STATE OF NEW YORK }

} SS.

COUNTY OF MONROE }

I, **Stacia Perrotto**, duly swear that I am employed with the Democrat and Chronicle a newspaper publication based in Rochester, New York, as an Account Executive, and further swear that the Rochester Gas & Electric Corp (RGE) EV Tariff Revision 2021 ran in the Democrat and Chronicle on the following date(s):

Date(s): March 2, 2021, March 9, 2021, March 16, 2021 and March 23, 2021

(signature)

Sworn to before me on this 25th day of March, 2021.

Notary's signature

JOANNE M. MASON
Notary Public, State of New York
No. 01MA6156991
Qualified in Monroe County
Commission Expires Dec. 4, 2020



NASA astronauts Kate Rubins, top, and Victor Glover work outside the International Space Station on Sunday. NASA VIA AP

Astronauts prep station for new solar wings

Marcia Dunn
ASSOCIATED PRESS

CAPE CANAVERAL, Fla. – Spacewalking astronauts ventured out Sunday to install support frames for new, high-efficiency solar panels arriving at the International Space Station later this year.

NASA's Kate Rubins and Victor Glover put the first set of mounting brackets and struts together, then bolted them into place next to the station's oldest and most degraded solar wings. But the work took longer than expected, and they barely got started on the second set before calling it quits.

Rubins will finish the job during a second spacewalk later this week.

The spacewalkers had to lug out the hundreds of pounds of mounting brackets and struts in 8-foot duffel-style bags. The equipment was so big and awkward that it had to be taken apart like furniture, just to get through the hatch.

Some of the attachment locations required extra turns of the power drill and still weren't snug enough, as indicated by black lines. The astronauts had to use a ratchet wrench to deal with the more stubborn bolts, which slowed them down. At one point, they were two hours behind.

"Whoever painted this black line painted outside the lines a little bit," Glover said at one particularly troublesome spot.

"We'll work on our kindergarten skills over here," Mission Control replied, urging him to move on.

With more people and experiments flying on the space station, more power will be needed to keep everything running, according to NASA. The six new solar panels – to be delivered in pairs by SpaceX over the coming year or so – should boost the station's electrical capability by as much as 30%.

Rubins and Glover tackled the struts for the first two solar panels, due to launch in June. Their spacewalk ended up lasting seven hours, a bit longer than planned.

The eight solar panels up there now are 12 to 20 years old – most of them past their design lifetime and deteriorating. Each panel is 112 feet long by 39 feet wide. Tip to tip counting the center framework, each pair stretches 240 feet, longer than a Boeing 777's wingspan.

Boeing is supplying the new roll-up panels, about half the size of the old ones but just as powerful thanks to the latest solar cell technology. They'll be placed at an angle above the old ones, which will continue to operate.

Rubins' helmet featured a new high-definition camera that provided stunning views, particularly those showing the vivid blue Earth 270 miles below. "Pretty fantastic," observed Mission Control.

Sunday's spacewalk was the third for infectious disease specialist Rubins and Navy pilot Glover – both of whom could end up flying to the moon.

Glover and Noguchi were among four astronauts arriving via SpaceX in November. Rubins launched from Kazakhstan in October alongside two Russians. They're all scheduled to return to Earth this spring.

The Associated Press Health and Science Department receives support from the Howard Hughes Medical Institute's Department of Science Education. The AP is solely responsible for all content.

City man charged in crash that killed Brighton woman

Rochester Democrat and Chronicle
USA TODAY NETWORK

A Rochester man has been criminally charged in connection with a fatal crash that occurred on Clifford Avenue on Sunday evening.

Agape Towns, 30, is charged with aggravated unlicensed operation of a motor vehicle in the 3rd degree, a misdemeanor. In a statement, Rochester police said that Towns does not possess a valid New York state driver's license due to multiple suspensions.

The crash happened about 6:30 p.m. in the area of Clifford Avenue and Barons Street, in the city's northeast quadrant. Police said that Towns was travelling eastbound when he attempted to pass another vehicle when he lost control and struck a westbound vehicle head-on.

The driver of the westbound vehicle was later pronounced dead at an area hospital. On Monday, police identified the victim as 78-year-old Mary Mills, a Brighton resident.

Towns suffered what police have described as serious but non-life-threatening injuries. A passenger in his car and a passenger in Mills' car were also injured.

Towns was issued an appearance ticket and is scheduled to appear in Rochester City Court on March 30.

The investigation into the crash is ongoing. Anyone with information is being asked to call 911.

Rochester Gas & Electric Corporation (RG&E)

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RG&E has proposed an EV Make-Ready surcharge to recover costs and incentives paid to participants in Electric Vehicle ("EV") Infrastructure Make-Ready Programs. The filing, which is subject to Commission review and approval, was filed on December 2, 2020, and became effective on January 1, 2021.

A complete copy of the filing can be viewed on the PSC's website at www.dps.ny.gov under Case 18-E-0138. Tariff schedules are available at rge.com.
Rochester Gas and Electric Corporation

PAID ADVERTISEMENT

Men's Virility Restored in Clinical Trial; 275% More Blood Flow in 5 Minutes

A newly improved version of America's best-selling male performance enhancer gives 70-year-old men the performance they enjoyed in their 30's.

America's best-selling sexual performance enhancer just got a lot better.

It's the latest breakthrough for nitric oxide – the molecule that makes performance like this possible by increasing blood flow right where you need it!

Nitric oxide won the Nobel Prize in 1998. It's why "the little blue pill" works. More than 200,000 studies confirm it's the key to superior sexual performance.

And this new discovery increases nitric oxide availability resulting in even quicker, stronger and longer-lasting performance.

One double-blind, placebo-controlled study (the "gold-standard" of research) involved a group of 70-year-old-men.

They didn't exercise. They didn't eat healthy. And researchers reported their "nitric oxide availability was almost totally compromised," resulting in blood flow less than HALF of a man in peak sexual health.

