



Date: June 21, 2023

Roll Call: James Smith, Police Sergeant (James Slayton, Police Chief, Absent)
Mark Fritz, Fire Chief
Jeff Dygert, City Manager

Minutes: No corrections at this time.

Motion to approve May 10, 2023 Nuisance Abatement Committee Minutes: Mark Fritz, Fire Chief, seconded by Jeff Dygert, City Manager. All approved.

If you have an item you would like to speak about related to a particular address you will have an opportunity to do so by coming up to the podium. The Committee adopted the City Council Rules of Public Speaking which has a limit of 3 minutes on a topic.

Complaints:

1. **11-13 Lafayette Pl.:** The Auburn Fire Department and EMS had no calls for service. The concern at this address is one of the apartments being occupied which is a Code Enforcement issue. The Auburn Police Department only had one call for service for a suspicious incident on June 11th, and a couple of domestic incidents one in March and one in April. Corporation Counsel explained an inspection was scheduled for last week. Senior Code Enforcement Officer, Brian Hicks explained they have an ongoing work permit for the second-floor apartment where a fire took place. There are people living on the first floor. Codes have received a complaint for this property and will be looking at it again today. Will monitor through December 2023.
2. **108 Ross Pl. (property is owned by 202-206 Genesee St.):** Tamara Glasco, 11 Walnut St., Temple Properties. They have been trying to evict the tenants which is a two-family home. They did evict the tenants from apartment #2 late last year. Apartment #1 they have been trying to evict tenants since mid-last year but they applied for ERAP which is funding from the state to help pay for rent. Once the tenants applied for ERAP the owners could not pursue any more evictions, charge them for rent, could not charge for any damages so their hands were tied. The tenants knew this and no matter how many notices were sent to them there was nothing they could do until the City sent the letter to them letting them know the City is involved now. Since the City is involved and if they don't clean up the property the property will be shut down and this enabled them to clean it up. Since then the ERAP payment was received and now they can start the nonpayment eviction process.

The City Manager did let the Committee know that The Ward Firm did send us a letter regarding the situation.

The Fire Department and EMS have been at this address five times last year and once this year for a medical call on February 11th.

The Auburn Police Department had six responses since the beginning of this year with the majority of activity being relatively low issues. The original complaint received is related to the upkeep of the property like abandoned cars. This is mostly a Code Enforcement issue and we will keep an eye on it. Corporation Counsel requested Ms. Glasco or The Ward Law Firm to keep our Committee up to date on the eviction process. No reason for Ms. Glasco to keep appearing for the meetings. Will be on the list through December 2023.

3. 20-22 Foote St.:

Fred Miller, has an interest in the property, representing Linda Glowacki. They received the certified mail and called the City Manager to make the correction to the address and Linda's last name. Shelly Lowe from the City Manager's Office explained the FOIL process to receive the anonymous complaint. 22 Foote St. has been a rental for decades and it has been in the family for 70 years. There are people in the residence that qualify under American Disabilities Act and there has never been a specific problem at this property except for one time in November 2019, which was a drug related problem. A local law firm was then hired to expedite eviction. The people in the neighborhood have been sending texts that are racial in nature and they will not be tolerated and will be pursued. The texts constantly mention people of color and harassment of what is up with 20 Foote St. can't find any drug dealers or any Caucasians. The Corporation Counsel suggested if there is any material they would like to submit they can submit it to the City Manager's Office.

