

SYRACUSE URBAN RENEWAL AGENCY

Meeting Minutes

I, PAUL DRISCOLL, do hereby certify as follows:

1. I am the duly designated and acting Secretary of the Syracuse Urban Renewal Agency (the "Agency").
2. I attended a special meeting of the Agency, held in the SyraStat Room at City Hall, Syracuse, New York on the 31st day of January, 2012.
3. The meeting was convened at approximately 3:05 p.m., and a duly constituted quorum consisting of Mayor Stephanie A. Miner, Van Robinson and David DeVecchio were present throughout. In addition to myself, the staff members present throughout were: Assistant Corporation Counsel Thomas Babilon, Andy Maxwell, Dian Sherwood Luke Dougherty, Mariah Clapp, Lindsey McCluskey, Deputy Chief Rebecca Thompson, Chief Frank Fowler, Jim Conroy, and Tim Carroll. Dennis Nett, Alex Dunbar, Tom Walters, Bill Carey and Walt Sheppard from the media were present. In addition, Jean Kessner, George Hack, Zach Brown, Lance Denno T.R. Schepp, Ryan O'Hara and many representatives of Occupy Syracuse were also present.

CORRESPONDENCE

Mayor Miner confirmed with Tom Babilon that there was no correspondence to discuss at this meeting.

GENERAL

Resolution No. 3182

Authorizing the Contracting Officer to execute documents allowing for or denying access to SURA property.

Mayor Miner introduced this item and introduced Chief Frank Fowler who she said was in attendance in order to further explain and answer questions relative to this resolution. Mayor Miner indicated that problems had begun to persist relative to the property known as Perseverance Park on the corner of South Salina and Washington Streets. Members of Occupy Syracuse had been using this property as an encampment for public demonstrations. Mayor Miner indicated that the members of Occupy Syracuse were given 24 hours notice relative to having flammable items, such as propane tanks and heaters removed from the premises for the purpose of public safety. Chief Fowler confirmed that he had similar discussions with representatives of Occupy Syracuse to express that there is no issue with the protest at Perseverance Park but that he had concerns about camping over night at the park. Chief Fowler stated that the parks owned by the City of Syracuse did not allow overnight stays and were closed at night. Deputy Chief Rebecca Thompson agreed with the concerns of the Chief and reviewed the police protocol when police officers found people in City parks over night.

Mayor Miner told the people in attendance that she had spoken with Chief Fowler relative to the safety of the people staying at Perseverance Park. Mayor Miner asked Chief Fowler to confirm that they had discussed this matter and whether he deemed the overnight encampment to be safe. Chief Fowler responded that yes they had discussed this and he agreed that it is not a safe environment for an overnight encampment.

Van Robinson asked if there had been any arrests during the time that the members of Occupy Syracuse had been at Perseverance Park. Chief Thompson responded that other than the two most recent arrests there had been no issues at the encampment that led to the arrest of any of the members of Occupy Syracuse. Mr. Robinson asked Chief Fowler if the encampment is infringing on the rights of others. Chief Fowler responded no, he did not believe so and his primary concern is public safety and that Occupy Syracuse operates within the parameters of the law.

Mr. Robinson also asked the Chief if it was o.k. for the members of Occupy Syracuse to be in the park at other times of the day. Chief Fowler responded affirmatively.

Mayor Miner asked Thomas Babilon to confirm for the people present that SURA is in ownership of several properties. Mr. Babilon confirmed that the Agency owned a total of approximately 54 properties. Mayor Miner asked if someone was found on one of the SURA properties, including a house owned by the agency, does the Agency have the right to have the person arrested. Mr. Babilon responded that at this time there is no affidavit filed with the police department asking them to enforce no trespassing and that without that affidavit from the owner of the property the police would generally not take any action against people found on any SURA owned properties without contacting SURA directly.

Mayor Miner asked Chief Fowler if there is ever a problem with squatting in vacant buildings within the City of Syracuse. Chief Fowler said that yes it is a problem and agreed with Mr. Babilon that an affidavit of no trespass would be beneficial to be able to remove squatters. Chief Fowler also said that it is one of the biggest problems that the police have with vacant properties.

Mayor Miner asked Mr. Babilon whether the Agency had the insurance to protect the Agency should someone be injured on a property while trespassing. Mr. Babilon replied that the Agency had no insurance protection at this time and felt that the Agency was in a vulnerable position.

At this time in the meeting, Mr. Babilon read verbatim proposed Resolution No. 3182 for the people present at the meeting.

After the reading of the resolution, Mayor Miner asked if anyone present would like to speak regarding this resolution. Ryan O'Hara of Occupy Syracuse asked Mayor Miner if this resolution had anything to do with the fact that the members of Occupy Syracuse protested at the Mayor's ball recently. Mayor Miner said no. Mayor Miner added that she had discussed safety many times with Chief Fowler and that she had also spoken with representatives of Occupy Syracuse to come to an agreement regarding what were safety issues and what would not be allowed at the park, including propane heaters. Mayor Miner stated that members of Occupy Syracuse had violated this agreement and she felt that it was necessary to take the privilege of Occupy Syracuse staying at the park away to maintain public safety.

A woman who did not identify herself by name stated that she was homeless and stayed in her car. She made the statement that no lawyer would help her and asked where she should stay if she was not allowed to sleep in her car in the City of Syracuse. The woman also maintained that safety was not an issue for her. Mayor Miner stated that there are a number of facilities available to her but the woman refused to stay at a facility.