But only five minutes after the first dose their blood flow increased 275%, back to levels of a perfectly healthy 31-year-old man! "It's amazing," remarks nitric oxide expert Dr. Al Sears. "That's like giving 70-year-old men the sexual power of 30-year-olds."

WHY SO MUCH EXCITEMENT?

Despite the billions men spend annually on older nitric oxide therapies, there's one well-known problem with them.

They don't always work.

Dr. Joseph Loscalzo explains why. He's studied nitric oxide for over 43 years. He is the physician-in-chief at Brigham and Women's Hospital. He says a "deficiency of bioactive nitric oxide… leads to impaired endothelium-dependent vasorelaxation."

In plain English, these older products may increase levels of nitric oxide. But that's only half the battle. If it's not bioactively available then your body can't absorb it to produce an erection.

Experts simply call it the nitric oxide "glitch." And until now, there's never been a solution.

NEXT GENERATION NITRIC OXIDE FORMULA FLYING OFF SHELVES

Upon further research, America's No. 1 men's health expert Dr. Al Sears discovered certain nutrients fix this "glitch" resulting in 275% better blood flow.

He's combined those nutrients with proven nitric oxide boosters in a new formula called *Primal Max Red*. In clinical trials, 5,000 mg is required for satisfying sexual performance.



A new discovery that increases nitric oxide availability was recently proven in a clinical trial to boost blood flow 275% resulting in even quicker, stronger and longer-lasting performance.

Primal Max Red contains a bigger, 9,000 mg per serving dose. It's become so popular, he's having trouble keeping it in stock.

Dr. Sears is the author of more than 500 scientific papers. Thousands of people listened to him speak at the recent Palm Beach Health & Wellness Festival featuring Dr. Oz. NFL Hall of Fame quarterback Joe Namath recently visited his clinic, the **Sears Institute for Anti-Aging Medicine.**

Primal Max Red has only been available for a few months — but everyone who takes it reports a big difference. *"I have the energy to have sex three times in one day, WOW! That has not happened in years. Oh, by the way I am 62,"* says Jonathan K. from Birmingham, AL.

HOW IT WORKS

Loss of power starts with your blood vessels. Specifically, the inside layer called the endothelium where nitric oxide is made.

The problem is various factors THICKEN your blood vessels as you age. This blocks availability causing the nitric oxide "glitch." The result is difficulty in getting and sustaining a healthy erection.

How bad is the problem?

Researcher shows the typical 40-year-old man absorbs 50% less nitric oxide. At 50, that drops to 25%. And once you pass 60 just a measly 15% gets through.

To make matters worse, nitric oxide levels start declining in your 30's. And by 70, nitric oxide production is down an alarming 75%.

Primal Max Red is the first formula to tackle both problems. Combining powerful nitric oxide boosters and a proven delivery mechanism that defeats the nitric oxide "glitch" resulting in 275% better blood flow. There's not enough space here to fully explain how it works, so Dr. Sears will send anyone who orders *Primal Max Red* a free special report that explains everything.

MORE CLINICAL RESULTS

Nutrients in *Primal Max Red* have logged impressive results.

In a *Journal of Applied Physiology* study, one resulted in a 30 times MORE nitric oxide. And these increased levels lasted up to 12 hours.

"I measured my nitric oxide levels, you can buy a test kit from Amazon," reports 48-year-old Jeff O. "Monday night I showed depleted."

Then he used ingredients in *Primal Max Red* and, "The results were off the charts. I first woke around 3 a.m. on Tuesday ready to go like never before. My nitric oxide levels measured at the top end of the range."

FREE BONUS TESTOSTERONE BOOSTER

Every order also gets Dr. Sears testosterone boosting formula *Primal Max Black* for free.

"If you want passionate 'rip your clothes off' sex you had in your younger days, you need nitric oxide to get your erection going. And testosterone for energy and drive," says Dr. Sears. "You get both with *Primal Max Red* and *Primal Max Black*."

HOW TO GET PRIMAL MAX

To secure free bottles of *Primal Max Black* and get the hot, new *Primal Max Red* formula, buyers should contact the Sears Health Hotline at 1-800-908-1498 within the next 48 hours. "It's not available in drug stores yet," says Dr. Sears. "The Hotline allows us to ship directly to the customer."

Dr. Sears feels so strongly about Primal Max, all orders are backed by a 100% money-back guarantee. "Just send me back the bottle and any unused product within 90 days from purchase date, and I'll send you all your money back," he says.

The Hotline will be open for the next 48 hours. After that, the phone number will be shut down to allow them to restock. Call 1-800-908-1498 to secure your limited supply of *Primal Max Red* and free bottles of *Primal Max Black*. You don't need a prescription, and those who call in the first 24 hours qualify for a significant discount. Use Promo Code NP0221RED521 when you call in. Lines are frequently busy, but all calls will be answered.

THESE STATEMENTS HAVE NOT BEEN EVALUATED BY THE FOOD AND DRUG ADMINISTRATION. THIS PRODUCT IS NOT INTENDED TO DIAGNOSE, TREAT, CURE OR PREVENT ANY DISEASE. RESULTS MAY VARY

DC-GCI0599541-01

These 10 places in NY are getting vaccination sites

Joseph Spector
New York State Team
USA TODAY NETWORK

ALBANY - New York will soon add 10 new COVID-19 mass vaccination sites across the state.

The sites are expected to come online in the coming weeks as more vaccines become available, Gov. Andrew Cuomo announced Monday.

The new sites will include spots across upstate New York, the Hudson Valley, Long Island and New York City.

The final details, such as appointment scheduling information and hours of operation, will be released in the coming days, his office said.

"Thanks to increasing vaccine supply from our partners in Washington we can utilize more of our state's capacity to distribute doses, and once they are open, these new sites will allow us to continue to get shots into arms on a large scale," Cuomo said in a statement.

