interest to gamblers:

Defending Super Bowl champion New York Giants are 3-point favorites at home versus the Dallas Cowboys. This number may appear low at first glance but every week amateurs are sucked in by "sure things." It is not in the odds-maker's nature to be generous. If you see a line that looks too good to be true it probably is.

Despite the well publicized but bogus bounty "scandal" surrounding the New Orleans Saints, the team has been tagged a 9-point favorite in its home opener against the Washington Redskins. This indi-



cates odds-makers feel season suspensions for head coach Sean Payton and linebacker Jonathan Vilma, and shorter suspensions for defenders Will Smith, Anthony Hargrove and Scott Fujita will not significantly affect the team's fortunes. The ridiculous excessiveness of the suspensions probably occurred so the NFL could distract attention from the multiple lawsuits filed against the league by former players who allege the NFL withheld knowledge regarding the ramifications of concussion-related injuries. The NCAA uses a similar tactic of manufacturing scandals to distract attention from its grotesque financial exploitation of student-athletes.

QB Payton Manning's new team, the Denver Broncos, are 3-point favorites at home versus the Pittsburgh Steelers. This means experts think Manning has made a recovery and will return to his previous high standard of play despite sitting out the entire 2011 season with a serious neck injury. His old team, the Indianapolis Colts however, are a 10-point underdog on the road at Chicago. This indicates the experts believe top draft pick Andrew Luck will probably not make an immediate impact, and the Colts are destined for another losing season.

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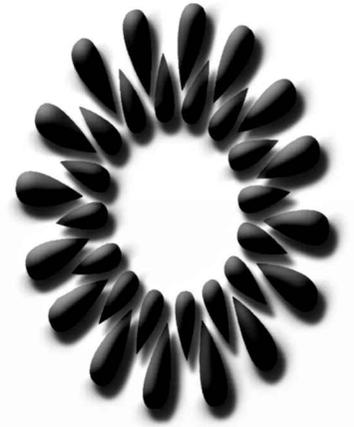
Nick Wallenda

KRISTIN GRANDINETTI, ROBERT ANDERSON, CHAIRMAN SAM FRUSCIONE, GLENN CHOOKOKIAN, CHARLES WALKER

THE NIAGARA FALLS CITY COUNCIL WELCOMES THOSE WHO DARE TO DO GREAT THINGS AND DREAM BIG.



Niagara Falls Redevelopment and the Niagara Falls Reporter's 7th Annual Mother's Day Community Missions Matching- donations campaign



When people are in need of food, in need of shelter in our community they can always go to Community Missions

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WHEN YOU GENEROUSLY DONATE TO COMMUNITY MISSIONS DURING OUR CAMPAIGN, YOUR CONTRIBUTION IS ACTUALLY DOUBLED OR MORE THANKS TO THE NOBLE GENEROSITY OF SUSAN JAKUBOWSKI AND BRUCE WEINER, MICHAEL AND KAREN ELIA AND STEPHEN AND SHARON PLUMERI WHO HAVE PLEDGED THAT FOR EVERY DOLLAR YOU PUT IN, THEY WILL MATCH IT DOLLAR FOR DOLLAR. NOW IS THE TIME TO GIVE!

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Quain Weber
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Kathleen Banks
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Lance Wilson
Duaine Ivey
Dorothy and Robert Korn
Lynn Hoffman & Adele Veihdeffer
Clara and Benjamin Wojtowicz
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*Reservists from the Niagara Falls Air Force Base –
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Volunteers who help the guests at the Community Missions



(Top Left): The Knit Wits: Provide hats, gloves & scarves-all handmade each December for guests at the Community Missions.

(Top Right): Volunteers at the Seneca Niagara Casino host a Christmas Dinner for over 225 people

(Left): Niagara Jr. Purple Eagles Youth Hockey Group organizing a food drive with 800 kids.