Barrie Gewanter stated that she had several questions regarding this resolution. Ms. Gewanter stated that as far as the safety risks of the members of Occupy Syracuse that if someone is exercising their first amendment rights it is up to the individual to assume that risk. Mayor Miner answered yes, that was true but it would have to be done on the public sidewalk not on Perseverance Park. Ms. Gewanter responded that she believes the resolution to be unclear as to if the parcel is included and that there is no curfew on a public sidewalk. Ms. Gewanter asked if Chief Fowler would enforce this resolution for people on the sidewalk because if so, it would be a suppression of free speech.

Ms. Gewanter also stated that she believes that the portion of the resolution that allows the Contracting Officer to allow access is arbitrary wand with no definition. Mayor Miner responded that it was general by design to address the needs for each individual Agency owned property. Mayor Miner clarified that the Agency owns several different types of properties and that there would be many different needs to allow access to properties for a variety of reasons. Mayor Miner clarified that the Agency would allow access to protest, but not allow access overnight to sleep in the park.

T.R. Schepp asked Mayor Miner the status of a Common Council ordinance on this matter. Mayor Miner suggested that Mr. Schepp ask the Common Council for that information.

Mr. Schepp asked if the members of Occupy Syracuse signed a liability waiver would that satisfy the Agency. Mayor Miner said no, safety is the priority of the Agency and Occupy Syracuse has not met expectations relative to safety. Mayor Miner gave examples of these expectations not being met. Mayor Miner said that when Occupy Syracuse asked for a portable toilet on the site Mayor Miner worked with them and came to an agreement and a permit was given. Occupy Syracuse representatives asked for electricity and that request was denied due to safety concerns. Mayor Miner said that on January 8, 2012 a 911 call resulted in propane being found on the site and on January 9, 2012 the weather was cold and Fire Chief McLees went to the site and spoke to the members of Occupy Syracuse about the use of propane being a safety issue and not allowed. On January 15th, the site was inspected again by the Fire Department and again propane was found on the site. At this time the Fire Department had to do hourly inspections and have several meetings relative to the issue of propane use. Mr. Schepp then asked the Mayor to confirm that she felt the park was unsafe after dusk. Mayor Miner agreed that she felt sleeping at the park was unsafe after dark for a variety of reasons.

A member of Occupy Syracuse who identified herself as a member of the Mohawk Tribe, made comment that she works with the poor and doesn't understand politics but has read about the Mayor and Onondaga County Executive having fund raisers and that she was shocked by the amount of money spent on these activities when other people have been hurt in the community including her

people.

Mayor Miner responded that she appreciates her comment and sentiments. Mayor Miner responded that as Mayor she deals with striking issues of poverty every day and that city officials also deal with these issues every day and understand poverty in the area. Mayor Miner said that as far as the Mayor's Ball and campaigns, although she would prefer to not have to do these things, it is necessary to be mayor. Mayor Miner said that the issues of poverty are of great concern to her and from the inside as Mayor she is better able to address these issues than she was prior to becoming Mayor.

A member of Occupy Syracuse asked that if it is legal for them to protest on the sidewalk overnight how is that safer than the park. Mayor Miner responded that the law allows it on the sidewalk whether or not it is safe and that is the system that is in place. The Occupy Syracuse member responded that as Mayor she can get around the system. Mayor Miner responded that she did until January. This representative asked the Mayor to define where they can be. Chief Fowler responded that notice will be given to representatives of Occupy Syracuse. Mayor Miner elaborated that the Mayor's authority is the enforcement of laws and within the parks for the City of Syracuse the law is the parks are closed from dusk until dawn. The Agency presently does not have a rule and, as chairman of the agency, she must enter into an agreement relative to the Agency properties.

A representative of Occupy Syracuse said that standing may not be possible for those members of that are disabled. If a disabled person has a chair on the sidewalk is that o.k. or does the Mayor intend to not allow for disabled members. The Mayor responded of course she would allow a disabled person to use a chair on the sidewalk. Chief Fowler reminded that a notice will be provided to members of Occupy Syracuse outlining what they can do, and he intends to have a meeting to discuss the needs of the members of Occupy Syracuse.

At this time the Mayor asked if the Board members were ready to vote on this resolution. Van Robinson made a motion which was seconded by David Delvecchio. Thereafter, Resolution No. 3182 was unanimously adopted.

Paul Driscoll stated there was no other business. Van Robinson made a motion to adjourn, seconded by David Delvecchio. The meeting was adjourned at 3:45 pm.

SYRACUSE URBAN RENEWAL AGENCY

By: 
Paul Driscoll, Secretary

I, **PAUL DRISCOLL**, the duly appointed, qualified and acting secretary of the Syracuse Urban Renewal Agency (the "*Agency*"), hereby certify that:

1. The foregoing is a true, correct and complete copy of the record of proceedings of the Agency had and taken at a lawful meeting of the Agency held at City Hall, Syracuse, New York on January 31, 2012, commencing at approximately 3:05 pm, as recorded in the regular official book of the proceedings of the Agency; those proceedings were duly had and taken as shown therein, and the persons named therein were present at the meeting as shown therein.
2. All members of the Agency were duly notified of that meeting, pursuant to law.

IN WITNESS WHEREOF, I have signed this Certificate this 6th day of February, 2012.



Paul Driscoll
Secretary