

At an Administrative Hearing held in
and for the City of Syracuse
on May 10, 2021.

City of Syracuse
Administrative Nuisance Abatement Hearing

In the Matter of Public Nuisance at:

ORDER

753 James Street, Syracuse, New York

The premises at 753 James Street (the “Premises”) have been declared a public nuisance based on ten (10) arrests within twenty-four (24) months for violations of qualifying sections or articles of the New York Penal Law and the Public Health Law.

The ten arrests that serve as the basis of the public nuisance at 753 James Street are as follows:

- (1) the first arrest occurred on September 27, 2019, at 1:25 a.m. for Assault in the 2nd Degree and Criminal Possession of a Weapon in the 4th Degree, and was predicated on events, circumstances or activities occurring on the Premises;
- (2) the second qualifying arrest occurred on March 9, 2020, at 1:29 a.m. for Criminal Possession of a Controlled Substance in the 7th Degree, and was predicated on events, circumstances or activities occurring on the Premises;
- (3) the third qualifying arrest occurred on September 26, 2020, at 1:00 a.m. for Assault in the 3rd Degree, and was predicated on events, circumstances or activities occurring on the Premises;

- (4) the fourth qualifying arrest occurred on November 1, 2020, at 8:12 a.m. for Assault in the 2nd Degree, and was predicated on events, circumstances or activities occurring on the Premises;
- (5) the fifth qualifying arrest occurred on December 6, 2020, at 7:45 p.m. for Menacing in the 2nd Degree, Criminal Possession of a Weapon in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 7th Degree, and was predicated on events, circumstances or activities occurring on the Premises;
- (6) the sixth qualifying arrest occurred on February 24, 2021, at 7:15 a.m. for Assault in the 2nd Degree and Criminal Possession of a Weapon in the 4th Degree, and was predicated on events, circumstances or activities occurring on the Premises;
- (7) the seventh, eighth, ninth, and tenth qualifying arrests occurred on February 24, 2021, at 7:15 p.m. involving four defendants who each were arrested for two counts of Criminal Possession of a Controlled Substance in the 3rd Degree, three counts of criminally using Drug Paraphernalia in the 2nd Degree, one count of Criminal Possession of a Controlled Substance in the 7th Degree, one count of Criminal Possession of a Weapon in the 2nd Degree, one count of Criminal Possession of a Weapon in the 3rd Degree, and one count of Criminal Possession of Stolen Property in the 4th Degree, and each of these arrests were predicated on events, circumstances or activities occurring on the Premises.

The Nuisance Abatement Hearing was duly held on May 10, 2021, and the owner(s) of the Premises at 753 James Street, Green Skyline Apartments LLC (the "Owner"), was personally served notice of such hearing on or about March 26, 2021, via the NYS Secretary of State on

Nancy Dougherty, Business Document Specialist (designated agent), at 99 Washington Avenue One Commerce Plaza, Albany, NY.

Following the hearing, the hearing officer, Matthew Oja, forwarded to the Chief of Police his recommendation as to whether a public nuisance exists at 753 James Street, whether the public nuisance at 753 James Street has been abated and, if not, what action should be taken.

NOW, upon reading and considering the hearing officer's findings and recommendations concerning the public nuisance at the Premises;

IT IS HEREBY ORDERED that pursuant to Section 45-4 of the Revised General Ordinances of the City of Syracuse, as amended (the Nuisance Abatement Ordinance), and due to the fact that: **(1)** a public nuisance exists on the Premises, **(2)** the public nuisance continues to exist, unabated, and **(3)** the parameters set forth below for the Premises are appropriate and necessary to abate the public nuisance in existence at the Premises, the initial Nuisance Abatement Order (dated March 23, 2021) shall be extended for a period of one (1) year from the date of this Order; and

IT IS FURTHER ORDERED that the Owner must, within thirty (30) days of this Order, install cameras throughout the subject property, including, but not limited to, in all stairwells and on each side of the hallways; and

IT IS FURTHER ORDERED that the Owner must upgrade hardware at all building entrances to include secure locks and an audible alarm system that activates when doors are propped open; and

IT IS FURTHER ORDERED that the Owner must retain an outside contractor to provide roving security patrols to include at a minimum at all times, 24 hours a day, 7 days a week: **(a)** one security guard stationed at the entrance to the building at a guard desk,; **(b)** one security guard at the rear door; **(c)** one additional security guard conducting patrols at the exterior of the building and the interior of the building, including hallways and stairwells, for a total of a minimum of *three* guards on duty at all times; and

IT IS FURTHER ORDERED the Owner must make further communication and security-related operational improvements, to include the following: **(a)** that the security personnel on duty are trained and registered pursuant to New York state law as security guards unless said guard is an off-duty sworn law enforcement officer; **(b)** security, staff, and management should be urged to contact the police department when they observe an illegal act(s) and report those actions to the police; **(c)** security, staff, and management shall not interrupt the work of the police; **(d)** security, staff, and management shall be required to make reports of each incident in which they are called to on the Premises or that they personally observed; **(e)** security, staff, and management shall have all reports approved by the supervisor and then forwarded as soon as possible to the Owner for appropriate handling, including eviction where reports involve a nuisance tenant as defined by the law; **(f)** security, staff, and management shall cooperate with police to address the issue of non-residents found trespassing in or on the Premises; **(g)** security, staff, and management shall secure trespass affidavits for each trespasser who they have identified in order to assist law enforcement in arresting such persons in the event they attempt to trespass again in the future; **(h)** security, staff, and management shall notify tenants by individual letters to each apartment of a procedure to make complaints to security or on-site property management, which will be reduced to writing by security or on-site property management (if not done so by the tenant) and provided to the Owner;

(i) a representative of the Owner shall be required to be available for contact by telephone 24 hours a day, 7 days a week by an on-site security team member; and

IT IS FURTHER ORDERED the Owner and/or its corporate officers, shall be required to schedule, organize and hold quarterly meetings with its tenants, security personnel, and Syracuse Police Department leadership, in order that the tenants and the City may continue to monitor and track progress of the security improvements ordered at the premises; and

IT IS FURTHER ORDERED that the Owner shall pay the maximum civil penalty specified under 45-8(c) of the Revised General Ordinances, which is One Thousand Dollars (\$1,000.00) within 30 days of this Order for a first public nuisance found to exist on a certain premises; and

IT IS FURTHER ORDERED that no sooner than five (5) days from the signing of this Order, the City of Syracuse, by and through the City of Syracuse Police Department, shall enforce this Order for a period of one (1) year; and


IT IS FURTHER ORDERED that the above-referenced one (1) year period shall run from June 2, 2021 until June 2, 2022; and

IT IS FURTHER ORDERED that, pursuant to Section 45-7 of the Revised General Ordinances of the City of Syracuse, as amended, this original Order shall be posted on the Premises and a copy of this Order shall be sent via first-class mail to the property owner, Green Skyline Apartments LLC and to the property at 753 James Street, Syracuse, New York; and

PLEASE BE ADVISED that this Order does not relieve the Owner and any other person directly or indirectly in control of the Premises from their obligations to comply with and obey any and all State laws and rules and regulations and City local laws, ordinances and rules and

regulations that govern the Premises, including the obligation that the structure at 753 James Street
be in good condition.

SIGNED: June 3, 2021
Syracuse, New York



Kenton Buckner, Chief of Police
City of Syracuse Police Department