

Brook Park News

A publication of your Brook Park Manor Civic Association

Volume 16, Issue 2

February 2009

CIVIC ASSOCIATION ANNUAL MEETING

The Annual Meeting of the Brook Park Civic Association will be held on Sunday, March 1, 2009, at 1:00 pm at the Franklin Park Borough Building Meeting Room. All residents are encouraged to attend. A Financial Recap and Activities Recap for 2008 will be presented. Results of the BPMCA Board elections will also be presented. If you have questions regarding Association membership dues, covenants, social activities, etc., this is the perfect platform for you to receive answers. Annual Dues Invoices and Ballot forms will be mailed to all residents during early February.

BPMCA FAQ DOCUMENT

In an effort to keep Brook Park Residents informed and to address the many questions recently asked by residents, the Brook Park Civic Association Board of Governors has prepared a Frequently Asked Questions Document which is attached to this newsletter and will also be placed on the Brook Park Web Site (www.brookparkmanor.com). Should residents have questions about very specific issues, they should plan on attending the Annual Meeting to obtain answers or they may contact any Board Member (names and contact information is included on the front page of every newsletter).

WREATH CLASS RECAP

On December 6th when it was cold outside, six Brook Park women had a warm glow inside while making Christmas wreaths and centerpieces at Kaelin's Farm Market in Wexford. There were 5 centerpieces and 1 wreath made that evening. With a variety of fresh greens to choose from, each wreath/centerpiece was unique, beautiful, and smelled wonderful. There was also warm cider and plenty of Christmas treats to snack on while we worked. We're looking forward to creating wreaths and centerpieces again next year. *Thanks to Ellen Caulkins for coordinating this activity.*



BOOK SWAP GROUP

Reminder, our next Book Swap will be held on Tuesday, February 3, 2009, at 7:30 pm at the home of Jan Haddad. E-mail reminders will be sent closer to the Swap date.

2008 -2009 Board of Governors

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Paul Katus
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(412) 635-0359

CIVIC BOARD MEMBERS NEEDED

There is still time to volunteer.....The Civic Association is seeking volunteers to serve on the Civic Board for a term of 2 years. The position consists of attending monthly meetings which are held on the first Sunday of each month at 7:00 pm. No experience is required and new or long-term residents are welcome. If you are looking for a way to get involved in the neighborhood, this is the perfect opportunity.

The Civic Board coordinates social functions, enforces protective covenants, researches a wide range of topics that affect our neighborhood sometimes with the assistance of local governing authorities, produces the monthly newsletter and residents directory, maintains the Brook Park Web Site, maintains landscaping at front entrance & message board; just to name a few of the many things that the Civic Association accomplishes to provide a great living experience for all Brook Park residents.

If you are interested or would like to request additional information, please contact any current Board Member. Names and contact information are included on the front page of every newsletter.

HAPPY HOUR

Don't Forget!!!! The Happy Hour group will hold its next party on Saturday, March 7, 2009 at 8:00 pm at the "Cabin" lodge at North Park. E-mail reminders will be forwarded to the Party Planning Committee about a month prior to the party by the Committee Chairperson. Want to join Happy Hour? Contact Lisa Kocent at LKBird79@msn.com.



VERIZON FIOS NOW AVAILABLE

Verizon FIOS is now available to all residents of Brook Park. For information, go to verizon.com or fios.com. You may also contact Jeff Jones, Local Manager at (412) 749-8641.



NEW NEIGHBOR SPOTLIGHT

Brook Park has new neighbors on Broadmeadow Drive. **Brad and Michelle Isner** and their one-year-old son, **Aiden**, have moved from within the North Hills to **980 Broadmeadow Dr.** Add their phone number to your directory: **(412) 398-4833**. Welcome Isners!

Community Supported Agriculture (CSA)

For those of you interested in joining a CSA, 1607 King James will be a pick up location again for the 2009 season. Pick-ups are on Tuesdays this year between 3:00 to 7:00 on my back porch. For those of you who are not familiar with a CSA, it is buying a share of a farm harvest. You receive a collection of farm products that are in season from local farms. There are typically 7-10 items each week.

The farm that my share is with is Penn's Corner Farm Alliance. The website is pennscorner.com. The website explains the different shares you can purchase. There is a "cabin fever" share that starts in April and runs for 8 weeks. The "harvest share" runs 22 weeks – starting in June. You may also purchase both shares – the "farmer's friend" share which is 30 weeks running April through October. All cost information is on the website and you are able to join directly through the website. They also give an example of what may be in your box according to the season.

I think this is a wonderful way to support local businesses and to receive fresh, organic produce each week. It is also very affordable, compared to organic produce prices in grocery stores. Plus, what a convenience to pick-up right in your neighborhood! If you know anyone else in the North Hills area that may be interested in purchasing a share, feel free to forward them the information. This is not something that is limited to Brook Park. If you are interested in starting in April, you should sign-up soon. That share fills-up fast. I was not able to participate in the cabin fever share last year since I was too late in signing up. If you have further questions, please feel free to contact me (Jessica Deible) at 724-234-2726.