New York has administrated 5.5 million doses of the COVID-19 vaccine since late last year, including 1 million doses over the past week, the governor's office said.

About 18% of New Yorkers have received at least one vaccine dose and 9% are fully vaccinated.

New York still has a long way to go as vaccine doses have exceeded 300,000 a week.

About 10 million New Yorkers are currently eligible to receive the vaccine, either because of their profession, they are over age 65 or have certain preexisting conditions.

The Am I Eligible state site allows people to sign up for vaccines at the existing 13 state-run facilities, while appointments can also be made through some healthcare providers or pharmacies.

People can also try to find an appointment by calling the state's COVID-19 Vaccination Hotline at 1-833-NYS-4-VAX (1-833-697-4829).

Here are the 10 new sites that are slated to open:



James Pride of Rochester, a member of Zion Hill Missionary Baptist Church, gets directed by Brian Tucker with the convention center, to the electronic device that takes people's temperature. The Interdenominational Heath Ministry Coalition coordinated the COVID-19 vaccination pop-up event at the Joesph A. Floreano Rochester Riverside Convention on Feb. 6. The pop-up was targeting eligible people in the selected church communities in Rochester. TINA MACINTYRE-YEE/ ROCHESTER DEMOCRAT AND CHRONICLE

Long Island

- SUNY Stony Brook SH Campus, 70 Tuckahoe Road, Southampton
- Suffolk Community College Brentwood Campus, 502 Wicks Road, Brentwood
- SUNY Old Westbury, Clark Center - Gate C, 223 Store Hill Road, Old Westbury

Hudson Valley

- SUNY Orange , Diana Physical Education Center, 9 East Conkling Ave., Middletown
- Ulster County Fairgrounds, 249 Libertyville Road. New Paltz

Capital region

Queensbury Site, 50 Gurney Lane, Queensbury, NY

Mohawk Valley

SUNY Oneonta, 108 Ravine Parkway, Oneonta

Southern TIer

Corning Community College, Gymnasium and Wellness Education Center, 1 Academic Drive, Corning

Western New York

Conference Center of Niagara Falls, 101 Old Falls St., Niagara Falls

New York City

Bronx site, final location pending

Joseph Spector is the government and politics editor for the USA TODAY Network's Atlantic Group, overseeing coverage in New York, New Jersey, Pennsylvania, Maryland and Delaware. He can be reached at JSPECTOR@Gannett.com or followed on Twitter: @GannettAlbany.

STATE BRIEFS

2 officers responding to shooting are grazed

NEW YORK – Two New York City police officers were grazed by bullets in a shootout with a man who had just shot his roommate in both legs, police officials said Monday.

The initial shooting happened around 9 p.m. Sunday in a second-floor apartment in the Prospect-Lefferts Garden neighborhood of Brooklyn, the officials said at a news briefing.

Three officers and a sergeant arrived at the shooting scene and had to walk single file up a narrow flight of stairs to get to the shooting victim's apartment, Chief of Department Rodney Harrison said.

A man emerged from the apartment with a blanket over his head, Harrison said. After exchanging some words with the officers, the man pulled a .38-caliber revolver from under the blanket, the chief said.

Harrison said the man "ignored the multiple commands" and fired three times at the officers, who were about 10 feet away.

The officer closest to the gunman turned his body to the side and a bullet grazed his bulletproof vest, struck his body-worn camera magnet and lodged itself inside his jacket, Harrison said. The fourth officer in the line was grazed in the shin by the other bullet, he said.

The sergeant and one of the police officers each fired multiple times at the gunman, but he was able to retreat inside the apartment and barricade himself, Harrison said.

The gunman was taken into custody after hostage negotiators were called, police said. They did not immediately release the man's name or the charges against him.

The gunman's roommate was taken to a hospital for treatment of gunshot wounds to both legs, Harrison said. He was in stable condition, officials said.

The two officers who were grazed by bullets were taken to another hospital.

"By the grace of God our heroic officers will be going home," Harrison said.

Police officials showed surveillance video and body-camera video of the encounter at the briefing at police headquarters.

Police Commissioner Dermot Shea said the incident shows how officers have to make "split-second decisions." He alluded to other cases of officers being fired at while performing their jobs and said, "We have seen this far too often lately."

Three firearms were recovered from the gunman's apartment, police said.

Mother's boyfriend arrested in boy's death

NEW YORK – A 10-year-old boy was fatally abused by his mother's companion in Harlem, police said Monday.

The mother's boyfriend called 911 on Saturday from an apartment in the St. Nicholas Houses, Chief of Department Rodney Harrison said at a news briefing. When the officers arrived, they found 10-year-old Ayden Wolfe lying unconscious and unresponsive in the living room. The boy was taken to Harlem Hospital, where he was pronounced dead.

Ryan Cato, 34, was arrested late Sunday on charges of murder and endangering the welfare of a child, police said. It wasn't clear if Cato had an attorney who could comment on the charges.

Harrison said Ayden's body was covered with bruises both old and recent. He said the boy died of "fatal child abuse syndrome."

The Daily News reports that residents of the housing complex held a vigil for Ayden outside of his building Sunday, and tenant association head Tyrone Ball urged residents to check on their neighbors when they hear something amiss.

