



Assemblyman

Robin Schimminger

Reports to You

Dear Friends,

There is a lot to look back on as 2015 comes to a close. Many new measures have been enacted into law this year in Albany, while several not-for-profit organizations and municipalities located in the 140th Assembly District have been the recipients of Assembly grant funding. And I wanted send well wishes to three accomplished and respected public servants who have announced their retirement in the closure of this year.

Supervisor Anthony Caruana has dedicated eight years to the Town of Tonawanda after many years of teaching and serving in the United States Army Reserve as a Brigadier General. I knew Tony long before he became Supervisor, but it has been a distinct pleasure to work with him in a professional capacity over these last eight years. During his tenure, he worked with the Town Board on several projects including the Parker-Fries sewer-replacement project, which is now nearing its completion. Last year, he and I stood side-by-side at the ribbon cutting of the Sherwood-Greenway Trail, which connects the Two Mile Creek trail in Sheridan Park with the Niagara Riverwalk. And just this fall, the doors to the North Youngmann Commerce Center officially opened. Supervisor Caruana's efforts were integral in the implementation of these and other plans, and his leadership has been instrumental.

City of Tonawanda Common Council President Carl Zeisz stepped down from his post in October of this year after nearly 25 years of service. He was first elected as second-ward alderman in 1991 and became president just two years later. Carl's steady hand and professional demeanor have guided the City Council through numerous meetings, countless issues and many city budgets. His managerial expertise, professional approach to managing city government, grasp of the thousands of details needed to run the city and willingness to listen to constituent concerns earned him the respect of his colleagues and residents alike. As new, first-time elected individuals joined the council, it was Carl who mentored them and served as a role model for public service.

Tonawanda City Court Judge Joseph Cassata is also retiring after a distinguished career in public service. Joe was elected as City Attorney in 1972, and in that capacity handled a myriad of internal and external legal issues that faced the City. Elected to City Court in 1996, Judge Cassata was held in the highest regard as a man of integrity. His unbiased dedication and fairness on the bench showed on a day-to-day basis. His legacy will continue through the city's drug court that he championed nearly 20 years ago. The program helped change the lives of many by providing individuals with drug offenses the opportunity to receive treatment for their addictions, rather than just a jail sentence.

I wish Tony, Carl and Joe best wishes on their retirement from elected office, and I thank them for their gift of public service. Their service will be remembered through their accomplishments. I look forward to working with their successors.

As always, I hope the information contained in this report is helpful to you, and I welcome your thoughts and input.

Sincerely,



A GRAND OPENING

Town of Tonawanda Supervisor-elect Joe Emminger, State Senator Marc Pane-pinto, Erie County Executive Mark Poloncarz, Executive Director of the Ken-Ton Chamber of Commerce Tracey Lukasik, State Assemblyman Robin Schimminger, Congressman Brian Higgins and Town Councilman Dan Crangle officially marked the opening of the North Youngmann Commerce Center with a ribbon cutting ceremony in October at the business park's entrance at Two Mile Creek Road. Three businesses have already committed to locating their operations to the 92-acre site, formerly known as the "Mud Flats." First Source, which manufactures and packages candy products, will open a 300,000 square-foot facility and MJ Mechanical is building a 40,000 square-foot building. Unifrax will also be moving from its current location just across the street on Fire Tower Drive.

TOWN, CITY OF TONAWANDA TO RECEIVE STATE FUNDING

The Town of Tonawanda and City of Tonawanda will be receiving state capital funding for needed large equipment purchases that were brought to my attention. The State's property tax cap, which has the intended benefit of keeping local property taxes in check, is also placing severe constraints on municipal budgets.

The Town of Tonawanda will be able to purchase four heavy duty vehicles to remove snow on area roadways and help maintain the town's infrastructure because of \$570,000 in Assembly capital funding I secured through the State and Municipal Facilities Program (SAM). The town will acquire two tandem axle plow trucks, a TV truck capable of viewing the interior of water and sewer lines and a heavy duty dump truck.

The City of Tonawanda will utilize \$410,000 of Assembly SAM funding to purchase a new fire truck. The pumper will replace a 37 year-old piece of firefighting apparatus that's been increasingly costly and difficult to maintain.