If you have news or a classified ad you would like to place in the Brook Park News newsletter, please call Valerie Cook at (412) 369-7092 or send an email to valeriecook@verizon.net. The deadline is the 15th of each month. You must be a current, paid member of the Civic Association to submit an article. If you have any questions or comments about articles that appear in the newsletter, please direct them to any member of the Board. Their names and phone numbers are listed on the first page of every newsletter.



BROOK PARK CLASSIFIEDS

Firewood for Sale

Niggel Lawn Care LLC
1540 King James Dr.
(412) 366-7956

Custom made cards and invitations, birth announcements and thank-yous for all occasions. Call or email me to browse through my many samples.


Kelly (412) 366-3835
mcdonough948@comcast.net

Babysitting by Ryanne

Babysitting available after school until 10:00 pm and weekends until ????

Completed Certified Babysitting Course. Contact Ryanne Tyler, 1602 King James Drive (412) 366-9862.

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SAVE THE DATE!

February 3	7:30 pm	Book Swap @ Jan Haddad's
February 8	7:00 pm	Civic Board Meeting
February 12	1 – 2:30 pm	Kid Connection @ Gina Milcoff's
February 17	7:30 pm	Bunco Group 2 @ Josette Bidlack's
February 27	10 – 11:30 am	Kid Connection @ Karen Weidinger's
March 1	1:00 pm	Annual Civic Assoc. Meeting @ Franklin Park Borough Bldg. Meeting Hall
March 7	8 pm – 12 am	Happy Hour @ Cabin Lodge - North Park
March 10	10 – 11:30 am	Kid Connection @ Dana Roth's
March 17	7:30 pm	Bunco Group 2 @ Chantal Bianchi's
March 25	10 – 11:30 am	Kid Connection @ Erin Toomey's
April 21	1 – 2:30 pm	Kid Connection @ Josette Bidlack's
April 21	7:30 pm	Bunco Group 2 @ Carolyn Strunk's
May 2	8 pm – 12 am	Happy Hour @ Illes'
July 17	TBA	Cigar Night @ Pool
August 29	3:00 pm	Pig Roast and Baking Contest @ Pool

BROOK PARK MANOR CIVIC ASSOCIATION

FAQ's, History & General Information

This document presents background information regarding the Brook Park Manor Civic Association Board, the protective covenants and the covenant enforcement process in an effort to answer questions recently asked by residents. The majority of the information in this document will also be available on the Brook Park Website (<http://www.brookparkmanor.com>).

The document contains the following three sections:

Civic Board and Covenant Background – This section explains the purpose of the Civic Board and provides a history of the covenants.

Covenant Enforcement Process and Enforcement History – This section explains the process for enforcing the covenants and a history of prior covenants issues.

Questions – This section addresses questions about specific areas of the neighborhood.

Civic Board and Covenant Background:

1. *What is the purpose of the Civic Board?*

- To keep members informed of actions and proposals of community officials and individuals that may affect their interests as residents and taxpayers. To provide an agency through which the common interests of its members may be brought to the attention of community officials and the general public.
- To represent the common interests of its members before the various legislative and administrative bodies of the community on matters affecting the health, safety, welfare, education, personal or property rights of its members or members of their families
- To promote fellowship between members. To advance the general welfare and interest of its members through such projects as the Board of Governors may authorize from time to time.
- To enforce the Protective Covenants governing properties within Brook Park Manor upon notification of a violation or violations. To prosecute a proceedings in law or in equity against person or persons violating, or attempting to violate protective covenants and/or restrictions.

2. ***Where can I find a current copy of covenants for the Phase that I reside in?***

A copy of all current covenants is available on the Brook Park Web Site: www.brookparkmanor.com

3. ***What is the History of the 1989-1990 Covenant Re-signing in Phases I & II?***

Protective Covenants were written and filed for Phases 1, 2 and 3 when these areas were developed. Phase 3 covenants were written to be perpetual and never expire. Initial Phase 1 and 2 covenants were to expire over a ten-year period ending in 1989.

During 1989 and 1990, the covenants for Phases 1 & 2 were re-signed by residents and re-filed with The County of Allegheny. Hergenroder and Heights was the law firm that handled the covenant re-filing in 1990. The cost was approximately \$700 for attorney fees PLUS a filing fee for each address submitted.

Some residents elected not to re-sign and therefore are not legally required to comply with any part of the covenants. A record of these properties is on file with the Board Secretary. Some residents elected to re-sign, but with exceptions to certain portions of the covenants. Where an exception is listed, those covenant provisions are unenforceable. A record of these properties and the line items excepted is on file with the Board Secretary.

4. ***How many lots in Phases I & II have “no” signed covenants or “exceptions” to covenants covering individual properties?***

Phase 1 – Phase 1 contains 68 total lots. 11 of the lots have unsigned covenants. Of the 57 lots that have signed covenants, 8 have “outbuilding exceptions” written into the signed document.

Phase 2 – Phase 2 contains 139 total lots. 10 of the lots have unsigned covenants. Of the 129 lots that have signed covenants, 2 have “outbuilding exceptions” written into the signed document.