— Associated Press

STOCKS OF LOCAL INTEREST

%YTD	Company	Div.	Sales	High	Low	Last	Chg.
+338.2	AMC Ent		113318	9.48	8.31	9.29	+1.24
+24.8	AIG	1.28	5916	48.22	47.14	47.24	+.27
+2.1	Ametek	.80f	1491	125.78	122.05	123.48	+1.23
-12.3	Apple Inc s	.82	153131	121.00	116.21	116.36	-5.06
+4.6	AvanGrid	1.76	661	47.63	45.76	47.56	+1.48
+22.5	BkofAm	.72	65274	37.73	36.82	37.13	+.20
+7.5	BkNYMel	1.24	4338	46.16	45.15	45.63	+.60
+59.0	BauschHl		9820	33.68	32.58	33.08	+.11
+24.8	CmtyBS	1.68f	294	78.05	75.41	77.76	+2.49
+39.8	Conduent		2455	6.76	6.25	6.71	+.39
+.7	Constellation Br A	3.00	1041	222.91	217.68	220.63	+3.62
+6.1	Cooper	.06	569	394.49	383.80	385.48	-2.69
+4.5	Corning Inc	.96f	3550	38.07	37.42	37.61	+.15
+36.4	DicksSptg	.31	4371	78.44	72.85	76.68	+4.99
+16.1	EastChem	2.76f	721	118.82	115.12	116.46	+1.18
-6.4	Eastman Kodak		3298	7.86	7.40	7.62	+.02
-2.2	Ecolab	1.92f	1041	214.51	208.83	211.59	+3.68
+19.5	EnPro	1.04	135	90.77	88.47	90.27	+2.21
-3.6	Exelon	1.53	8927	41.17	39.45	40.69	+1.05
+342.9	Express		110076	4.35	2.46	4.03	+1.57
+47.7	ExxonMobil	3.48	37866	61.61	59.82	60.87	-.06
+41.8	Financial Inst.	1.04	95	32.06	30.06	31.90	+1.89
+43.9	FordM		85916	12.88	12.30	12.65	+.38
+61.9	Gannett	1.52	1709	5.55	5.25	5.44	+.09
+31.2	General Electric	.04	143052	14.34	13.81	14.17	+.57
+32.0	GenMotors		24399	56.20	53.74	54.98	+1.23
+7.8	Graham Corp	.44	37	16.39	15.85	16.37	+.37
+21.3	HSBC Holdings	2.00e	2677	31.59	31.11	31.42	+.78
-12.0	IEC Elec		96	12.48	11.89	11.93	-.24
-.2	IDEX	2.00	528	201.55	197.44	198.74	+.78
-.9	IBM	6.52	7217	126.85	122.88	124.81	+1.98
+20.3	JPMorgCh	3.60	17050	155.46	150.75	152.91	+2.00
	J & J	4.04	6544	159.33	155.98	157.40	+1.30
+1.5	KeurDrPep	.60	6969	32.68	31.56	32.47	+.94
+29.3	Keycorp	.74	12809	21.55	20.74	21.22	+.56
+11.6	KraftHnz	1.60	6506	38.87	37.82	38.67	+.82
+1.1	L3Harris	3.40f	1357	193.87	187.25	191.04	+3.95
+25.0	M&T Bank	4.40	832	161.75	157.16	159.17	+2.82
+19.8	Manning & Napier	.08	59	7.76	7.33	7.51	+.01
+31.5	Monro Muffler	.88	431	70.83	68.00	70.08	+1.82
+31.4	OpGen h		372149	4.05	2.21	2.68	+.72
-4.4	Palantir n		93732	24.58	22.40	22.52	-1.43
+9.7	ParkerHan	3.52	1301	302.33	297.65	298.81	-1.18
	Paychex	2.48	2007	94.50	90.17	93.20	+1.08
+30.7	SLM Cp	.12	7544	16.34	16.06	16.19	+.07
+5.7	SPX Corp		201	58.52	56.31	57.64	+1.87
+529.4	SecnSgh		318406	14.83	8.75	11.77	+5.98
+51.0	Seneca Foods		125	60.73	57.19	60.25	+2.96
+26.1	Stantec	.62	67	41.04	40.18	40.93	+.16
+2.5	StewInfo	1.20	248	50.57	48.62	49.59	+1.15
+148.9	Sundial h		203063	1.22	1.09	1.18	+.05
+10.0	Sysco	1.80	2682	83.19	81.63	81.70	-.09
+36.7	Tegna	.28	2416	19.44	18.64	19.07	+.16
-5.6	ThermoFis	1.04f	1561	454.09	439.45	439.85	-7.02
+27.0	Tompkins	2.08	53	90.00	85.53	89.69	+3.14
+32.0	Transcat		31	45.87	45.40	45.78	+.19
+5.6	Ultralife		36	6.86	6.70	6.83	+.14
-3.3	VerizonCm	2.52	23596	57.30	55.82	56.79	+.79
+51.5	Vuzix		7625	17.10	13.52	13.76	-2.28
+15.1	XeroxHld	1.00	1891	26.93	26.02	26.70	+.61

Stock footnotes: u - new 52-week high; d - new 52-week low; g - dividends and earnings in Canadian dollars; n - new issue in the past 52 weeks; s - Split or stock dividend of 25% or more in the past 52 weeks; rs - reverse stock split of at least 50% in the past 52 weeks. **Dividend footnotes:** b - Annual rate plus stock dividend; e - Declared or paid in preceeding 12 months; f - Dividend increased last declaration; k - declared or paid this year - a cumulative issue with dividends in arrears; m - Dividend decreased last declaration.

LOCAL MUTUAL FUNDS

Group, Fund	Bid	Chg	%Return/Rank 12-mo.	3-yr.
Federated Clover Small Value A	26.62	...	+46.8	+9.1
IVZ Rochester AMT-Free NY Muni A	11.97	...	-.2/E	+6.6/A
IVZ Rochester High Yield Muni A	8.00	...	+2.4/A	+9.6/A
IVZ Rochester Fund Municipals A	17.13	...	+1.7/A	+9.0/A
IVZ Rochester Ltd Term NY Muni A	3.05	...	+.6/C	+6.3/A
Manning & Napier Pro-Blend Mod Term S	14.87	-.06	+14.6/B	+8.7/A
Manning & Napier Pro-Blend Ext Term S	19.89	-.10	+18.4/C	+10.2/C
Manning & Napier Pro-Blnd Cnsrv Trm S	14.01	-.03	+10.1/C	+7.1/D
Manning & Napier Pro-Blend Max Term S	25.87	-.17	+30.6/B	+13.0/A
QCI Balanced Instl	13.17	-.01	+17.1/D	+9.3/D

Rank: Fund's letter grade compared with others in the same group; an A indicates fund performed in the top 20 percent; an F, in the bottom 20 percent.