Robyn L. Krueger CMI Executive Director

"We have an amazing group of volunteers whose daily work and readiness affects the lives and outcomes of those we serve. In 2011, Community Missions welcomed 412 individuals who volunteered 5,803 hours of service. In addition there were 826 food pick-ups from volunteers, food drives and food service businesses totaling 225,000 pounds of food! We are so grateful for the time, talent and treasures of our volunteers!"



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Niagara Falls Redevelopment and the Niagara Falls Reporter are pleased to announce the 7th Annual Mother's Day Campaign to Benefit Community Missions

My Personal Battle With Cancer, A Story of Hope and Betrayal, Part I



Glenn Gramigna

(Mr. Gramigna is a well-known local writer and internet entrepreneur who owns Niagara Falls Politics.com and NewWNYPolitics.net. In a seven part series, Mr. Gramigna tells a gripping story of how he overcame what he calls a "careless terminal diagnosis" to find effective cancer treatment.)

(He can be reached at: ggramigna@yahoo.com)

Hope.

It's the one thing every cancer patient craves more than treatment, more than pain killers, more than compassion. Yet, my doctor at Buffalo's Roswell Park Cancer Institute," Dr. M..., didn't seem willing to offer me any during an appointment on an upper floor of his much ballyhooed facility early last spring. In fact, he seemed openly contemptuous of the intention of this prostate cancer patient to try to seek some out.

I had seen a television commercial

for something called, TrueBeam STx, an innovative form of radiation treatment that promised "New Hope for All Types and Stages of Cancer." The ad on behalf of a much smaller, less well known purveyor of cancer treatment known as CCS Oncology seemed to offer some of that H-O-P-E that I was so ardently pursuing. Yet, the widely recognized "cancer expert" who thought of himself as the tour guide for my adventure in potentially fatal disease would only scoff at my dreams.

"TrueBeam?...Yes, I've heard of it," Dr. M-- sniffed. "It's an innovative technique that has revolutionized treatment of brain cancer. It has nothing to do with you!...Take it from me, you wouldn't be eligible for it."

"Maybe that's true," I conceded timidly, "but I really feel like it's something I have to try. I hope you won't be offended if I do."

By this time, the man whom I was counting on as my chief ally in the battle to save my health could no longer hide his contempt as he struggled to make his way out of the tiny examination room that had become my refuge.

"Look, Glenn if you want to waste your time, that's fine with me," he barked, chuckling openly now as if I

had told him a really good joke. "I have no problem with you wasting your time!"

Now some ten months later, it's clear that everything I was told that day by the degree laden, award attracting, suburban mansion dwelling medical paragon with whom I spoke was false, either outright lies or an act of almost incredible ignorance...."Where Else But Roswell?" indeed!

No, TrueBeam is not reserved for brain cancer patients. And yes I was eminently eligible for treatment at CCS Oncology. And no, I was not wasting my time by going there, far from it.

In fact, my physician at CCS, Dr. Sam Yi has offered me, not only encouragement but an effective, step by step treatment plan that has tackled my physical woes one by one, leaving me, at the age of 64, with a good prognosis for an extended life.

If I had listened to Dr.M... I would probably be dead now, a possibility which he was not reluctant to callously discuss in front of me, even going so far as to openly express his amazement that I had "lasted this long." Instead, I continue to live and work, encouraged by the goal of telling my story to other



Dr. W. Sam Yi, M.D.

might find effective treatment.

"Hope".....It's the only reason I decided to tell my story. For many cancer patients it's only a dream. Yet, from my own experience I believe it's a dream that could be kept alive in many more hearts than is commonly believed.

Seeking second opinions, finding alternative sources of care, refusing to give up on yourself even though some doctor may have given up on you....This is what this series of articles about my own personal battle with serious cancer will be all about.

(Next week: Unnecessary treatment)

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Holiday Market: Does public have a right to know?

(Continued from page 4)

this any more, no more money being (wastefully) spent. We got to stop the nonsense!”

Mr. Fruscione said several people “who have done business with Rivers during the event are giving him information. He said he will work to get to the bottom of how the event was put together and how the city's money was spent. He noted a discrepancy with regard to WNY Family Magazine (who was stiffed on their bill by Mr. Rivers.)”

