

DATE: January 18, 2012
TO: Patricia A. Southworth, Supervisor
FROM: Thomas Johnson, Building Inspector
RE: 50 Brookline Rd.
CC: Mary Beth Hynes, Councilwoman
William Goslin, Councilman
Jeremy Knight, Councilman
Timothy J. Szczepaniak, Councilman
Murry Brower, Town Attorney
Carol Shemo, Town Clerk

After receiving a written complaint from the tenant, an inspection was performed, this date, of the premises located at 50 Brookline Rd. The following violations of the Property Maintenance Code of New York State (PMCNYS) were found:

No smoke detectors in bedrooms. Section 704.2 (PMCNYS) *Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, and R-4 and in dwellings regulated by the Residential Code of New York State, regardless of occupant load at all of the following locations:*

- 1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.*
- 2. In each room used for sleeping purposes.*
- 3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.*

Single- or multiple-station smoke alarms shall be installed in other groups, including Group R-1 and I-1, in accordance with the Fire Code of New York State.

Exception: *Group R-2 occupancies used as dormitories, fraternities, sororities and similar student housing and meeting the requirements of the Fire Code of New York State, Section 907.2.9.1.*

No carbon monoxide detectors in dwelling. Section 705.1 (PMCNYS) *Carbon monoxide alarms and detectors shall comply with the Fire Code of New York State.*

Glazing missing in windows. Section 304.13.1 (PMCNYS) *All glazing materials shall be maintained free from cracks and holes.*

Double hung windows not operable. Section 304.13.2 (PMCNYS) *Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.*

No heat in dwelling. Section 602.2 (PMCNYS) *Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter design dry-bulb temperature for the locality indicated in the Energy Conservation Construction Code of New York State. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.*

Exception: *Owner-occupied one-family dwellings subject to the approval of the code enforcement official.*

Electrical system problems: exposed bus bars; possible grounding issues. Section 604 & 605 *Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605. 605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.*

Interior surfaces (mold on 2nd floor). Section 305.3 (PMCNYS) *All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition.*

Plumbing not operable (2nd Fl. Bathroom). Section 504.1 (PMCNYS) *All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.*

Mechanical Appliances (furnace in basement ? water flooding furnace). Section 603.1 (PMCNYS) *All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.*

Section 52-2, Code of the Town of Ballston, calls for the Town Board to consider this report and by resolution determine if said structure or building is unsafe and dangerous and order its removal or repair if the same can be safely repaired and further order that notice shall be given to the owner or owners in the manner provided.

In conclusion, the complainant has stated that he will be vacating the premises. While there is no danger of imminent collapse, I feel the problems are serious enough that it is imperative the Board act on this matter before the dwelling is reoccupied.