



## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

### EXECUTIVE ORDER NO. 4 OF 2012

I hereby issue the following Executive Order in connection with the demolition of the structures located at 28 and 44 Market Street in the City of Poughkeepsie.

WHEREAS, the structures located at 28 Market Street are a portion of the former Nelson House that was constructed in 1876 and the former Nelson House Annex that was constructed in 1930, collectively known as the Nelson House Annex, and

WHEREAS, the structure located at 44 Market Street was constructed during the mid-20<sup>th</sup> century, and

WHEREAS, the Nelson House Annex structures located at 28 and 44 Market Street are attached to each other and have been vacant since 1996, and

WHEREAS, the County commissioned several studies of the condition of the Nelson House Annex between 1988 and 2012, and

WHEREAS, all of the studies document that the Nelson House Annex has significantly deteriorated over the years, and

WHEREAS, the 2012 study that was conducted by Sen Architects in conjunction with his sub-consultants, Robert Silman Associates (structural report), and Warren Panzer (environmental report) indicated the following:

- “ceilings have collapsed,”
- “water has entered the structure from two locations on the roof,”
- “there is severe mold growth,”
- “the roof parapet is in extreme state of disrepair due to water penetration,”
- “there is a serious risk, due to freeze/thaw cycles that the masonry may dislodge and fall off,”
- “the roof of this structure is in total disrepair,”
- “plugged roof drain may lead to accumulation of water and/or snow on the roof that will exceed the capacity of the concrete or steel structure, leading to a total collapse of the roof,”
- “continued exposure to water will, ultimately, lead to corrosion of the steel reinforcing in the concrete, corrosion of the steel frame, and a reduction in the capacity of the structure to carry load,” and

WHEREAS, Robert H. Balkind, Acting Commissioner of Public Works, sent a letter dated September 5, 2012, a copy of which is annexed hereto, to Gary Beck, Building Inspector for the City of Poughkeepsie, outlining the condition of the Nelson House Annex and requesting that the City of Poughkeepsie Historic District and Landmarks Preservation Commission issue a Certificate of Appropriateness so that the Nelson House Annex could be demolished, and

WHEREAS, the City of Poughkeepsie Building Inspector has agreed in a letter dated September 24, 2012, a copy of which is annexed hereto, with the County's findings and has concurred that "the building is in imminent danger of failure or collapse which endangers life, health, property and the safety of the public" so it should be demolished without delay, and

WHEREAS, Richard Carroll, New York State Code Enforcement Officer and the County's Code Enforcement consultant, issued a letter dated September 12, 2012, a copy of which is annexed hereto, recommending that the Nelson House Annex be demolished, and

WHEREAS, Joseph M. Beahan, the County's Code Enforcement official has issued a Condemnation Order dated September 24, 2012 declaring the structures located at 28 and 44 Market Street condemned and recommending that they be demolished, now

THEREFORE, by authority vested in Section 3.05 of the Administrative Code of the County of Dutchess, I hereby declare the existence of an emergency affecting the life, health, or safety of inhabitants of Dutchess County with respect to the structures located at 28 and 44 Market Street, City of Poughkeepsie, County of Dutchess, and

FURTHER, I have directed the Acting Commissioner of Public Works to conduct a SEQRA review in connection with the demolition of the structures located at 28 and 44 Market Street and have also ordered that the structures located at 28 and 44 Market Street be demolished immediately once the Dutchess County Legislature authorizes me to execute a contract with the lowest responsible bidder.

Dated: September 24, 2012  
Poughkeepsie, NY



Marcus J. Mollnaro  
Dutchess County Executive