The funding will allow the Town and City to make these purchases in the upcoming fiscal year, help reduce their Capital Improvement Plan budgets and defray local costs.

Officials in the Village of Kenmore and City of Buffalo have each suggested projects within our district borders for capital funding. I am working with them to secure Assembly capital funding and should soon have good news to share with residents of these communities as well.

2015 LEGISLATIVE HIGHLIGHTS

As in the past, I wanted to take this opportunity to report to you on a sampling of the issues we have addressed in Albany during this year's legislative session. At the time that this report went to print, of the 718 bills that were passed by both houses, the Governor had signed 516 into law and had vetoed 93.

HELP FOR SENIOR CITIZENS

Continuing Care Retirement Communities –

Provides for an application and oversight process to allow continuing care retirement communities to offer life care and life care at home programs to seniors. LAW

Elder Abuse – Increases elder abuse awareness and encourages individuals to report suspected elder abuse by providing the public with reporting information and access to resources. VETO

Hospital Information – Requires the Office of the Aging to develop materials listing programs and services offered to seniors by local area agencies to be disseminated to patients upon discharge from a hospital. PBH

CARE Act – Requires a hospital to allow a patient the opportunity to designate, upon admission, a caregiver in the patient's medical record. It requires a hospital to notify and offer to meet with a designated caregiver to discuss the patient's plan of care prior to the patient's discharge or transfer to another facility and offer to adequately train the designated caregiver in certain after-care tasks. LAW

Long-Term Care Ombudsmen – Extends the Long-Term Care Ombudsman Program through December 31, 2017. LAW

ECONOMIC DEVELOPMENT AND JOB CREATION

Brownfields Extension – Extends the Brownfields Cleanup Program for ten years, and includes important reforms to both protect taxpayers and promote brownfield redevelopment, particularly Upstate. LAW

IDA Reform – Requires standard application forms, uniform criteria for the evaluation and selection of projects and uniform project agreements to be used by industrial development agencies for financial assistance requests. PBH

Energy Tax Credit – Establishes a tax credit for the purchase and installation of geothermal energy systems. VETO

Craft Brewers – Exempts brewers who produce less than 60,000 barrels of beer a year from the requirement to file annual information returns with the Department of Taxation and Finance. LAW

Wineries – Provides for an exemption for wineries that produce less than 150,000 gallons annually from filing annual information returns with the Department of Taxation and Finance. VETO

Training for High-Tech Jobs – Provides for an employee training credit and a credit for hiring interns in advanced technology. LAW

Solar Energy – Exempts solar power purchase agreements from state and local sales tax. LAW

PROTECTING VULNERABLE PERSONS

Domestic Violence Victims – Requires cellular telephone companies to release individuals from shared or family wireless telephone plans without risk of penalties and fees in instances of domestic violence. PA

NY ABLE Act – Authorizes New York State to establish tax deferred savings accounts for qualified individuals with disabilities in accordance with the federal Achieving a Better Life Experience (ABLE) Act. PBH

Persons with Developmental Disabilities – Ensures individuals with developmental disabilities have a choice to continue to have access to services they are accustomed to while the state transitions to new community-based settings per the U.S. Supreme Court's Olmstead decision closing state run facilities and moves people with developmental disabilities into community-based settings. VETO

Victims of Sexual Abuse – Requires the Department of Health to develop materials that educate the public about the availability of counseling programs, educational programs and advocacy services provided at no cost by governmental agencies and not-for-profit organizations to victims of sexual offenses and victims of child pornography promotion and possession. LAW

HEALTH CARE AND THE ENVIRONMENT

Drug Drop Off Sites – Authorizes pharmacies and other entities authorized by the Federal Drug Enforcement Administration to serve as voluntary collection points for unused controlled substances. LAW

Immunizations – Authorizes licensed pharmacists and certified nurse practitioners to administer immunizations to prevent tetanus, diphtheria and pertussis and acute herpes zoster (shingles). LAW

Pregnancy Health Coverage – Makes pregnancy a "qualifying life event" for health plan enrollment, allowing pregnant women to sign up for and be covered by health insurance. PBH

