



City of Amsterdam

Engineering Department
61 Church Street, Amsterdam, NY 12010

Engineering- 518-841-4331
Permits/Inspections- 518-841-4319
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Michael A. Clark, P.E., City Engineer

To: Members of the Montgomery County Legislature
County Executive Matthew Ossenfort
Date: September 9, 2022
Re: 399 West Main Street (formerly Bowler Brewing)

On August 17, 2022, the AFD Chief and I inspected the structure at the above address due to concern for its stability-formerly the Bowler Brewing Company. Based upon our hands on inspection, a portion of the exterior wall fronting on NYS Route 5/ West Main Street is in imminent danger of collapse, threatening the safety of the travelling public on Route 5. This building is owned by the City of Amsterdam, acquired by foreclosure.

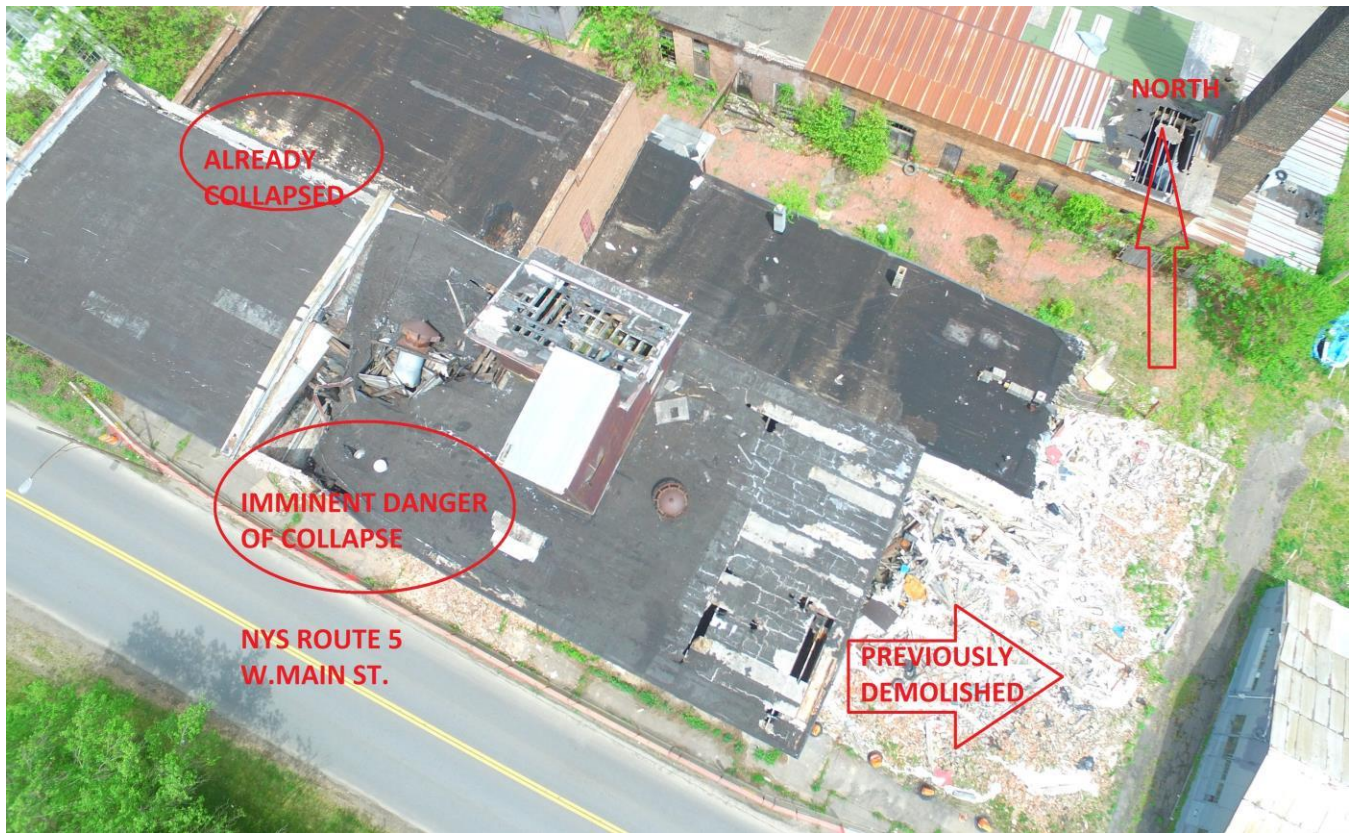
The complex structure was constructed circa 1890 using timber and brick typical of the era. The largest part of the building is 5 floors and approximately 75 feet in height. This area is offset from Route 5 by less than 10 feet and is the greatest concern for collapse. Walls on the opposite side of the building have already failed but pose no threat to vehicle traffic. A single-story addition was demolished in 2020 to protect Route 5 traffic and pedestrians. The remaining building is estimated to be approximately 43,000 square feet in total area.

