

# New double standard set at City Hall

## Mayor Dyster seems much like predecessors

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I bought a building next to the Niagara Falls State Park in 2004. Almost since I got here, I've been fighting City Hall.

In Niagara Falls, you have to fight City Hall, or fold or, it seems, make anonymous donations.

The new mayor, Paul Dyster, is, purportedly, seeking "the brightest and best" to help change the city's sorry history of decline. Searching the nation — free from politics — for "the best" to work in City Hall, he selected Donna Owens, a deputy commissioner in Atlanta, to serve as city administrator at \$110,000 per year; \$50,000 higher than what the former administrator was paid.

Peculiarly, \$35,000 of her salary will be "donated" by the "Building a Better Niagara Falls Fund," established through the Community Foundation for Greater Buffalo.

"Building a Better Niagara Falls" is a secret organization; its donors are anonymous. Donna Owens will manage the city, and get paid \$35,000 extra from anonymous people in "Greater Buffalo" (and probably Albany).

If anonymous donors pay the salaries of top officials in City Hall, will they have influence and an agenda? One would have to be not the brightest or best not to think so.

Interestingly, the mayor refuses to identify the names of the secret donors.

If we were the brightest and best, we would demand to know.

The Buffalo Niagara Partnership — a one-sided partnership — which favors Buffalo over Niagara appears to be behind some of the secret funding. They appear to function solely to make sure that Albany gets first dibs while rewarding certain regional businessmen, then Buffalo next. Last is the rat's tail: Niagara Falls, which gets a dab of peanut butter on the catch of the mousetrap.

It's odd that Mr. Dyster, importing help from Atlanta, thinks no one here is bright enough to manage the town. But it will take years before Donna Owens gets institutional knowledge, and understands the lay of the land. But, if you are paid by secret donors, it's perhaps best not to know. Just do as you're told.

Still, speaking of the "brightest and best," free from politics, Mayor Dyster appointed Diane Vitello to replace ousted City Court Judge Robert Restaino. He opted not to conduct a search: Ms. Vitello was the "first, last and only choice," Mr. Dyster told the press. Considering she is the wife of his campaign manager, Craig Touma, it's no surprise that she was the only candidate. One would be neither the best nor the brightest to not to see the political motivation.

Consider: The mayor's campaign manager's wife will preside over justice in City Court; and a woman from Atlanta will manage the town — paid in part by secret donors with connections to Buffalo



**UGLY BOLLARDS:** City Hall threatened to take me to court because city sidewalks were not wide enough at my property. At my expense, I doubled their width, costing me \$11,000. Unbelievably, the city placed half-ton eyesore bollards on those same city sidewalks, restricting the flow of pedestrians and giving an unkempt appearance near the entrance of the State Park.



**GRUESOME:** Above left, dingy stairwells lead you to your car at the city-owned Rainbow Parking Ramp. **CONFLICT OF INTEREST:** Above right, the city is in the parking business, yet tries to regulate my parking lot at One Niagara, which is safe and secure. But the city's parking ramp is dark, unsafe and ugly. Few people ever park there.

and Albany. Mr. Dyster looks not unlike the worst of what Niagara Falls has been historically accused of.

I would not prefer to negotiate with a Dyster City Hall, if Albany and Buffalo (and secret donors) have another agenda. I would not want to appear before his appointed City Court judge — if Dyster's city hall took me to court.

Foresighted people like Thomas Jefferson, however, insisted on the right to a jury in the Bill of Rights — including situations like a Dyster City Hall and Dyster City Court. The incestuous relationships and behind-the-scenes politics in places like Niagara Falls make juries necessary.

As it stands today, the mayor's Buffalo-paid city administrator might require the mayor's (soon to be Buffalo-paid?) corporation counsel to take me to court, where I might be judged by the mayor's campaign manager's wife.

If it happened to you, you'd want a jury.

My present fight with the mayor, however, is apparently over the trifling use of a few feet of parking space on my land — across the street from the State Park's parking lot, and the city's parking ramp.

The fight is really about free enterprise and property rights. I will park cars because tourists want parking; there is no harm in my parking cars; my tenants are local people making a living in Niagara Falls; they need more cars to park here.

Still, pro-City Hall/Albany forces say, "Let tourists park at the city's parking ramp." But the Rainbow Ramp is riddled with graffiti from teenage gangs; obscenities adorn the walls; tiles are falling to the street; homeless people sometimes abide in the dank corridors; the stairs frequently smell of urine. Drugs are sold. A dead body was hidden there. There have been violent robberies in its dark corridors.

Ironic, Niagara Falls manages an eyesore that would not pass safety codes if it were a private business; loses money on it; allows it to be dangerous — then, while in competition with me in the same business, tries to dictate my parking on a few square feet on my own lot.

That is what the fight is about. Clean up your own back yard.

But this is only the latest in a series of battles over minutia. The last was over two extension cords that ran to outdoor signs. Technically, a violation of the New York State building code. City Hall threatened to cut off my power. Yet there are extension cords all over the city — including City Hall.

But I wonder, sometimes, if Mr. Dyster, as chairman of the Niagara Experience Center committee, who publicly identified my property as its preferred location, doesn't have another, hidden agenda. The planned \$100 million Experience Center, if built, will be designed, engineered and the land acquired with \$10 million of Albany pork to benefit Albany's connected engineers and developers.

If Albany is going to seize my property through eminent domain, they will obviously get it cheaper if I fail. I am not suggesting Mr. Dyster wishes to disable One Niagara. But, when the property was abandoned under previous owner David Ho, it seemed Albany could seize the property cheaply. In fact, a slick Dyster design brochure shows the "Gorge experience" attraction inside the failed empty aqua-pit hole.

Of course, there were people happier when there was the aqua-pit hole; for few would venture out of the state park and meander around a one-acre hole. If they did, they found the vacant Rainbow Mall and ugly, eyesore city-owned parking ramp.

Before One Niagara became a tourist magnet, tourist money was spent mainly in the park. There are big-time business people who made a lot of money in the park through long-term "no bid" leases and donate a lot of money to Albany and local politicians. They are not pleased with sharing tourist revenues with One Niagara. More than a few have suggested that the Maid of the Mist is a detractor of mine.

In any event, local small-business people are getting a piece of the tourist pie at One Niagara. Some of Mr. Dyster's contributors perhaps are prodding him to attempt One Niagara's live cremation.

It may not be easy: 200 people make a living from One Niagara. When it was reported recently that Dyster's City Hall was trying to close One Niagara, some here started to organize a protest. They had more than 300 people ready to picket City Hall and committed a local vinyl sign maker to make 100 x 60 feet (rather unflattering) images of Mr. Dyster that they were going to hang on the giant glass walls of the building — along with pithy captions — facing the State Park and the Rainbow Bridge.

The threat to take away the livelihood of people over an extension cord or a couple of extra cars parked on private property that is harming no one was no joke to them.

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