Prude

Continued from Page 1A

the ones who can now sue on behalf of Prude's estate.

This lawsuit is similar to the first, with allegations that the police who restrained Prude were responsible for his death. A grand jury recently opted not to indict any of the officers on criminal charges.

City officials declined to comment Monday.

Police ill-prepared, lawsuit alleges

The police were ill-prepared to handle an individual undergoing a mental health crisis, as Prude was, and their restraint caused him to lose oxygen and later die, the lawsuit contends.



Protesters at City Hall in Rochester on Sept. 7, 2020. It's the sixth straight night of demonstrations following video that was released in the death of Daniel Prude. JAMIE GERMANO/ROCHESTER DEMOCRAT AND CHRONICLE

City officials "knew to a moral certainty that without training and policies in place to guide officers on how to interact with people experiencing mental health crises, police officers are likely to make choices and take actions during these encounters that will cause the deprivation of a citizen's constitutional rights, including either by using excessive force against them or denying them needed care, or both," the lawsuit states.

"Running through the streets, Mr. Prude sought help as he struggled with a severe mental health crisis," Rochester attorney Stephen Schwarz, one of the lawyers for Prude's children, said in a news release. "He asked for assistance. Instead he was killed, abused, asphyxiated due to excessive force, and then ignored when he could have been resuscitated."

The lawsuit contends that past confrontations between Rochester police and the mentally troubled in recent years shows that the city has done little to rein in police misconduct.

Also representing the children in the lawsuit is the Chicago firm of Hughes, Socol, Piers, Resnick & Dym.

In a remote news conference Monday, attorney Matthew Piers, the president of the firm Hughes, Socol, Piers, Resnick & Dym, said Prude was "suffering an acute mental health crisis and was desperately seeking help" when he was approached by police and restrained.

Piers noted that the threshold for success in a civil lawsuit is a "preponderance of evidence," a lesser demarcation that that necessary for a criminal conviction.

Contact Gary Craig at gcraig@gannett.com or at 585-258-2479. Follow him on Twitter at gcraig1.

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Rochester Gas and Electric Corporation

Vaccine adviser gauged Cuomo support

Schwartz called leaders to lobby for governor

Joseph Spector and Jon Campbell
New York State Team
USA TODAY NETWORK

ALBANY – Larry Schwartz, Gov. Andrew Cuomo's former top aide, has long been a close ally of the governor, so much so that he was tapped last year to help lead the state's COVID-19 vaccine distribution.


Schwartz

But Schwartz recently played another role: calling Democratic county executives to gauge their support for Cuomo, who is battling for his political life amid myriad sexual harassment allegations.

Schwartz' lobbying to get their backing of Cuomo while at the same time having a major role in how life-saving vaccines are distributed drew concern from the local leaders and a rebuke from the president of the state Association of Counties and County Executives Association.

"There just can be no blurring of this line, and clearly they overstepped," Dutchess County Executive Marc Molinaro, a Republican who chairs the associations and is a Cuomo foe who ran against him in 2018.

"It is a very dangerous thing that they allowed to occur. There are members of the County Executives Association that feel quite clearly that the two were linked and are very, very alarmed. We all are."

One unnamed county executive told The Washington Post on Sunday that the call was so unsettling that the executive filed a preliminary notice to file an ethics complaint with the Attorney General's Office.

One county executive, who spoke on the condition of anonymity to The New York Times, said Schwartz, a former deputy Westchester County executive, had discussed the governor's political situation, and then pivoted to talk about vaccine distribution.

Schwartz says characterizations are untrue

Schwartz, who left the Cuomo administration in 2015, has been working as a volunteer to help the vaccine program and stressed there was no quid pro quo, saying he never linked vaccines to politics.

"Vaccines and the administration of vaccines is above politics," he said in an email.

"The distribution and the administration of vaccines in New York state is based on a clear formula, which includes the number of eligible New Yorkers, inventory on hand and vaccine put through by a provider."

He said vaccine distribution is done with the help out of outside consultants and based on "public health considerations, not politics."

"At no time has politics ever entered into the discussion or decision making regarding vaccines," Schwartz continued. "I have never discussed vaccines in a political context and anyone who thinks that is seriously mistaken."

Westchester County Executive George Latimer confirmed Sunday that Schwartz called him recently to gauge Latimer's support for Cuomo, who is facing growing calls to resign and potential impeachment in the Legislature.

Latimer, who has said publicly that investigations of Cuomo should be completed before any decisions are made, said Schwartz never brought up vaccines. The two have had a relationship for decades.

Schwartz is a former deputy Westchester County executive under Andy Spano, one of Latimer's predecessors.

"It was not a long, drawn-out conversation, and when I finished with him, I didn't think it was an untoward conversation," Latimer said. "But I recognize that he's supportive of the governor and he's polling. He's trying to see where we are at."

Schwartz role in Cuomo administration

Still, Molinaro said the calls have had a "chilling effect" not just on those who did receive one, but those who did not and still worry their vaccine dosages could be harmed by criticism of the governor in his time of political peril.

That fear is bolstered by a vaccine distribution process in which counties have seen their dosages increase and decrease week to week.

The state Department of Health has refused repeated requests by the USA TODAY Network New York to detail where it is distributing its doses on a week to week basis.

Cuomo brought Schwartz back in a volunteer capacity in March at the height of the pandemic in New York.

Schwartz, who served as Cuomo's top aide from 2011 through 2014 and is now chief strategy officer for airport concessions firm OTG, was given a major role in overseeing hospital capacity and later put in charge of running the state's vaccination program.

Beth Garvey, acting counsel to the governor, defended Schwartz, saying he "answered our call to volunteer in March" and has been working "night and day to help New York through this pandemic."