Mr. Schoepflin said, “the number of complaints from those being paid were small in proportion to the overall picture.”

Attorney Johnson noted there is “still a need for the city to ‘drill down for more information and to get the details’ of the Market overall.”

Mr. Fruscione noted the high cost of rental tents - at \$61,000.

Mr. Coate said “he was not an expert on tent rental costs but this particular tent renter is considered to be excellent.”

What was the name?

(As an aside, the Reporter interviewed Scott Erwin of Custom Tent Rentals of Lewiston to try to ascertain whether \$61,000 for tent rentals was reasonable. Mr. Erwin previously gave general examples of pricing his company might charge for certain types of tents. In a second interview, he indicated that, judging solely from pictures, it would be difficult to judge another company's pricing. When we contacted Mr. Rivers, before he hung up on us, he said he could not recall who he rented the tents from.)

“In summation,” the minutes record, “Fruscione and Choolokian repeated their desire to investigate further to see if improprieties had

been committed. They emphasized their disappointment in the event, in Rivers' report, in the spending of city money and the lack of needed details.

“Choolokian stated several times ‘This is nothing personal (to Coate and Schoepflin) but... taxpayer money has been spent here.’”

Mr. Schoepflin admitted “the event was not perfect, was a good effort and hopes it will not keep the city from working mutually on future development projects... projects such as bricks and mortar, not necessarily entertainment. Schoepflin said perhaps it was a mistake, too ambitious, to book four concerts instead of just one.”

Mr. Schoepflin and Mr. Coate agreed to provide all invoices and records they have and left some with Mr. Fruscione and Mr. Choolokian.

After the Market defenders left the meeting, according to the minutes, Mr. Fruscione asked Mr. Johnson “if there was any chance of pursuing Rivers on a criminal or fraud charge. Johnson said it looked like there was no option in that regard and even if significant evidence were to be found showing his intent to commit fraud, it would be a civil not criminal situation.”

The Reporter made a FOIL request for all documentation received at the meeting and received 60 pages of material. We are reviewing it now.

The Reporter will make a further FOIL request for any and all additional documentation promised by Mr. Schoepflin and Mr. Coate - both of whom declined to return multiple calls made by the Reporter.

(Contact Frank Parlato Jr. at info@niagarafallsreporter.com)

Hard Rock Concert Series Headlines Old Falls Street Lineup

By Tony Farina

Old Falls Street is promising a fun-filled, action-packed menu of special events this year from May through October highlighted by the Hard Rock Summer Concert Series every Saturday beginning July 7.

Global Spectrum announced the season's schedule last week during a preview day program under sunny skies outside of the Conference Center and it was all happening as the city gears up for Nik Wallenda's daring walk across the falls on June 15th.

The Hard Rock concert series begins on July 7 with The Guess Who (see more on this act elsewhere in this publication), followed by the Buffalo Philharmonic Orchestra playing the music of the Grateful Dead on July 14th. The rest of the lineup: July 21, Sloan; July 28, Talas; Aug. 4, KC and the Sunshine Band; and Aug. 11, Finger Eleven.

Some of the area's finest opening acts will get each program under way as the Hard Rock, led by General Manager Dominic Verni, continues to pump

excitement into the Old Falls Street summer season with its free concert series.

There will also be a weekly showing of movies every Thursday during the Flicks on Old Falls run that turns the middle of the street into an outdoor movie theater. First on tap is the John Travolta-Olivia Newton John classic Grease on July 7th. Some of the other flicks during the run are Spider Man, The Muppets Take Manhattan, and Toy Story.

The Fridays on Old Falls Street Concert Series, sponsored by Legends Bar & Grill, kicks off June 29 with USA Band.