I recommend that this structure be demolished immediately to protect the citizens of Amsterdam and the public in general travelling on the adjacent State Highway.

At a minimum for the short term, the structure must be demolished and the debris pile while funding is obtained to complete the clean-up. The current estimate from Pareene Demolition, Inc. to demolish into a pile (only) is \$65,400. Their estimate to demolish and remove is \$925,000.

Inset below is an aerial photo obtained by an APD drone earlier this year. The structural failure has progressed since the time of this photo.

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CITY OF AMSTERDAM, NEW YORK

Office of the Mayor

Mayor Michael Cinquanti

To: Members of the Montgomery County Legislature
County Executive Matthew Ossenfort
Date: September 12, 2022
Re: Demolition of 399 West Main Street, Amsterdam, NY

The City is not currently in a strong enough financial position to fund the entirety of the \$925,000 cost to demolish the above-referenced structure. We did not budget for this unexpected expense, and we have already been forced to target approximately \$600,000 of our own \$1.8 million-dollar total ARPA allocation for both the emergency demolition of other unsafe structures in our City and for removal of fire debris on privately owned properties, when the owners of those properties failed to do so.

Still the City is willing to put as much of our own funding into this demolition as possible and we will be responsible for coming up with the additional \$625K needed to pay for it. If we cannot come up with those funds, we will refuse the \$300K of County ARPA Aid at this time and instead knock this dangerous structure into a pile for now.

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AMSTERDAM FIRE DEPARTMENT
DIVISION OF CODE ENFORCEMENT
Public Safety Building
10 Guy Park Ave. Ext.
Amsterdam, NY 12010

Anthony J. Agresta
Fire Chief

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NOTICE OF UNSAFE BUILDING

CASE #AFD15-8695

September 15, 2022

City of Amsterdam
61 Church St.
Amsterdam, NY 12010

As the owner/agent of record of real property located at: (SBL 39.14-2-46) 399 W Main St., Amsterdam, NY 12010 you are hereby notified that the structure located at this **has been condemned, is unsafe, structurally unsound and is in imminent danger of collapse** and has been cited as violating the following sections of the Code of the City of Amsterdam:

UNSAFE BUILDING - is any building or structure that endangers the health, safety or welfare of the public and including all buildings which have any or all of the following defects

§92-2 A Interior or exterior bearing walls or other vertical structural members which list, lean or buckle to such an extent as to weaken the structural support they provide.

PARTICULARS: The exterior vertical members are deteriorated, list and lean. This building has been condemned and is in imminent danger of collapse

§92-2 B Thirty-three percent or more damage to or deterioration of the supporting member or members or 50% damage to or deterioration of the nonsupporting, enclosing or outside walls or covering.

PARTICULARS: The exterior vertical members are deteriorated, list and lean. This building has been condemned and is in imminent danger of collapse

§92-2 J Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of the City of Amsterdam.

PARTICULARS: A significant portion of the exterior wall of the building has collapsed. This building has been condemned and is in imminent danger of collapse

§ 92-3. Unsafe buildings prohibited. No person, firm, corporation or association, owning, possessing or controlling a building in the City of Amsterdam shall permit, suffer or allow said building now or hereafter to be or become unsafe to the public and/or residents from any cause whatsoever.