Sale of Microbeads – Prohibits the sale of personal cosmetic products that contain microbeads. PA

PUBLIC SAFETY

Amanda Lynn's Law – Provides that a person will be guilty of the new class E felony crime of concealment of a human corpse when, having a reasonable expectation that a human corpse, or body part, will be produced for or used as physical evidence in an official proceeding, he or she conceals, alters or destroys such corpse or part thereof with the intent to prevent its production, use or discovery. LAW

Leaving the Scene of an Accident – Creates the class C felony crime of aggravated leaving the scene of an accident without reporting when someone whose license has been previously suspended or revoked for a DWI conviction engages in reckless driving and leaves the scene of an accident that resulted in serious physical injury or death. PBH

Missing Persons Report – Requires police agencies to electronically file a missing adult report with the National Crime Information Center Register within 24 hours of taking the report. VETO

College Campuses – Increases the protections against sexual assault on public and private college and university campuses. LAW

LABOR AND CONSUMER AFFAIRS

Equal Pay – Prohibits employers from having a differential in rate of pay based solely on gender. LAW

Medication Costs – Adds certain medications that could be subject to shortages to the list of goods and services that are subject to our state's anti-price gouging law. PA

Powdered Alcohol – Prohibits the sale of powdered alcoholic beverages. LAW

Job Applicants – Protects jobs applicants seeking employment through a job employment agency by addressing several unscrupulous practices, ending the practice of charging advance fees and requiring written terms and conditions of employment. PA

Utility Customer Advocate – Creates the State Office of the Utility Consumer Advocate to represent consumers' interests in residential utility matters at the state and federal level. PA

Workplace Accommodations – Modifies and clarifies existing requirements for reasonable workplace accommodation regarding medical conditions resulting from pregnancy. LAW

2015 LEGISLATIVE HIGHLIGHTS

Please note that I sponsored or supported each of the measures listed, unless otherwise noted. The status of each at this printing is indicated (LAW = passed by both houses and signed by the Governor into law, VETO = vetoed by the Governor, PBH = passed both houses and awaiting action by the Governor, PA = passed the Assembly only).



BRINGING THE BPO TO TONAWANDA

Over this past Fourth of July weekend the Buffalo Philharmonic Orchestra performed before a very large audience at Niawanda Park. Assemblyman Schimminger had secured a \$22,500 Assembly grant to bring the concert to Niawanda. Before the concert started, Assemblyman Schimminger was able to spend some quality time with members of the philharmonic, Maria and Geoffrey Hardcastle of Kenmore. Maria, a violinist, had the evening off, so she was able to bring their son, Michael, to watch and listen to his dad, a trumpeter, and the orchestra perform. The free concert received great reviews, so the Assemblyman has lined up another state grant for a repeat performance to occur in July of 2016.

MILITARY AND EMERGENCY PERSONNEL

Best Practices – Directs the Office for People with Developmental Disabilities to review and report on existing laws and regulations applicable to military families in need of OPWDD agency services. LAW

Civil Service Exams – Allows all service members who miss a civil service examination due to active duty military service, or for training, the opportunity to take a makeup examination. LAW

Volunteer Firefighters' Benefits – Extends through June 30, 2020 provisions in the Volunteer Firefighters' Benefits Law that relate to volunteers who suffered injuries or death resulting in heart disease or malfunction of the heart or coronary arteries due to duties and activities performed by the volunteer firefighter. LAW

Veterans Drivers' License Refunds – Veterans who obtained a new license with the veterans' notation and paid \$12.50 for the replacement license will be refunded the now repealed fee. LAW

Veterans' Nursing Home – Extends the eligibility for care at the state's veterans' nursing homes to wartime veterans of the conflicts in Bosnia and Herzegovina, and to the following military operations in the Middle East: Enduring Freedom, Iraqi Freedom, New Dawn and Inherent Resolve. LAW

GOVERNOR SIGNS AMANDA LYNN'S LAW

Amanda Lynn Wienckowski, a native of the City of Tonawanda, died in the winter of 2008 at the age of 20, and her body was found in a garbage tote on the City of Buffalo's east side. Although the cause of her death has long been disputed by her family and friends, one fact remained: someone moved her body and placed it in the garbage tote after she died.

