

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONONDAGA

In the Matter of the Application of THE COUNTY OF
ONONDAGA, and KATHYRN ANDERSON, MD, PhD,
MSPH, in her official capacity as Commissioner of the
Onondaga County Department of Health

Index No.

**AFFIDAVIT OF
ANN ROONEY
IN SUPPORT OF
ORDER TO SHOW
CAUSE WITH
TEMPORARY
RESTRAINING ORDER**

Petitioners-Plaintiffs,

-against-

THE CITY OF NEW YORK, ERIC ADAMS, in his
capacity as Mayor of the City of New York, and
MOLLY WASOW PARK, in her capacity as
Commissioner of the New York City Department of
Social Services, and CWP SYRACUSE I LLC,
d/b/a Candlewood Suites Syracuse-Airport,

Respondents-Defendants,

STATE OF NEW YORK)
)ss.:
COUNTY OF ONONDAGA)

ANN ROONEY, being duly sworn deposes and says:

1. I am the Deputy County Executive of Human Services for the County of Onondaga (“County”). I submit this affidavit in support of the County’s petition and complaint seeking a temporary restraining order restraining and enjoining the Respondents-Defendants from violating Onondaga County Local Emergency Order Number 1 of 2023, including the imminent transport of migrants/asylum seekers to the Candlewood Suites Syracuse Airport (“Hotel”) in Onondaga County by New York City and its agents.

2. Specifically, the County respectfully requests that this Court enjoin the Defendants' hasty and developing plan to violate Onondaga County Emergency Order No. 1 of 2023, a copy of which emergency proclamation and order are included as Exhibit C to the Affirmation of John Sickinger, Esq., submitted herewith, unless and until such modified use comes with requisite approvals and licenses as set forth in Onondaga County Emergency Order No. 1 of 2023, as extended.

3. On or about May 18, 2023, the County first learned that New York City, by and through its Mayor, intended to transport migrants to Onondaga County when it was discovered that "a company that works with New York City to find migrant housing has started advertising for new employees in Syracuse" (<https://www.syracuse.com/politics/cny/2023/05/ryan-mcmahon-issues-emergency-order-banning-migrant-transfer-to-onondaga-county.html>). No prior or formal notice was provided.

4. On May 18, 2023, the County Executive issued an Emergency Proclamation and Emergency Order No. 1 of 2023 declaring a State of Emergency pursuant to Executive Law §24 and ordering that no hotels, motels and/or multiple dwellings may provide housing or accommodations for migrants or asylum seekers in Onondaga County absent a duly issued license. (See Exhibit "C" to Sickinger Affirmation).

5. Said Emergency Proclamation and Emergency Order No. 1 of 2023 were duly authorized, executed, issued, filed and published in accordance with Executive Law § 24.

6. Thereafter, on or about May 20, 2023, the County was notified by Chris Ellis, New York City's Director of State Legislative Affairs, that a "bus is expected to arrive in the next few days at the Candlewood Suites Syracuse Airport Hotel"

(<https://www.syracuse.com/politics/cny/2023/05/nyc-to-send-first-bus-of-migrants-to-onondaga-county-town-official-says.html>).

7. It is not currently known how many migrants or asylum seekers may arrive in Onondaga County due to New York City's transportation of same to Onondaga County, when they would arrive, or any other relevant information on said population.

8. As of May 22, 2023, it has been reported that the Hotel "began pushing out its long-term residents last week," "including families with small children, medical workers, Amazon workers who don't make enough for an apartment and transportation, and disabled veterans" (<https://www.syracuse.com/news/2023/05/cny-hotel-expecting-first-busload-of-migrants-has-been-home-to-more-than-50-long-term-residents.html>).

9. Subsequently, on May 22, 2023, the County duly issued and executed Emergency Order No. 1A of 2023 extending Executive Order No. 1 of 2023 for an additional 5-day period (Exhibit "E" to Sickinger Affirmation).

10. Onondaga County is currently responsible for and is housing approximately 350 homeless people within the community, and does not have sufficient uncommitted resources for such an influx in its homeless and needy population. While no figures have been provided by New York City, estimates range from 200 to 1,000 migrant/asylum seekers, marking a 50% or greater increase in the population of those needing limited housing and other public services and accommodations.

11. Onondaga County has already committed to resettling approximately 1,900 refugees over the next 12 to 16 months.

12. Upon information and belief, additional buses transporting migrants/asylum seekers are likely to come to Onondaga County.

WHEREFORE, it is respectfully requested that this Court grant injunctive relief restraining Defendants' present and ongoing violations of Local Emergency Order No. 1 of 2023, as extended, together with such other and further relief as this Court deems just and proper.

Ann Rooney
Ann Rooney
Onondaga Deputy County Executive

Sworn onto before me this 22
Day of May, 2023.

Amy M. Brosnan-Dobrzynski
Notary Public

