



Date: May 10, 2023

Roll Call: James Slayton, Police Chief
Mark Fritz, Fire Chief
Jeff Dygert, City Manager

Minutes: No corrections at this time.

Motion to approve the March 15, 2023 Nuisance Abatement Committee Minutes: Mark Fritz, Fire Chief, seconded by James Slayton, Police Chief. All approved.

Motion to approve April 19, 2023 Nuisance Abatement Committee Minutes: Mark Fritz, Fire Chief made a motion with a correction on 44 Wallace Ave., there were no incidents and the incident that was reported for 44 Wallace Ave. was for 4 Van Patten St., seconded by James Slayton, Police Chief. All approved.

Complaints:
No new complaints.

Hearings:
None at this time.

Other Business:

We have had several properties over the last few months that we have agreed to keep an eye on for the next six months. We do not need to discuss each one but we do have an update on some of these.

- 1. 11 Madison Ave.:** The Auburn Police Department had a call for criminal mischief complaint on the 6th of May. The Auburn Fire Department and EMS had no new calls for service. The City Manager explained we considered having a hearing on this property but there had been some communication between the owner's legal counsel and with the Corporation Counsel's Office. The eviction proceeding has been commenced and a warrant has been issued. The tenant that was engaging in behavior that amounted to a nuisance was evicted. There had been some code-related issues from a structure fire and the tenant was moved to the first-floor apartment. There were some concerns with the drugs in the apartment at one time that this could be a health issue and the code enforcement office has looked into this and Corporation Counsel discussed this with the owner's legal counsel. The code enforcement office upon investigation found that there were no code violations or health and safety risks. The City Manager observed the property this morning and the

dumpster on site is full and other property issues are ongoing. Code Enforcement will follow up on the property on some general upkeep even during the construction period. We will monitor through July 2023.

2. **27-29 Madison Ave.:** The Auburn Police Department had one call a couple of days ago and it will be addressed at next month's meeting. The property manager showed the house and was around the neighbor's property which created a dispute over property lines. Auburn Fire Department and EMS had no calls for service. Since the last meeting on April 25th the Codes Clean-Up crew has cleaned the property up and there are still some ongoing issues. We will monitor through June 2023.

3. **33 Jefferson St.:**

Justin Huffman, Esq., Huffman Law Firm representing the owners, Petro Rentals or one of the Grillo Companies: Last month Mr. Huffman reported that they had an eviction warrant. The owner has been in contact with the Sheriff's Department and that is executable on the 22nd of this month.

The Auburn Police Department had two calls for service, one for loud noise and one for a suspicious incident. AFD and EMS only one call for service. Monitor through September 2023.

4. **33 Columbus St.:** Auburn Police Department, Auburn Fire Department and EMS had no calls for service. Corporation Counsel explained this is a local smoke shop and we had sent Cease and Desist letters to properties where smoke shops are operating at 33 Columbus, 104 Grant Ave. and 9 E. Genesee St. This action puts the owner of real property on notice that a business is operating in violation of our Nuisance Chapter which is enough for this committee jurisdiction over any nuisance complaint that may come from that. The state has passed in the budget an amendment to the real property actions and proceedings law which allows for a municipality to require that a landlord commence eviction proceedings against an illicit cannabis operation to which they rent them space. We anticipate going forward that the local code and recently amended real property and proceedings law section will give us leverage to handle the problem. We will monitor through September 2023.
5. **104 Grant Ave.:** Auburn Police Department had two (2) incidents at this address. An investigative law in which they assisted Cayuga County Health Department and an assault on the 11th. Auburn Fire Department and EMS had no calls for service. This is a smoke shop that falls under what previously was discussed. We will monitor through September 2023.
6. **44 Wallace Ave:** Auburn Police Department, Auburn Fire Department and EMS had no calls for service. One side of this property was condemned as of January 2023 due to some activities. We have had difficulty reaching Mr. Hasen but he had attended another meeting regarding another property at S. Fulton St. We will follow up with code enforcement. Mr. Hasen is best reached at one of the places of business and maybe take that route. We will monitor through August 2023.

7. **64 Grant Ave.:** Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This property changed owners during the Nuisance Abatement Committee process and has been vacated a few months ago and unknown if reoccupied. We will monitor through November 2023.

8. **9-11 Case Ave:**

Janice Regis 11 Case Ave.: This complaint is mostly untrue and exaggerated. Ms. Regis admitted she did set her garage up to care for rescue cats and spends many hours taking care of animals. She is not trying to cause problems with the neighbors. Ms. Regis explained she is working with Auburn Community Cats to help cut down on overpopulation. In April she took three cats from the neighborhood to a clinic and helped with recovery after surgery. The volunteers are working very hard to get the cat population under control and the more support we have from others the better the outcome will be. She never thought after all the years she has dedicated to helping animals she would be labeled as a nuisance. There needs to be more effort spent on people abusing animals and less on the ones that are trying to help them. Ms. Regis has letters from retired SPCA Director, Carol Russell, neighbors, friends and Sue Shaw from Auburn Community Cats is in attendance.

Susan Shaw, Volunteer with Auburn Community Cats Organization in Auburn: The city is overrun by city cats that are displaced and dropped off that are not wanted. Janice's house is impeccable and is commendable for what she does for the cats. It is unfortunate that people create a problem for her for what she does. She does an incredible job and spends a lot of money and she is only trying to help animals in need.