"Any suggestion that he acted in any way unethically or in any way other than in the best interest of the New Yorkers that he selflessly served is patently false," Garvey said in a statement.

As head of the vaccine program, Schwartz has been the main point of contact for county executives looking for information on their dosage allotment from the state. He has weekly calls with county officials.

On March 18, Cuomo issued an executive order suspending a number of requirements under the state Public Officers Law for any individual the state deemed necessary to "hire or to engage in a volunteer capacity" during the coronavirus pandemic.

The order applied to Schwartz and other allies and former aides who the governor brought back into his orbit to run some portion of the state's virus response.

Among other things, Section 74 of the Public Officers Law prevents employees of state agencies from giving the impression that any person can "unduly enjoy his or her favor in the performance of his or her official duties."

But Cuomo's order specifically suspended that section of the law for Schwartz and the other volunteers he brought on.

Joseph Spector is the Government and Politics Editor for the USA TODAY Network's Atlantic Group, overseeing coverage in New York, New Jersey, Pennsylvania, Maryland and Delaware. He can be reached at JSPECTOR@Gannett.com or followed on Twitter: @GannettAlbany

State reviewing new CDC nursing home visit rules

Visitors recommended to wear face coverings

David Robinson
New York State Team
USA TODAY NETWORK

New federal guidelines for allowing more outdoor and indoor visitation at nursing homes are being reviewed for potential adoption in New York, health officials said.

Centers for Disease Control and Prevention on Wednesday issued new recommendations intended to facilitate more nursing home visits in part due to the fact millions of residents and workers at long-term care facilities nationally have received COVID-19 vaccinations.

Among various changes, the new federal guidelines urge states to remove current restrictions requiring nursing homes to go 14 days without a new COVID-19 case before resuming visitation.

The development comes after New York health officials on Feb. 26 revised state rules for nursing home visits, including easing COVID-19 testing requirements for visitors and increasing visitation capacity for facilities.

Advocates and family members have spent months lobbying state and federal officials to ease the requirement that nursing homes go 14-days without a new COVID case before resuming visits.

They have asserted it is a difficult threshold to meet, especially for larger facilities, and could be eased based on the conditions in the facility and community to allow for more visitation, which would end months of isolation for some residents.

New York state health officials are currently reviewing the new federal guidelines, which included input from the CDC and Centers for Medicare and Medicaid Services, or CMS, Department of Health spokesman Jeffrey Hammond said Thursday in a statement.

"Since last summer we have taken a measured approach to help nursing homes safely implement visitation, and the Department looks forward to continuing this effort," he said.

What to know about nursing home visit rules

Under the new federal rules, visitors would still be recommended to wear face coverings and practice social distancing regardless of their vaccination status.

Nursing homes would also be urged to prioritize outdoor visitation whenever possible due to the reduced risk of transmitting coronavirus in outdoor settings due to increased space and airflow.

In general, facilities should allow indoor visitation at all times and for all residents (regardless of vaccination status), except for a few circumstances when visitation should be limited due to a high risk of COVID-19 transmission, the CMS rules stated.

The scenarios for limiting indoor visitation include:

- If the nursing home's COVID-19 county COVID-19 test positivity rate is below 10% and fewer than 70% of residents in the facility are fully vaccinated.
- Residents with confirmed COVID-19 infection, whether vaccinated or unvaccinated until they have met the criteria to discontinue transmission-based precautions
- Residents in quarantine, whether vaccinated or unvaccinated, until they have met criteria for release from quarantine.

The guidelines noted compassionate care visits, such as for family members who provide essential care to residents or end-of-life scenarios, should be permitted at all times.

The new federal recommendations also detail when nursing homes should handle COVID-19 outbreaks and visitation.

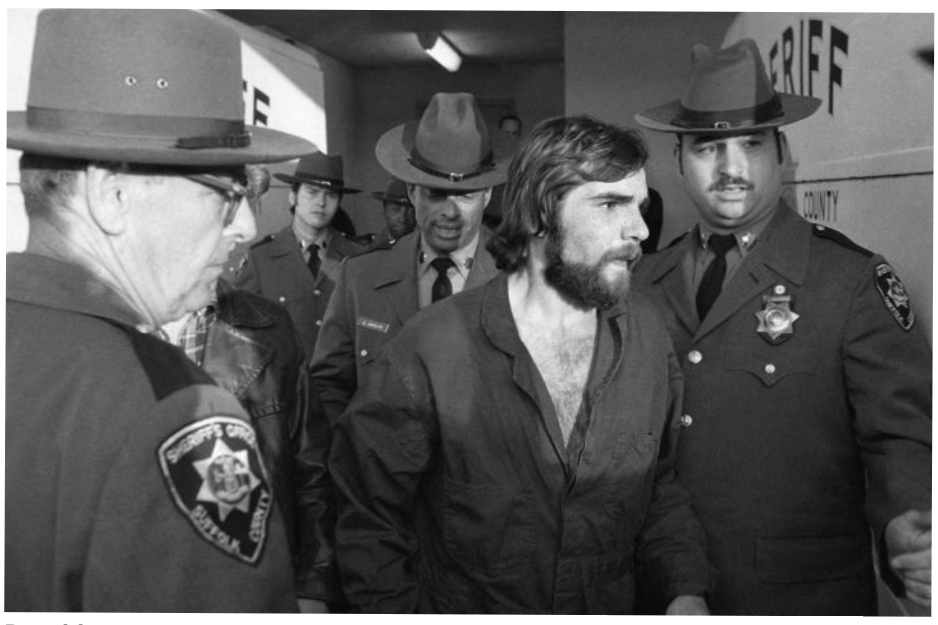
When a new case of COVID-19 among residents or staff is identified, a facility should immediately begin outbreak testing and suspend all visitation (except that required under federal disability rights law), until at least one round of facilitywide testing is completed, the CMS rules stated.