A gap in the law prevented authorities from pressing felony charges against a suspect for concealing the body. In an effort to rectify this problem, I introduced legislation that would make it a felony to unlawfully conceal, alter or destroy a human corpse.

AREA NON-PROFITS AND LOCALITIES TO RECEIVE STATE FUNDING

Several civic groups, municipalities and non-profit organizations located in the 140th Assembly District will be receiving state grant funding that I secured this year for a wide array of equipment purchases and projects. These groups reached out to me about their needs and budgetary constraints, and I was glad to be able to be of help.

The Town of Tonawanda and Village of Kenmore Police Departments will each receive State Assembly grant funding to purchase equipment designed to keep officers safe and improve communications systems. The Kenmore Police Department will use a \$20,000 state legislative grant to purchase a new radio dispatch console to replace outdated equipment, and the Town of Tonawanda Police Department will receive \$30,000 for video body cameras designed to clip onto an officer's uniform or be worn as a headset to record audio and video of the officers' interactions with the public.

The City of Tonawanda Department of Public Works will receive \$25,000 for a 4x4 pickup truck with plow attachments.

Four public libraries in our Assembly District, the North Tonawanda Public Library, the Riverside Branch Library in Buffalo, the City of Tonawanda Public Library, and the Town of Tonawanda Public Library will receive \$6,000 each for various equipment and technology upgrades. The Town library will split its \$6,000 grant between the Kenmore and Kenilworth branches.

State legislative funding will also be awarded to several community groups and not-for-profit organizations that serve residents of our community.

The Northwest Buffalo Community Center will receive a \$25,000 grant for an Academic Improvement Program for at-risk youth living in the Riverside, Black Rock and West Hertel communities.

Twin Cities Community Outreach, Inc. (TCCO) in North Tonawanda, which shares its building with North Tonawanda Meals on Wheels and the Clothes Closet, will receive \$25,000 in state legislative grant funding for capital improvements.

Challenged Athletes Participating in Sports Inc., or C.A.P.S., will receive \$10,000 for the purchase of much-needed equipment for the organization's programs that provide supportive athletic activities and opportunities for children and young adults with physical, mental and developmental disabilities. C.A.P.S. operates out of The Newman Family Center Boys and Girls Club on Franklin Street in the City of Tonawanda.

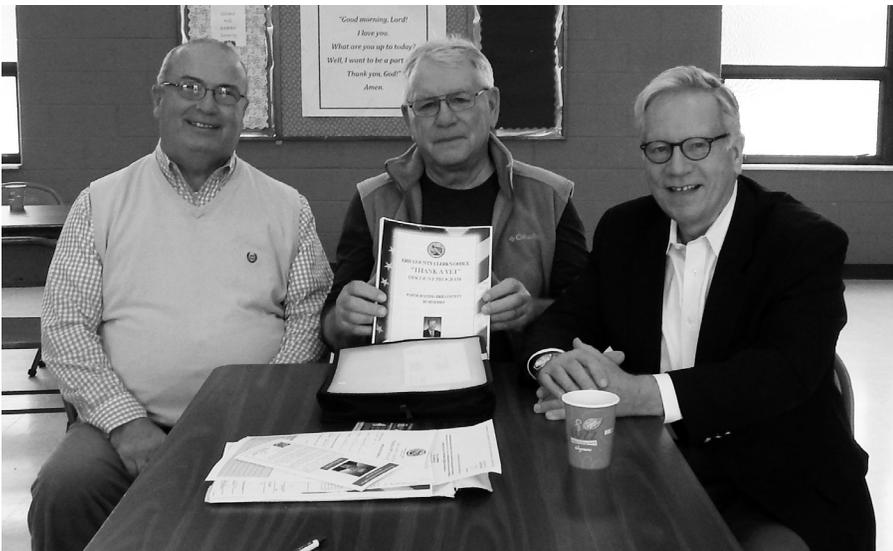
North Tonawanda Meals on Wheels, which serves the Twin Cities, and Kenmore-Town of Tonawanda Meals on Wheels will each receive state legislative grants, \$7,000 and \$9,500 respectively, to upgrade their kitchen equipment.