Linda Glowacki, the sole owner of 20-22 Foote St. Ms. Glowacki has been the sole owner since 2000. Ms. Glowacki grew up in the home for 30 years and has maintained it. The last time Code Enforcement went through it they commented that it was one of the nicest rental properties in the City. During the time the tenant was being evicted and was in the lawyer's hands they notified the neighbors that their hands were tied and they were going through the process of eviction. The tenant was out of the residence in February 2020. They received texts in December, January and February specifically from one neighbor that said they are a disgrace to their family, don't deal with section 8 renters again, five men of color just walked into your property. Another text was a local detective who called me and stated that the neighbors should start a Nuisance Complaint to the City. The property is on the list of the top five properties for police calls. You might want to start your eviction on 22 Foote St. The neighbors have had it in on this house. They want Foote St. to remain in the glory days when her father lived there as the mayor of Foote St. There is a tenant from 22 Foote St. that will speak and she has been a tenant for five years and has been a very good tenant. She has a son with disabilities and needs intervention and she will speak to that. One text she received, after her tenant was out in February, and four months later was out biking a specific neighbor was there and she did not acknowledge them. She received a text saying that it was nice seeing you and how are you going to rent the place. It was off the wall and she hadn't seen them in four months. While at the apartment cleaning

windows, the neighbor Mike drove by the house and gave her the finger for no reason. She explained she is trying to be a good neighbor.

Kathy Coomber, 22 Foote St. She acknowledges that Fire, Police and EMS have been at the house. She has a 24-year-old son who has ADHD, autism, bipolar, previous leukemia and severe asthma. Her son has outbursts quite often, has mental disabilities and has been suicidal in the past. She has dealt with this for a long time and is a single mom. Her son's father was in an accident and became paralyzed and Ms. Coomber's father passed away who was like a father to her son, so he has had to deal with. She explained they do butt heads, argue and he has outbursts but there was never an arrest. The police were there because neighbors were looking through the windows and claimed fighting was going on. There were three people in the house who were watching a movie and her son and his friend were wrestling on the floor. Since December 4th, seven times fire and ambulance have been there. Her son could not breathe and the ambulance was called and he was admitted. He is a very sick boy and she does what she can to help him and he is hard to control. He is a big boy and she is not in any fear of him and knows all the neighbors talk about it. He did have previous problems which they brag about.

Sara Douglass, Disability Rights Advocate at ARISE, 21 Lincoln St. She was called in by Mr. Miller and listened to his story and the story of his tenant. Her advice looking at this case as a person with a Disability of Fair Housing and they have the right to live in the apartment. The Police and Fire calls can be a burden sometimes but it seems like the calls that were called in were valid concerns and life-saving for the child. She just stepped in to give advice and as far as the Fair Housing goes. Ms. Douglass doesn't feel it would be proper Fair Housing to evict them because there is a child with a disability in the home.

The Auburn Fire Department and EMS have been to 22 Foote St. nine times in the last year, all medical related incidents, no assaults, no overdoses or other activity. Had only one call for 20 Foote St. for a child locked in a vehicle.

The Auburn Police Department had one call for 20 Foote St. and 10 calls at 22 Foote St. for noise complaints and fighting.

City Manager explained that there might be some confusion with this meeting. This is not an actual hearing this is just a review process that the Committee utilizes to determine if a property should go to a hearing or not. If it is decided to go to a hearing that is when we will decide if the property should be vacated or shut down. This is more of a fact-finding time with this committee. We will utilize the information referred to today and combine that with the police, fire and code department, and will likely be more communication with the property owner to get a handle on what is going on and improve communication with property owners. We are not in any position to take any action at this time including a hearing, but we will work through this with the property owner for the benefit of the neighborhood and owners. It is appropriate for monitoring and the explanations of the calls do shed some light on the issues. The engaged owner is to provide contact information to the City Manager's office and continue the dialogue and does not need to be elevated at this time.

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. **Administrative Due Process:** The rules have been amended slightly to change the Housing Standard Codes which puts the ability to appeal an administrative fee that is issued to the property owners and gives the property owner redress in front of the Nuisance Committee administratively to plead their case. The rules of the committee have been amended to allow for this and give the grievances a fair hearing. The Nuisance Chapter vests this committee with rule making powers so the rules will be promulgated and voted on by this committee. The Local Law is fully drafted for a hearing at City Council and will be ready for the next Nuisance Meeting.
2. **11 Madison Ave.:** The Auburn Police Department had two noise complaints since last month. The Auburn Fire Department and EMS had no calls for service. This property is partially occupied and renovations are going on in the home. The activity has quieted down. Will monitor through July 2023.
3. **27-29 Madison Ave.:** The Auburn Police Department had no calls for service. This property is vacant and boarded. The Auburn Fire Department and EMS had no calls for service. This was on the list to monitor through June 2023.