**THE BUILDING LOCATED (SBL 39.14-2-46) 399 W Main St.
AMSTERDAM, N.Y., HAS BEEN CONDEMNED;
IS UNSAFE, STRUCTURALLY UNSOUND &
IS IN IMMINENT DANGER OF COLLAPSE.**

**PERSUANT TO § 92-9 THE FIRE CHIEF OF THE CITY OF AMSTERDAM
HAS DIRECTED THAT THIS CONDEMNED BUILDING BE DEMOLISHED
IMMEDIATELY.**



Anthony Agresta
Fire Chief

Date

9/15/22

Registered

cc: Corporation Counsel
Engineering
Code Enforcement



CITY OF AMSTERDAM, NEW YORK

Amanda Bearcroft

Director of Community & Economic Development

To: Members of the Montgomery County Legislature
County Executive Matthew Ossenfort
Date: September 15, 2022
Re: History of the City's efforts to address the problem at 399 West Main Street

December 11, 2018- The AIDA hired ambient Environmental Inc. to conduct a Phase I environmental site assessment on the property. After which the AIDA decided not to go through the process of acquiring the site.

February 12, 2020- We met with EPA staff after realizing that the building was housing a barrels of hazardous/potential hazardous material which would lead to a liability in any case where the building needed to be accessed by emergency services. EPA took samples from the barrels and containers and completed an assessment.

March 5, 2020- A small portion of the building started falling down. Contacted EPA on March 9, 2020 about emergency funding which there was none. The City emergency demolished the building and put it into a pile.

March 20, 2020- The analysis came back that there was hazardous material and the EPA applied for \$250,000+ in order to remove over 200 barrels from the facility.

November 2021- The City of Amsterdam utilized National Grid funding to complete a Phase II environmental assessment with C&S Companies.

December 2021- The City received funding through NYSDOS and their BOA program to complete a BOA nomination of the West End, including this site. At a September 6, 2022 Common Council Meeting, the Council approved Weston and Sampson to complete the work, which will take roughly a year and a half.

March 12, 2022- Mohawk Valley Developments LLC signed a one-year option agreement with the City for 399 West Main Street, 36 Carmichael, 52 Carmichael, 380 West Main Street. They are currently in the process of applying for a BCP application through DEC for the site. They are also doing due diligence and coming up with a massing and financing plan. There is potential to ask them to assist with demolition money since they had it planned as part of their project. We need a number to come to the table with them on.

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CITY OF AMSTERDAM, NEW YORK

Nick Zabawsky

City of Amsterdam Urban Renewal

To: Members of the Montgomery County Legislature
County Executive Matthew Ossenfort
Date: September 15, 2022
Re: Importance of Demolition of 399 West Main Street, Amsterdam, NY

1. The building, in its present condition, is an extreme hazard. While there are numerous other buildings in the City of Amsterdam, as well as other buildings in Montgomery County that are considered hazardous, none compare to 399 West Main Street in terms of immediacy and seriousness of the hazard. This building is a large 5 story brick structure and sections of the building are already collapsing and raining down bricks from several stories up. Anyone close to the building could easily be killed by falling debris.

2. The building is very close to Route 5 (West Main Street). While other hazardous buildings sit anywhere from 20 feet to 100 feet or more from a public street or highway, 399 West Main Street sits only a few feet from the road. Only the width of the sidewalk separates Route 5 from the building. Bricks raining down could easily fall onto the road and onto vehicles traveling on Route 5. Fencing and barriers have been put up to reduce the risk of bricks falling onto the roadway, but a major collapse of sections of wall would very likely result in bricks hitting vehicles as they drove by.

3. The number of vehicles and people being placed in jeopardy is huge. According to DOT highway counts, 8,944 vehicles per day pass in front of 399 West Main Street. So it is not only the seriousness of the hazard, but also the number of people affected by the hazard that make this a top priority project.

4. Safety issues aside, this project is strategically important for the City of Amsterdam. The site is within a Brownfields Opportunity Area (BOA), and removal of this building and redevelopment of the site are important components of the City's redevelopment plans for the West End of the City. The current condition of the building is not only a safety hazard, but a blighting influence on the West End, and an obstacle to capital investment in the City. The building's removal will greatly enhance the image of the neighborhood, and serve as a catalyst to redevelopment.

5. The site is in close proximity to Guy Park Manor. The State has major plans for the redevelopment the Guy Park Manor site, and rebuilding as a part of the Canal Corporation's flood recovery efforts. The two projects will be mutually beneficial, and enhance the City's, as well as the State's efforts at community revitalization.

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