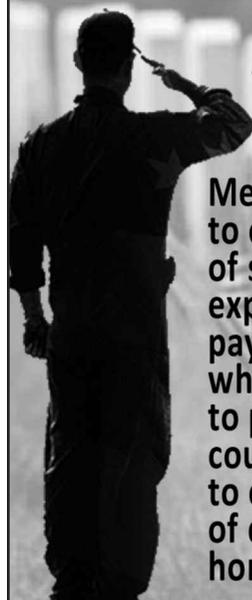
Bike tours, workouts, food, and live music everyday at noon are among the activities announced by Global Spectrum, the company that oversees the Old Falls Street program for the state under General Manager Ryan Coate.

For more information for what promises to be an exciting season along Old Falls Street, visit www.FallsStreet.com.

Assemblyman John Ceretto



Memorial Day



Memorial Day is a day to observe a moment of silence and honor, express gratitude and pay tribute to the heroes who sacrificed their lives to protect us and our country. We are proud to celebrate a tradition of dedication, bravery & honor with all.

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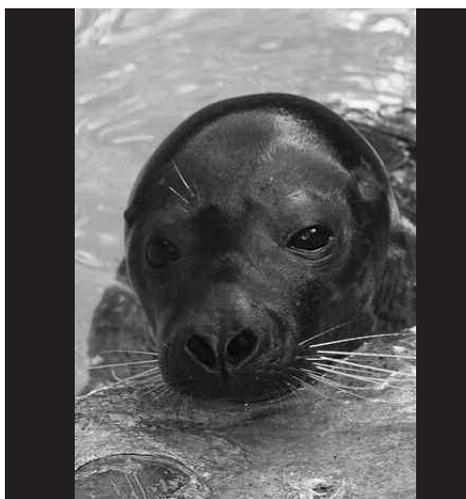
Rescued Seal Will Retire in Niagara

A 3-year old, female Atlantic harbor seal has recently been acquired by the Aquarium of Niagara. The seal, who has been given the improbable name of Zoey, weighs in at 107 pounds and had been found stranded on a Massachusetts beach in 2009, suffering from a severe ear infection that made it impossible for her to hunt food.

Zoey now lives in the outdoor harbor seal exhibit, just inside the front gate of the Aquarium of Niagara, with four other female seals, who were at one time rescued and placed in captivity because they could not survive in the wild.

Zoey, after being rescued by the New England Aquarium, was transferred to the Marine Animal Rehabilitation Center at the University of New England where she had surgery for her ear infection. She was a pioneer in human surgical operations on animals - the first seal to have this procedure.

In the past, a seal in Zoey's condition would have been euthanized, since they could not be healed with antibiotics. Zoey's surgery was similar to putting tubes in a human ear to drain out fluid. The seriousness of the infection and the surgery, made her unable to return to the wild since Zoey cannot



Zoey

dive to required depths to hunt for food.

The National Marine Fisheries Service offered Zoey to the Niagara Aquarium.

Nancy Chapin, executive director, Jenn Humphrey, marine mammal supervisor and Dr. Ed Latson, attending veterinarian, drove to fetch Zoey and bring her back to her new home. After being quarantined for 30 days in the Aquarium's hospital pool, Zoey was introduced to the other harbor seals.

Senior trainers had begun training her while she was quarantined.

"This helps to build a positive and strong relationship with the trainers be-

fore they go on exhibit," said Ms. Humphrey.

Zoey is now performing alongside of Lucy and Sandy who are both 32 and have been here more than 30 years; Clarice is 30, and Cady is 8.

The female seals or cows live together at the Aquarium in a pool of 19,000 gallons that at its deepest is nine feet, and is kept at least 65 degrees cool. It is not known if the all-female group has ever seen a male harbor seal or bull.

In the wild, nature has imbued the males with a desire to fight for the right to mate underwater and on land. Females mate therefore with the strongest bulls and generally bear a single pup. Sometimes a bull will keep a harem.

Pups are able to swim and dive within hours of birth, and they develop quickly on their mothers' fat-rich milk.

As for Zoey, "It was easy going," Ms. Humphrey said "There was not any signs of aggression from the others... Harbor seals don't live in groups like sea lions. Harbor seals have their own little areas."

