

BASKETBALL

KNICKS LEFT LOOKING FOR ANSWERS

PLEASE SEE B1



HOCKEY

RANGERS FORCE GAME 7 VS. CAPITALS

PLEASE SEE B1



The LEADER

Monday, May 13, 2013

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MORE INSIDE

WEATHER



Mostly cloud with isolated showers. Cool. Full forecast, A8.

LOCAL



Steuben County Jail inmates go to work. A2

LOCAL



Tom O'Mara column: More needs to be done to truly open New York for business. A4

COMING IN PRINT

Thursday in News: Get an inside look at Sullivan Park, the epicenter of Corning Inc. innovation.

ONLY ONLINE

- Photos from Caton Community Days.
Where (and how) to get hired now at that summer job.
TV Guide Entertainment: Lindsay Lohan wants out of Betty Ford.

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LINDLEY

Residents blast truck-stop proposal



The former Lindley-Presho Elementary School is for sale, and nearby residents are fighting a proposal that would convert the site into a truck stop. JEFF SMITH/THE LEADER

Homeowners, residents near possible construction site speak out against plans at Lindley Town Hall meeting

By Jeffery Smith
jsmith@the-leader.com

LINDLEY | Homeowners living in a quiet community near the former Lindley-Presho Elementary School are fighting the possible construction of a truck stop in their backyard. They say it would threaten their way of life.

Lindley Town Supervisor Gerald L. Simcoe said Pyramid Brokerage officials talked to the Town Board in April about converting

the former school and a nearby parcel into a truck stop.

The former school is located on Glendenning Creek Road, just off U.S. Highway 15. The business that is interesting in purchasing the site has not been named, village officials said.

About 60 residents recently attended a Lindley Town Hall meeting to tell councilmen the negative effects a truck stop would have on their neighborhood.

Concerns include an increase in

"This neighborhood has been built for families ... We're not going to feel safe letting kids out in that environment."

Matt Smith, Presho resident

crime, pollution, noise and prostitution, and a decrease in property values.

SEE PROPOSAL, A8

MOTHER'S DAY PARADE SHOOTING

FBI: Shooting likely 'street violence'

By Chevel Johnson
The Associated Press

NEW ORLEANS — Gunmen opened fire on dozens of people marching in a neighborhood Mother's Day parade in New Orleans on Sunday, wounding at least 17 people, police said.

The FBI said that the shootings appeared to be "street violence" and weren't linked to terrorism.

Many of the victims were grazed and most of the wounds weren't life-threatening, police spokeswoman Remi Braden said in an email. No deaths were reported.

Police Superintendent Ronal Serpas told reporters that a 10-year-old girl was grazed in the shooting around 2 p.m. She was in good condition. He said three or four people were in surgery, but he didn't have their conditions.

Mary Beth Romig, a spokeswoman for the FBI in New Orleans, said federal investigators have no

SEE SHOOTING, A8

TOWN OF CORNING

Water project will resume this week

By James Post
jpost@the-leader.com

CORNING | Work is expected to begin later this week to install new water lines in the Pinewood Acres water district in the Town of Corning.

Construction will start sometime after Wednesday with site preparation work at the bottom of South Road, with plans to work uphill as the project progresses.

The Pinewood Acres district is located on Spencer Hill near Community College College.

Town Supervisor Kim Feehan said the project is supposed to be completed by the end of October, with the bulk of the work finished by late September.

Residents in the district were notified recently by mail that work would begin soon.

Feehan knows the construction may create some inconvenience for district

SEE WATER PROJECT, A8

NEW YORK

Compassionate release review buoys old US inmates

By Larry Neumeister
The Associated Press

NEW YORK | At age 88, John Rigas could be a poster child for inmates who might seek early release from prison because of the hazards of advanced aging.

The former cable television mogul, convicted of fraud after his company collapsed into bankruptcy in 2002, already has fought cancer and had triple-bypass heart surgery. But he and others like him had little hope that an application for compassionate release would get a serious look before a recent report by the Department of Justice's inspector general called the

program for early release of some terminally ill inmates and others "poorly managed."

The report has energized experts in the field, attorneys and inmates in a prison population that, like the rest of the United States, is expected to grow increasingly gray in the next few decades.

Attorney Lawrence G. McMichael said Rigas and other inmates are considering whether to request compassionate release.