Karen Walter, 15 Case Ave.: The problem lies in the morning when cats are let out of the garages and roam the neighborhood. Ms. Walter has suffered the destruction of her property and so have others in the neighborhood. They defecate and spray on their property. Janice had put bubbles over her widows and Ms. Walter is thinking it is because they are spraying on her property as well. The number of cats that are housed there and roam the neighborhood are in excess of 12. There are cats that are new to the neighborhood to acquire food that is available day and night which creates a problem with coyotes, which Ms. Walter did have run through her back yard, as well as other animals. This is not TNR because they go out to a problem area and trap, neuter and release back to the area. This is to entice, possibly neuter, spay and vaccinate and then retain the cats. This is a health and safety issue. The cats go into the woods and possibly bring ticks in her yard and feces is in her yard. This creates an unreasonable interference for other neighbors to enjoy their property. It is not what Janice is doing with her efforts, it is the releasing of the cats and allowing them to free roam the neighborhood. She has 2-3 dogs that are kept in a fenced in area and it is the volume that is in the neighborhood that is creating a nuisance.

Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This has been a long ongoing issue at this property and the City has been working with TNR and will continue to work with them. Will monitor through June 2023.

9. **12 Seminary St. Rear:** The Auburn Police Department had one call for service for an unwanted guest and that person was removed. Auburn Fire Department and EMS had no calls for service. This is on our tax foreclosure list and the property owner resides out of state and has no interest in the property. The city will be taking possession of the property by the end of the month and will have more legal ability to have an impact. There is interest from property owners to take care of the property.
10. **35 Mary St.:** Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is a code enforcement issue and there were some significant actions there to clean the property up and now it is being renovated. This is on through May 2023 and since we haven't received any other complaints and if permits have been pulled and the property is being renovated we can remove it from the list.

Approval to remove 35 Mary St. from the agenda if no complaints have been handed in and if all permits have been pulled for the renovation: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief.

11. **4 Van Patten St.:** The Auburn Police Department had two calls for service with one for a suspicious incident where the neighbors called about people entering the residence. Auburn Police Department is keeping an eye on this property and Captain. Schattinger and Police Chief sat down with several neighbors and discussed the property with them about how they are keeping a close eye on the property. Last month a neighbor came to the meeting very concerned about the property and the Police Chief did meet with her. Based on her description of what was happening at the property and what we know about the property we will monitor this property through November 2023.

Corporation Counsel requested a letter be sent to the owner of the real property to request them come to the next meeting and address the committee.

Approval of 4 Van Patten St. to be monitored through November 2023 and to send a letter to the owner of this property requesting them to appear at the next meeting: Mark Fritz, Fire Chief, seconded by James Slayton, Police Chief.

12. **34 Franklin St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This property along with another property on the agenda is owned by an LLC. that is in bankruptcy and we are in the process of rejoining all the properties owned by the corporation and Limited Liability Corporation which Mr. Heffernan is the sole member. The clock restarts on this and we anticipate it taking a couple more months for 34 Franklin St., 25 Lafayette and other properties. The Code Enforcement Office has been directed to keep an eye on all of the properties and maintain the properties in the absence of the owner. It is notable that until code enforcement stepped in on this property and properly boarded it that code enforcement and the police department had to continue to monitor the property up until that point. This property was a problem property being the site of several fires and people illegally occupying the property. Monitor through June 2023.

- 13. 255 Grant Ave.:** The Auburn Police Department had five (5) calls for service which is manageable considering the number of people they have there and most of them have mental health and working with resources. Auburn Fire Department and EMS had two calls for service and agrees with Police Chief that it is manageable based on the number of people there and their backgrounds. There are no complaints from neighbors and still some outstanding code enforcement issues and will follow up on the timeline of the violations.
- 14. 10 Morris St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This building was not secured and has been resecured. This is under code enforcement surveillance for compliance.
- 15. 25 Lafayette Pl.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is another Heffernan property and similar to the Franklin St property.

Corporation Counsel and City Manager have a couple of properties on Lafayette Pl. that have the attention of Code Enforcement.

- 16. 9 E. Genesee St.:** The Auburn Police Department had one call regarding a parking complaint that was addressed last month and has communications with the owner regarding the parking issues. Auburn Fire Department and EMS had no calls for service. We will monitor through June 2023.
- 17. 87-89 Frances St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is a code enforcement issue and this property is going through a foreclosure process with the banks. Not sure of the status of the building and will have Code Enforcement give an update on the building.
- 18. 39 Cayuga St.:** The Auburn Police Department had one call for mental health. Corporation Counsel will touch base with the individual assisting us to see if the car detailing business is still operating.
- 19. 45 Columbus St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. An appearance ticket was sent and the court date is set for June 2023. This is part of the other complaints from neighbors and the accumulation of trash and debris on the property for some time. This has also been a code enforcement issue and we will see if the court appearance with help with some movement on this property.

Motion to adjourn the meeting: James Slayton, Police Chief, seconded by Mark Fritz, Fire Chief. All approved.

Adjourned: 9:36 am

The next Meeting will be held on June 21, 2023, at 9:00 a.m.