Visitation would be allowed resume based on the following criteria:

- If the first round of outbreak testing reveals no additional COVID-19 cases in other areas (e.g., units) of the facility, then visitation can resume for residents in areas/units with no COVID-19 cases.
- However, the facility should suspend visitation on the affected unit until the facility meets the criteria to discontinue outbreak testing. For example, if the first round of outbreak testing reveals two more COVID-19 cases in the same unit as the original case, but not in other units, visitation can resume for residents in areas/units with no COVID-19 cases.
- If the first round of outbreak testing reveals one or more additional COVID-19 cases in other areas/units of the facility, then facilities should suspend visitation for all residents (vaccinated and unvaccinated), until the facility meets the criteria to discontinue outbreak testing.

USA TODAY Network New York Editor Jon Campbell contributed to this report.

David Robinson is the state health care reporter for the USA TODAY Network New York. He can be reached at drobinson@gannett.com *and followed on Twitter: @DrobinsonLoHud*


Ronald DeFeo Jr., center, leaves Suffolk County district court after a hearing on Nov. 15, 1974. DeFeo, the man convicted of slaughtering his parents and four siblings in a home that later inspired the book and movie "The Amityville Horror," died Friday at Albany Medical Center, where he was taken Feb. 2 from a prison in New York's Catskill Mountains, prison officials said Monday. He was 69. RICHARD DREW/AP FILE

DeFeo, convicted killer in 'Amityville Horror' case, dies

ASSOCIATED PRESS

ALBANY, N.Y. – The man convicted of slaughtering his parents and four siblings in a home that later inspired the "The Amityville Horror" book and movies has died, prison officials said Monday.

Ronald DeFeo, 69, died Friday at Albany Medical Center, where he was taken Feb. 2 from a prison in New York's Catskill Mountains, the state Department of Corrections and Community Services said. The cause of his death wasn't immediately known.

DeFeo was serving a sentence of 25 years to life in the 1974 killings in Amityville, on suburban Long Island.

The home became the basis of a horror-movie classic after another family briefly lived there about a year after the killings and claimed the house was haunted. A book and two movies – the 1979 original, starring James Brolin, Margot Kidder and Rod Steiger, and a 2005 remake – portrayed a home with strange voices, walls that oozed slime, furniture that moved on its own, and other supernatural features.

DeFeo had pursued an insanity defense at his trial, saying he heard voices that drove him to kill his family.

He unsuccessfully sought a retrial in 1992, claiming that his 18-year-old sister killed the other five family members and that he then shot her.

"I loved my family very much," he said at a 1999 parole hearing, where he also said he had gotten married while in prison.

The corrections department said it couldn't disclose why DeFeo was hospitalized, citing health privacy laws. The Albany County Coroner's Office, tasked with determining what caused his death, said it doesn't release such information, except to relatives of the dead.

Rochester Gas & Electric Corporation (RG&E)

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RG&E has proposed an EV Make-Ready surcharge to recover costs and incentives paid to participants in Electric Vehicle ("EV") Infrastructure Make-Ready Programs. The filing, which is subject to Commission review and approval, was filed on December 2, 2020, and became effective on January 1, 2021.

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Rochester Gas and Electric Corporation

Split-up families pressure Biden

Those separated by year of border closures describe 'life in limbo'

Matthew Brown
USA TODAY



Members of the de Rham family from the U.S. and Canada visit at the border between the countries in Peace Arch Park in Blaine, Wash., on May 17. ELAINE THOMPSON/AP

On the anniversary of the United States' closing of its borders to its neighbors to the north and south, lawmakers and families across the country separated by the border continue to languish with no clear end in sight.

"This has been a year of struggle for binational families," said Devon Weber, founder of Let Us Reunite, a campaign of 2,200 families lobbying the U.S. government for greater travel exemptions for communities separated by the border shutdowns.

"Your life is in limbo, and it's extremely frustrating. 'Heartbreaking' is the word that comes to mind," Weber said. Each month during the pandemic, border restrictions have been reauthorized with no clear end.

With a new administration in the White House, lawmakers have begun lobbying President Joe Biden for a clear timetable and reopening guidelines for the U.S.-Canada and U.S.-Mexico borders.

"I don't think there has been constructive, serious engagement. This could be done successfully and quickly, but it requires a strong will," Rep. Brian Higgins, D-N.Y., told USA TODAY. The congressman, whose district includes Buffalo, New York, has been an outspoken proponent of finding guidelines to ease international travel for border communities.

"The U.S.-Canadian relationship, generally speaking, took a major hit over the last four years, and in particular over the last 12 months, for no other reason than the silly personal politics between President Trump and Prime Minister Trudeau," Higgins said.

A recent CNBC report said the White House was considering normalization of the northern and southern borders in mid-May when vaccines will likely become widely available across North America. But there has been no formal announcement of such plans. The uncertainty continues to burden binational families and border communities.

In his first few days in office, Biden signed executive orders directing federal agencies to work with Canada and Mexico to determine a sound reopening policy for nonessential land travel across both borders, though so far no policy has been released.

"The plan is late. I get that," said Higgins, who has challenged the White House to fully reopen the border by July 4. "I know from my conversations with people at the highest levels of the Biden administration that they are taking this seriously."

Weber said that while separated families "appreciate that there are rumblings from the Biden administration, they are still just rumbling."

The White House did not return USA TODAY's request for comment on the border closures.

When asked Monday about a timeline for reopening the border, White House press secretary Jen Psaki said the administration did not "have anything to preview" at the moment.

"We look at it through the prism of COVID and safety and obviously diplomatic relations," Psaki said.

Other lawmakers who represent border communities have called for greater travel access for those with family, property and business interests on both sides of the border.

In February, members of the Washington state congressional delegation sent an open letter to Biden urging him to make "safely reopening the United States-Canada border an immediate priority." On March 11, Sen. Susan Collins, R-Maine, called for an immediate easing of restrictions between the U.S. and Canada.