"He's aware of it, and we're thinking about it," said McMichael, who represents Rigas in several legal

SEE INMATES, A8



In this Nov. 19, 2009 file photo, Lynne Stewart, the disbarred lawyer convicted in a terrorism case, speaks to supporters before entering federal court in Manhattan to surrender, in New York. A report by the Justice Department's inspector general critical of the U.S. Bureau of Prisons for how it uses its compassionate release program to free inmates with terminal illnesses is giving fresh hope to some of the country's oldest inmates, including Stewart. AP PHOTO/MARY ALTAFFER

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# OPINION

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### GUEST VIEW | GARY L. PERRY

# Letter on SAFE Act misguided

In response to Ms. Sullivan's letter to the editor regarding the representatives and oath-keepers at the pro-Second Amendment rally in Elmira on May 6th:

Unfortunately, as Gov. Cuomo and our state Legislature have proven through their recent legislation, the NY SAFE Act, the Second Amendment is not "settled law."

Cuomo illegally employed a little-known legislative privilege called Message of Necessity afforded to the governor in the event of a true emergency or natural disaster. Cuomo used this to push through anti-Second Amendment legislation literally in the darkness of night, allowing the state senators only 20 minutes to read and discuss this bill known to us as the NY SAFE Act before being forced to vote on it.

The Senate was never allowed the New York constitutionally required three days to read, discuss, debate and present this bill to their constituents before voting on it.

One need only look at the voting records of the Republican senators, their districts and the availability of federal Hurricane Sandy relief funds given to Cuomo to disperse as he saw fit, to surmise that the fix was in well before the bill came up for a vote in the middle of the night.

The Assembly also had less than the required three days to read and debate the bill.

With the passage of the NY SAFE Act, there are now many firearms manufacturers' brands and models of handguns and rifles that are now illegal to purchase or sell in New York state. This new unconstitutional law also requires that any of these now banned handguns and rifles must be registered before early next year. These guns cannot legally be sold or transferred in New York.

This same law also makes many different ammunition magazines (clips) now illegal to purchase, own or sell.

Guns that have magazines that hold more than 10 rounds of ammunition are also now illegal in New York. Any person who owns what were once-legal magazines that hold more than 10 rounds must now destroy them or sell them out of state.

The NY SAFE Act now makes it illegal to have more than seven rounds of ammunition in a handgun, rifle or shotgun.

This list of now-illegal rifles and handguns that can be sold in New York is too large to list in this column.

Ms. Sullivan, you state you have read the NY SAFE Act. If you read the entire NY SAFE Act bill, you have failed to comprehend and understand the many infringements it places on the Second Amendment rights of all New Yorkers.

Ms. Sullivan, the real

tragedy of the NY SAFE Act is that it does nothing to actually address the real problems: Too many youths and young adults being overly prescribed anti-depressant medications; extreme graphic violence in the entertainment industry; combating real criminals or dealing with preventing murders; and many courts' failures to fully prosecute criminals who commit crimes with guns. This bill completely ignores and fails to address any of these actual root-cause problems.

The elected officials in attendance at the recent pro-Second Amendment rally/NY SAFE Act demonstration were publicly confirming their oath of obeying the U.S. Constitution upon taking office and speaking out in support of the Second Amendment and the Bill of Rights.

As for your opinion of the oath-keepers, I am perplexed. What could possibly be wrong with so many current and ex-military members, current and ex-law enforcement officers and other government employees affirming their oath to the U.S. Constitution?

While this group does single out elected officials who support and vote in favor of unconstitutional laws, I know many oath-keepers and I have not met a single one who is not a law-abiding, Constitution-loving, proud member of the great republic in which we live. To call this group a right-wing extremist group is in itself ... well ... extreme.

I have witnessed on many occasions many oath-keeper members engaging in peaceful, respectful and informative rallies and demonstrations. The Tea Party and Second Amendment groups do not get the media coverage because they obey the laws and rules, pick up after themselves and are respectful to everyone, including all law enforcement agencies and officers.

Ms. Sullivan, to see just how misguided and out of the mainstream your opinion is of the New York SAFE Act, one need only visit this site [www.nysaferesolutions.com](http://www.nysaferesolutions.com) and read about the many counties, towns, sheriffs, and other law enforcement organizations and other groups that have publicly introduced and passed resolutions in opposition of the NY SAFE Act.