At the Aquarium, the seals eat a diet of herring, smelts, capelin and squid. An attraction called "Wanna Feed A Seal?" operates at 12 and 2 PM

Saturdays and Sundays where anyone can purchase a cup of frozen, raw fish and make the choice to either eat it themselves or toss it to the harbor seals. The money goes to buy more fish and mollusks for the voracious seals. They eat about 6 to ten pounds of food per day.

Harbor seals seem to have 34 to 36 teeth. The front teeth are pointed and sharp, well adapted for grasping and tearing but not really chewing their food. Their back teeth are ideal for crushing shells and crustaceans and a seal could eat a dozen clams without taking them out of the shell.

This long-standing business in Niagara Falls has recently had many updates, including new roof, outdoor patio with heaters, large bar with seating for 20, dining room that seats 75-100 people. All equipment included in sale, new security system with cameras, central air and so much more.

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SEN. GEORGE D. MAZIARZ

Memorial Day

Let's not forget to say a prayer for the thousands of brave Americans serving our country. Next year, may they be home to celebrate with their families.

- Sen. George D. Maziarz

**62ND DISTRICT. PH: 716-434-0680
175 WALNUT ST., SUITE 6, LOCKPORT, N.Y. 14094**

This Memorial Day ...

let's not forget our men and women serving overseas, nor any of those who have made the ultimate sacrifice on behalf of our nation.

Good luck and godspeed.

Bob Anderson

**ROBERT A. ANDERSON JR.
NIAGARA FALLS CITY COUNCIL
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— LEGAL NOTICE —

Notice of Formation of a Domestic Limited Liability Company
Rainbow Vineyard, LLC has been formed as a domestic limited liability corporation (LLC) by filing Articles of Organization with the New York Secretary of State on May 4, 2012. Office location is Niagara County. The Secretary of State is designated as the agent upon whom process against the LLC may be served. The Secretary of State shall mail a copy of any process served upon him or her to 5645 Young Rd., Lockport, New York 14094. The purpose of the Corporation is to engage in the sale of produce to local supermarkets.

5/8/12 5/15/12 5/22/12 5/29/12 6/5/12 6/12/12

— LEGAL NOTICE —

Notice of Formation of a Domestic Limited Liability Company

ROZAN GARDEN, LLC (the "LLC") filed Articles of Organization with the NY State Secretary of State ("NYSSS") on March 23, 2012; the LLC is located in Niagara County; NYSSS is designated as agent of the LLC upon whom process against it can be served; a copy of any process served upon NYSSS will be mailed to the LLC at 15 Shadowdale Drive, Stony Creek, Ontario, Canada L8E5Z4; the purpose of the LLC is to engage in any lawful act or activity.

4/17/12 4/24/12 5/1/12 5/8/12 5/15/12 5/22/12



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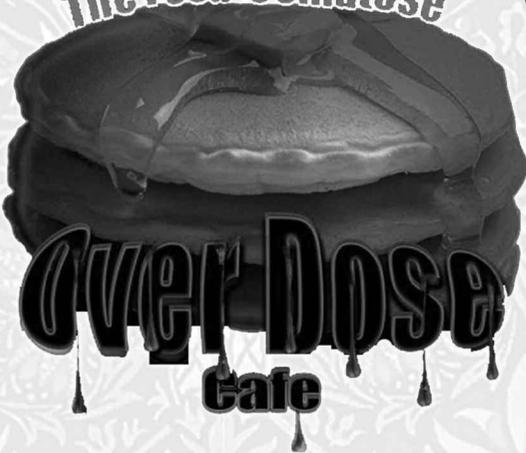


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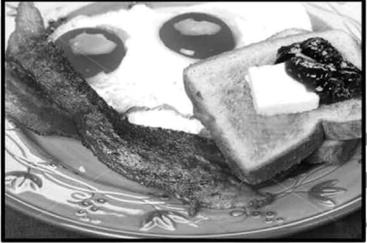


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