Phase 3—There are NO unsigned covenants or EXCEPTIONS. All lots are covered by all provisions of the Phase 3 Covenants.

5. ***What is the Definition of an Outbuilding?***

out·build·ing (-bil'din)

noun

a structure, as a garage or barn, separate from the house or main building

outbuilding Synonyms

outhouse, stable, barn, backhouse, outside building, storehouse; see also building 1, shed.

6. ***Whose responsibility is it to inform home buyers that the property they are looking to purchase is covered by covenants?***

When someone purchases a home in Brook Park that is covered by covenants, that fact should be disclosed by the Seller and/or Real Estate Agent to potential buyers. This is not a legal obligation but rather a courtesy by the seller. It is the Title Insurance Company's responsibility to notify the buyer in regard to covenants covering their property.

7. ***Are the covenants attached to your home's lot?***

Covenants are attached to your home's lot and are filed by lot and block number with the Allegheny County Recorder of Deeds.

Covenant Enforcement Process and Enforcement History:

8. ***Are the covenants really enforceable?***

All signed covenants covering Brook Park, are perpetual as long as there is a Civic Board. These protective covenants, filed with Allegheny County, are legal and binding.

9. ***How many covenant violations have you addressed and resolved to date?***

According to documents on file with the Board Secretary, the Civic Association has addressed 14 Covenant Violations, 13 of which have been resolved without court action. Homeowners typically will take corrective action to comply with the covenants.

10. ***Is it possible to recover legal expenses incurred as "damages" if BPMCA wins a lawsuit?***

This would be addressed by the courts on a case-by-case basis.

11. ***What is the process to file a complaint regarding a covenant violation?***

The person filing the complaint must be a paid member of the Civic Association. The Complaint must be in writing to the Civic Board and must be signed. All Complaints will be kept confidential.

The Civic Board will send a letter to the household in violation requesting conformance with the covenants.

If household in violation does not respond to the letter or does not take measures to comply with the covenants, the Civic Board has the legal right to file a complaint with the courts to attempt to correct the violation.

12. ***Can individual Homeowners bring suit regarding covenant violations?***

Yes. Each resident of Brook Park has the right to enforce the covenants. Covenant enforcement is not limited to the Civic Association.

13. ***Would the Civic Association Board support individual homeowners bringing suit regarding covenant violations?***

Yes, as long as the homeowner is a paid member of the civic association.

14. ***Are SUV's and trucks a covenant violation?***

No, unless the truck is a construction truck or "Work" truck.

15. ***Are fences covered by the covenants?***

No. Fences are covered by Town and Borough Building Ordinances. You must have a Building Permit to erect a fence.

16. ***Are the Town of McCandless and the Borough of Franklin Park responsible for the enforcement our covenants when granting building permits, etc.?***

No. Neither have an obligation in regards to our covenants.

17. ***What issues are not covered by the covenants and not enforceable by BPMCA?***

Examples of issues not covered by the covenants include: Trash Cans, Condition of Lawns, Snow/Ice Removal, Street Parking, Home Maintenance, Fences, Speeding Vehicles, Recreational Fires, Noise, Yard Decorations, Pet Issues—these issues are governed by local government laws and ordinances.

Many times, the Civic Board has contacted local government and law enforcement to obtain information regarding many of the above topics and has provided residents with the information via the monthly newsletter. Any resident may contact the Town of McCandless, the Borough of Franklin Park or Allegheny County to obtain information regarding laws and ordinances they may have questions about.

Contact Information:

Franklin Park Borough: 412-364-4115
<http://www.borough.franklin-park.pa.us/>

Town Of McCandless: 412-364-0616
<http://www.townofmccandless.org/>

Allegheny County: 412-350-4636 (Main Information Line)
<http://www.alleghenycounty.us/>

Questions:

18. ***Will the Civic Association be placing this FAQ's document on the Brook Park Web Site?***

Yes. www.brookparkmanor.com.

19. ***What happens if the Civic Association ceases to exist?***

While one can not predict the total impact of disbanding the Civic Association, if the Civic Association ceases to exist, all activities sponsored by the Civic Association would cease to exist or would need to be taken over by a Brook Park resident. Examples include: the Pig Roast, Happy Hours, Halloween Parade, Santa Visits, Easter Egg Hunt, Luminaries, Women's Club, Front Entrance Landscaping, Newsletter, and Website.

20. ***What you can expect to see if the covenants cease to exist?***

The covenants establish basic common standards for neighborhood properties. Without these common standards, everything is open to individual interpretation and subject only to borough ordinances

21. ***If the covenants cease to exist, are your property values really in jeopardy?***

While future property values are difficult to predict, eliminating the covenants significantly increases the risk of reducing your property value. Without covenants to define basic standards for neighborhood properties, everything is open to individual interpretation. Some of the examples cited by residents who have lived previously in plans without covenants would have a negative impact on property values.

22. ***Why is the Fassinger Farm permitted to exist in Brook Park?***

The Fassinger Farm (as well as a small number of other properties) is NOT a part of the Brook Park Development. Most of the area that comprises Phase 1 and Phase 2 was originally part of the farm.