"I believe that we could implement procedures, such as requiring proof of a recent negative test or vaccination, to begin safely loosening the restrictions, which would be beneficial to families, the economy and small businesses that rely on Canadian customers," Collins said.

"I still think that this is the United States of America, and we could have put certain safeguards in the border to protect the border community," Rep. Henry Cuellar, D-Texas, said of the extension of border restrictions between the U.S. and Mexico in February. "There are ways to do this, but they have still yet not allowed" full travel across the land border, Cuellar said, promising to find "a balance between the economy and the health of individuals."

Secretary of State Antony Blinken has met with his Canadian and Mexican counterparts to discuss border normalization, among other issues. The bipartisan critique of the administration, partly resulting from the diversity of affected communities, has increased pressure on the administration to act.

It is technically possible for Americans to fly to Canada and Mexico, though Canada requires stringent public health measures before a trip and flights are logistically and financially difficult for families who normally live within driving distance of each other, according to Weber.

Higgins believes that as the U.S. becomes increasingly vaccinated and the pandemic subsides, a reopening of the border makes more sense from an economic and public health standpoint.

"Last year, the United States was the global leader in COVID-19 deaths. This year, we're the leader in vaccine manufacturing," Higgins said.

Shooting victim's husband: Police detained me for hours

Kate Brumback
ASSOCIATED PRESS



Hundreds gather in Atlanta Saturday to protest the massage business shootings and violence toward Asian people. TREVOR HUGHES/USA TODAY

ATLANTA – A man who survived the shooting that killed his wife at an Atlanta-area massage business last week said police detained him in handcuffs for four hours after the attack.

Mario Gonzalez said he was held in a patrol car outside the spa. The revelation, in an interview with Mundo Hispanico, a Spanish-language news website, follows other criticism of Cherokee County officials investigating the March 16 attack, which killed four people. Four others were killed about an hour later at two spas in Atlanta.

Gonzalez's accusation would also mean that he remained detained after police released security video images of the suspected gunman and after authorities captured that suspect about 150 miles south of Atlanta. Gonzalez questioned whether his treatment by authorities was because he's Mexican.

Cherokee County Sheriff Frank Reynolds said in an emailed statement Monday afternoon that his office would not have any further comment on the case and is focusing on the investigation and prosecution.

Robert Aaron Long, a 21-year-old white man, is accused of shooting five people, including Gonzalez's wife, Delaina Ashley Yaun, at the first crime scene near Woodstock, about 30 miles north of Atlanta. One man was wounded. In all, seven of the slain victims were women, six of them of Asian descent.

Cherokee sheriff's Capt. Jay Baker was removed as spokesman for the case after telling reporters the day after the shootings that Long had "a really bad day" and "this is what he did." A Facebook page appearing to belong to Baker promoted a T-shirt with racist language about China and the coronavirus last year.

Reynolds, the sheriff, released a statement acknowledging that some of Baker's comments stirred "much debate and anger" and said the agency regretted any "heartache" caused by his words.

Gonzalez and Yaun, 33, had gotten a babysitter for their infant daughter and went to Youngs Asian Massage to relax. They were in separate rooms inside when the gunman opened fire.

Gonzalez heard the gunshots and worried about his wife but was too afraid to open the door, he told Mundo Hispanico in a video interview. Deputies arrived within minutes. Gonzalez said they put him in handcuffs and detained him for about four hours, according to the website.

"They had me in the patrol car the whole time they were investigating who was responsible, who exactly did this," Gonzalez said in the video.

During the interview with Mundo Hispanico, Gonzalez showed marks on his wrists from handcuffs. "I don't know whether it's because of the law or because I'm Mexican. The simple truth is that they treated me badly," he said.

"Only when they finally confirmed I was her husband, did they tell me that she was dead," he said. "I wanted to know earlier."

Left alone to raise their daughter and his wife's teenage son, Gonzalez said the shooter took "the most important thing I have in my life."

14th juror seated for trial in George Floyd's death

Steve Karnowski and Amy Forliti
ASSOCIATED PRESS

MINNEAPOLIS – A 14th juror was seated Monday for the trial of a former Minneapolis police officer charged in George Floyd's death, nearly completing the panel ahead of opening statements next week.

The newest juror is a white social worker in her 20s who said she has talked with friends about police reform and that she thinks "there are things that should be changed." But she also described police and their jobs as important, and said she is "always looking at every side of things."

Other potential jurors were dismissed earlier in the day.

Hennepin County Judge Peter Cahill said Friday that he wanted to select 15 jurors, with 12 to deliberate and three alternates who will deliberate only if needed. But the court also said up to 16 could be chosen.

Floyd, who was Black, was declared dead May 25 after Derek Chauvin, who is white, pressed his knee on his neck for about nine minutes while he was handcuffed and pleading that he couldn't breathe. Floyd's death, captured on a widely seen bystander video, set off weeks of sometimes violent protests across the country and led to a national reckoning on racial justice.

On Friday, Cahill declined a defense request to delay or move Chauvin's trial over concerns that a $27 million settlement for Floyd's family had tainted the jury pool.

Cahill, who called the timing "unfortunate," said he believed a delay would do nothing to stem the problem of pretrial publicity, and that there's no place in Minnesota untouched by that publicity.

In another significant ruling Friday, the judge handed the defense a victory by ruling that the jury can hear evidence from Floyd's 2019 arrest, but only information possibly pertaining to the cause of his death.

He acknowledged similarities between the two encounters, including that Floyd swallowed drugs after police confronted him.

The judge previously said the earlier arrest could not be admitted, but he reconsidered after drugs were found in January in a second search of the police SUV that the four officers attempted to put Floyd in last year. The defense argues that Floyd's drug use contributed to his death.

Cahill said he would allow medical evidence of Floyd's physical reactions, such as his dangerously high blood pressure when he was examined by a paramedic in 2019, and a short clip of an officer's body camera video.

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