Ms. Sullivan, as you openly stated that you "respect the Second Amendment as settled law," I welcome you join us at some of our upcoming events in Albany or across the state. I am sure if you took the time to attend some of these events and meet and speak with many in attendance you might have a slightly different opinion of your fellow New Yorkers who support the Second Amendment.

*Gary L. Perry is a Waverly resident.*

### MY VIEW | JOHN ZICK

# The aftermath of a 'Lifetime movie'

The phrase "Lifetime movie" was uttered over and over again during the 13 days I spent recently at the county courthouse in Watkins Glen.

I can honestly say I've never seen a Lifetime movie, but I'm beginning to understand the appeal.

The story of Daniel Bennett's murder reads like a movie script. The facts of the case are just too unbelievable to be true -- except they are.

By now, most readers know the story, but here's the abridged version: Alice Trappler had her ex-husband kill Bennett, who was her ex-boyfriend and the father of her baby daughter. Trappler, of Addison, hated Bennett, of Dix, and was willing to have him murdered to keep him away from their child, the jury in her trial decided. She was convicted of murder and will likely get a 25-to-life sentence.

The killer, Thomas Borden of Corning, committed suicide by jumping in front of a train. Accomplice Nathan Hand, Borden's step-brother, pleaded guilty and testified against Trappler. He'll serve 19 years.

In the end, the families of the victim and the killer/accomplice bonded over their disdain for Trappler. They agreed she was the cause of their misery.

Those details alone make for a compelling story, but there are countless nuances that cement the drama as the most interesting I've ever covered. I'd need a book -- or, hey, a Lifetime movie -- to share them all.

At this point, though, the most important aspect of the story is that it isn't over. And that it's real life.

As a dad myself, I couldn't help but think of the child in this case. Lily, Trappler and Bennett's daughter, is growing up in the middle of an almost-unfathomable situation

that turned the lives of so many people upside down.

Family members say Bennett never met Lily, who was just 5 months old when her father was murdered and her mother was hauled off to jail to await trial. Even if Bennett had met Lily, there's no way she'd remember it. And I'm not sure how many times Trappler has seen the girl since her arrest, if at all.

Certainly, though, Lily won't have her parents to raise her.

Reporters were told Trappler's mother was given custody of Lily, but Bennett's family has some visitation rights. It's not clear if Trappler's conviction will change anything, but I know both families want to be involved.

I don't know much about the free and surviving members of Lily's family, but from my brief experiences with them, most seem like decent people. But will it be possible for

the two sides to coexist given what's transpired? I'd have a hard time believing there isn't serious animosity between them.

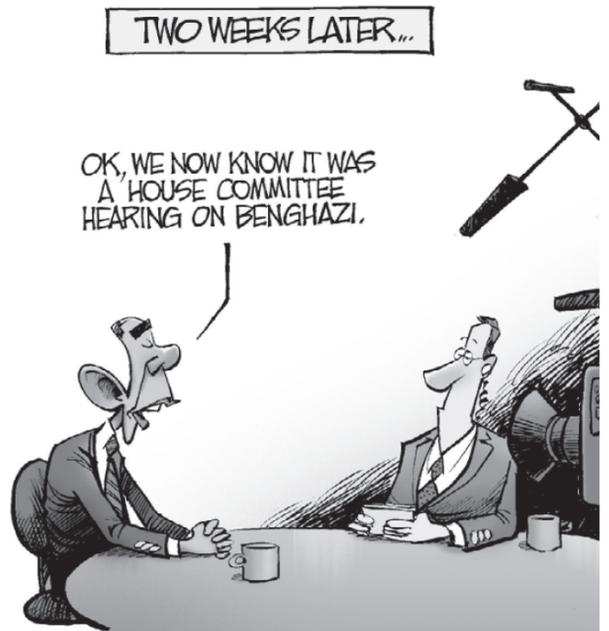
What's more is Lily will someday learn what happened to her parents. How and when depends, but the story won't stay buried in the Internet age. It will be yet another challenge for the child and the family.

The obstacles facing innocent Lily and her caregivers will be many for years to come. Bennett's family says they'll love Lily forever, and I imagine Trappler's family feels the same way. Maybe that will be enough.