Motion to approve to remove 27-29 Madison St.: James Smith, Police Sergeant, seconded by Mark Fritz, Fire Chief.

4. **33 Jefferson St.:** The Auburn Police Department has had six calls for service for fighting and noise. The Auburn Fire Department and EMS had no calls since the last meeting. The owner of this property was represented by legal counsel and early on in the process they evicted tenants that were part of this problem. This property has quieted down and is on the list through September 2023.
5. **33 Columbus St.:** The Auburn Police Department had one call to check the welfare. The Auburn Fire Department and EMS had one call for service. This is an ongoing issue related to the issues of the Smoke Shops. Cease and Desist letters went out around the beginning of May and no updates at this time. Corporation Counsel referred the Committee to The Binghamton Sun Press and the Ithaca Times for what we might be able to anticipate happening in our area through the Attorney General's Office and Office of Cannabis Management. Will remain on the list through September 2023.
6. **104 Grant Ave.:** The Auburn Police Department had one alarm call and Auburn Fire Department had no calls for service. This is another smoke shop that falls under the same category as 33 Columbus St.
7. **44 Wallace Ave:** The Auburn Police Department had two calls, one being a warrant attempt and the other for unknown trouble. The Fire Department and EMS had no calls for

service. This seems to relate to code enforcement issues and occupying a condemned structure. This is a code enforcement issue and will follow up.

8. **64 Grant Ave.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This has been dealt with and no activity for the past three months so will remove it from the list.

Motion to remove 64 Grant Ave. from agenda: James Smith, Police Sergeant, seconded by Mark Fritz, Fire Chief

9. **9-11 Case Ave:** Karen Walter, 15 Case Ave. Ms. Walter would like to address a misunderstanding. Janice Regis stated at the last meeting that she never thought she would be a nuisance to her neighbors, she isn't a nuisance. Ms. Regis has 12 cats in addition to two to three dogs. The cats are allowed to roam free throughout the neighborhood causing damage to property, furniture cushions, and grill covers. The cats are spraying in front of Ms. Walter's home beneath the living room windows and the cats defecating everywhere and anywhere which is a nuisance. Between 14:15 and 14:30 at the last meeting, she stated she did change her garage into a place for her cats which is a problem for an R1 district. She also indicated she has taken in three cats to recover. In an R1 District, you are not allowed to have a personal kennel. Other neighbors have been reluctant to speak for fear of retaliation. Ms. Walter did not think this was possible until a police officer came up her driveway on May 18th. One resident came to City Hall in August of 2021 and visited the codes office, Corporation Counsel's Office, Mayor's Office, and the Clerk's Office to verbally complain about the cat spray coming through her cellar window. At that time she was told nothing can be done but now there have been changes. Before this board, the owner of 9-11 Case Ave. has had two notifications of this problem and nothing has been done on her part to curtail this activity. These cats are sheltered, fed, and cared for by her and these cats are causing the neighborhood problems. Any action this board can take to resolve this problem before it escalates further would be appreciated.

The Auburn Police Department had one call at 11 Case Ave. The Auburn Fire Department and EMS had no calls for service. The City Manager explained this is something we have been struggling through and will review some of the last statements from the last meeting.

10. **12 Seminary St. Rear:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. The city now owns this property and will remove it from the list. The issue was the upkeep of the property and the occupancy of the homeless encampment. We have been in touch with the Homeless Task Force regarding this. Neighboring property owners are interested in acquiring this property.