Several cultural groups will also be recipients of state funding.

The Historical Society of the Tonawandas will receive \$12,500 to acquire map storage cabinets and office equipment, while the Tonawanda-Kenmore Historical Society will use \$10,000 to purchase furnishings, signs and equipment. The Black Rock Riverside Alliance

[Continued on page 4](#)

Finally, after several years of negotiations and revisions to the bill language, I am pleased to report that the measure was passed this year by both houses of the Legislature and was signed into law by the Governor. The new law makes it a class E felony to conceal, alter or destroy a human corpse with the intent to prevent its production, use or discovery. A person would be guilty of this crime when there is a reasonable expectation that a human corpse would be used as physical evidence in an official proceeding, that an autopsy would be performed as part of a criminal investigation, or an examination made by law enforcement personnel as part of a criminal investigation.



THANKING OUR VETS

Approximately 200 veterans stopped by the Brighton Community Church in October and signed up for Erie County's Thank-A-Vet discount card program at a workshop sponsored by Assemblyman Schimminger and Erie County Clerk Chris Jacobs. Here, Town of Tonawanda veterans Jack Quinlan and Dave Schiffmacher took a few moments to chat with Assemblyman Schimminger and look over the list of 1,100 businesses in the Erie-Niagara region that offer product and service discounts to veterans.

Area non-profits and localities to receive state funding

Continued from page 3

and the Buffalo Religious Arts Center will each get \$15,000 for various projects, and the Buffalo Philharmonic Orchestra will perform a free concert in Niawanda Park during 2016 with the receipt of a \$22,500 state grant.

The Ken-Ton Chamber of Commerce will utilize a \$15,000 grant for marketing initiatives.

And finally the Stephen Sikora Post in North Tonawanda, the Vietnam Veterans of America, WNY Chapter 77, in the City of Tonawanda, and the American Legion Band of the Tonawandas will each use funding that I secured for various upgrades. The Sikora Post was awarded \$20,000 to assist with the undertaking of exterior and

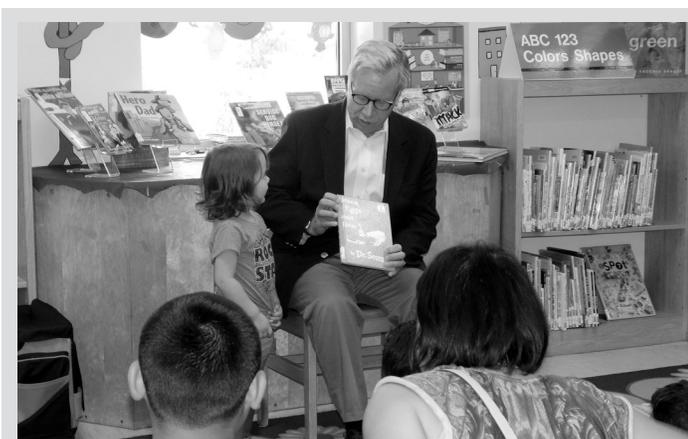
interior building renovations and parking lot improvements at its Payne Avenue facility. The VVA Chapter 77 will use \$4,500 to buy museum display cabinets and new color guard uniforms. And the award-winning American Legion Band will use \$10,000 to replace uniforms, acquire performance equipment and hold a concert in 2016 here in the Tonawandas.

It's my honor to have been able to advocate for and secure this funding requested by these worthy groups and our local governments. The funding will go a long way to ensuring that the needs of these groups and organizations are met so that they can continue to serve this great community.



December 2015

Assemblyman
Robin Schimminger
Reports to You



READING AT RIVERSIDE

Assemblyman Schimminger read to a group of children at the Riverside Library as a guest reader for its Summer Reading Program. "Green Eggs and Ham" by Dr. Seuss was the book of choice, and helper, Maggie, turned the pages and closely listened as the Assemblyman read the classic children's book. The Riverside Library, along with the City of Tonawanda, Town of Tonawanda, and North Tonawanda public libraries, located in the 140th Assembly District, will each be receiving \$6,000 State Assembly grants for new equipment purchases.