I'm sure most of us will never know how this movie ends. Here's hoping the final chapter of the story has a happy ending.

*John Zick is a reporter for The Leader. Email him at [jzick@the-leader.com](mailto:jzick@the-leader.com). Follow him on Twitter at @TheLeaderZick.*

### ANOTHER VIEW



### GUEST VIEW | SEN. TOM O'MARA

# And now a word from the CEOs

For every time we can - and clearly should - tout economic successes locally and statewide, it's always a good bet to keep heeding the warning signs just as closely.

That's common sense - along the lines of the old bit of wisdom passed along by your grandmother or grandfather to not count your chickens. It's a fair question, in other words, to ask if we've truly hatched a new New York? Have we hatched, yet, a New York that's "Open for Business"?

So we're right to applaud Corning Incorporated's long-hoped-for announcement late last month that it will invest \$250 million to expand its diesel plant in the town of Erwin and create up to 250 good-paying local jobs. It's worth celebrating when a local business like Finger Lakes Distilling gets singled out for excellence like it did a few weeks ago upon being chosen to showcase its outstanding products at a prestigious New York City event.

And the more recent Yahoo Travel! reaffirmation of the Finger Lakes as a world-class vacation destination was hailed as a well-deserved bright spot.

That's all good, positive news, it has a positive economic impact, and it helps many of us around the region take heart.

But it seems like there's always waiting around the

corner something like the latest Chief Executive magazine survey of more than 700 of the nation's leading CEOs and other business executives on the best and the worst states in the nation to do business. This ninth annual survey puts New York State next to last as a business-friendly state. The best state? Texas. Worst? California.

It just doesn't help. While it's important to always take surveys like these with at least a small grain of salt, it still is what it is. This one, in particular, deals with many of America's key decision makers in business and industry - the men and women making the short- and long-term choices about where to locate or relocate, establish or expand a job creator.

We're smart to pay attention. When I attend a meeting of New York State business leaders, like I did late last week at the annual meeting of the Manufacturers Association of Central New York (MAC-NY), it's always a reminder that we might be moving in some of the right directions in New York State, but there's a heck of a long way to go.

Recognize success where and when it's called for, absolutely. This year, for example, we've put in place what can prove a meaningful future tax break for up-state manufacturers that will reduce the tax rate on

manufacturers by 25% over five years. But does that go far enough? I don't believe it does and that's why I'm continuing to sponsor and will push for legislation to fully phase out the tax over two years.

It's why Senate Republicans have put forth a "Blueprint for Jobs" (read more about it on [www.omara.nysenate.gov](http://www.omara.nysenate.gov)) to keep attention focused on other job creating actions we believe still haven't been taken in New York State.

The Chief Magazine survey (online at <http://chiefexecutive.net/best-worst-states-for-business-2013>) included the following "development trend indicator" note: "Gov. Cuomo seems to be less concerned now about business-friendliness." I don't get that sense from the governor, but still it's a worthwhile reminder to stay on guard against falling into the trap of being more slogan than substance.

For America's job creators, it's usually about the right actions, not the best talk.

In other words, New York's not going to be able to sell anyone a bridge. Here's a sampling of the comments from CEOs included as part of the latest Chief Executive report:

■ "New York's taxes on the job creators is broken and taxing authorities are too bureaucratic - a

glimpse of everything bad in the federal government";

■ "New York headed in the right direction, but still way behind other states";

■ "No matter how good the people and the weather are, activist departments of revenue, lots of regulations, and high taxes make states like CA and NY bad options, always";

■ "Given New York's onerous tax regulations, we are seriously going to consider whether we allow employees to travel to or participate in events in that state. We can't afford for NY to become a tax nexus for us just because our employees participate in a conference in NY or the like";

■ "We are closing out our business in [New York and California] as it is nearly impossible to make a good profit, and certainly not worth the management effort and the investment."

So let's pay attention. All of the above are warnings that deserve as much attention as anything else. They serve as a reminder to every state and local decision maker: Keep rolling up your sleeves and never, ever lose sight of what really needs to be done.

*State Sen. Tom O'Mara, R-Big Flats, represents New York's 58th Senate District, which includes Steuben, Chemung, Schuyler and Yates counties, and part of Tompkins County.*