Motion to remove 12 Seminary St. Rear from the agenda: James Smith, Police Sergeant, seconded by Mark Fritz, Fire Chief.

11. **4 Van Patten St.:** Betty Hunter, 6549 Mullen Dr., Auburn. Her grandson lives in the house and there was a problem last year around November or December. Her grandson got into a bad group that moved in with him after his girlfriend and kids left. There have been disturbances there and he was going through a bad problem and had lost his job. He's now

dating a nice girl and turning his life around. They got rid of the people that moved in with him, cleaned the place up and he was told if he didn't straighten up, the house will be sold and he won't have a place to live. So far things are going ok. When she bought the place she thought he would take it over but he has to grow up and do the right thing.

The Auburn Police Department had a total of five complaints and they consisted of a warrant attempt, two subpoena attempts, check the welfare and an open door. The Auburn Fire Department and EMS had no calls for service. There have been code enforcement issues there like the camper which is gone and they continue to watch the outside.

Motion to remove 4 VanPatten St. from the agenda: James Smith, Police Sergeant, seconded by Mark Fritz, Fire Chief.

- 12. 34 Franklin St.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This has been boarded and secured by Code Enforcement and has been quiet for a while. Corporation Counsel explained this is subject to bankruptcy proceedings and the action has been dismissed. The office is following the city's foreclosure process and will have more information on this in the next couple of months. Recommending to keep on the list for monitoring until a tax deed can be filed. We will monitor through December 2023.

Motion to keep 34 Franklin St. until December 2023: Mark Fritz, Fire Chief, seconded by James Smith, Police Sergeant.

- 13. 255 Grant Ave.:** The Auburn Police Department had 22 calls for service since last month. The Auburn Fire Department and EMS had five calls for service since last month all indicative of the occupants that are being housed there. Code Enforcement violations were being held off until good weather and they are in the process of completing them. This situation is something that happened related to Emergency Services and Code Enforcement interactions that they had in the past. The Code Enforcement issues are mostly addressed and due to the nature of the occupants being housed there, it will continue to be a strain on our Emergency Services. Will continue to monitor through December 2023.

- 14. 10 Morris St.:** The Auburn Police Department had two complaints, one for noise and one for unwanted guests. The Auburn Fire Department and EMS had no calls for service. Corporation Counsel explained the lis pendens was filed with the Cayuga County Clerk and asked the Code Enforcement Office to do a full diagnostic of all code violations and then we can require the bank to cure the property maintenance violations and structure violations. Corporation Counsel has requested to take off the list because it is being moved to a zombie property situation.

Motion to remove 10 Morris St. from the agenda: Mark Fritz, Fire Chief, seconded by James Smith, Police Sergeant

- 15. 25 Lafayette Pl.:** The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This property is similar to 34 Franklin. Will continue to monitor through December 2023.

16. 9 E. Genesee St.: The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is a continued code enforcement issue and The Office of Cannabis Management on the state level. We will monitor through December 2023.

17. 87-89 Frances St.: The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This is another address that is going through bank foreclosure but that is if the lender chooses to commence foreclosure actions outside of our control. We do monitor the lis pendens that get filed at the county clerk and we have not received any information that it has been filed. No new complaints but there are code enforcement issues. We will monitor the property through August 2023.

18. 39 Cayuga St.: The Auburn Police Department had two calls for service one for domestic and an unwanted guest. The Auburn Fire Department and EMS had no calls for services. Mr. Brennan is handling this case and has had meetings on this property with various people. We should have more to report in the future. We will monitor through December 2023.

19. 45 Columbus St.: The Auburn Police Department, Auburn Fire Department and EMS had no calls for service. This began as a code enforcement issue. A court date appearance was earlier this month and Mr. Brennan is handling this and might have more information next month. We will monitor through December 2023 to hopefully make some progress on this property.

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

Adjourned: 9:58

**The next Meeting will be held on Wednesday, July 19, 2023, at 9:00
a.m.**