

THE RIVIERA

HOMEOWNERS
ASSOCIATION

POLICY MANUAL

December 2016

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Introduction

In August of 1998, RHOA members officially revised and adopted a Procedures Manual for the then present, as well as future Board members' use.

This Policy Manual is intended and designed for the use and guidance of homeowners and Board Members alike. Its purpose is to ensure that all Association members are fully informed as to his/her rights and responsibilities.

These policies are intended to help the Board regulate, control and manage matters of order, safety, sanitation, aesthetics, *et al.* in a coherent and strategic manner, for the overall benefit of our Riviera community.

To implement the Association's policy goals, the Board has long established procedures, which are formulated as rules and regulations, to act as guidelines in order to simplify compliance.

The goal of this revised Policies Manual is to clarify and answer questions homeowners may have concerning their rights, as well as responsibilities, as members of our community. It is the Board's desire to simplify what sometimes has been a complex and confusing set of rules and/or regulations. We expect that it will be revised again and updated from time to time, on an as needed basis.

Please note: Your suggestions are always welcome!!

The Board of Directors

The Board of Directors (hereinafter referred to as "The Board") represents all homeowners and is responsible for the overall management of the community. It sets and amends policy, consistent with the RHOA's Declaration and By-Laws and otherwise acts on all matters in a manner intended to ensure the financial and aesthetic viability and enhancement of our special community.

Amongst its duties and functions, the Board engages and oversees a property management company to carry out the day to day operations of the Association.

The Committees

Committees are comprised of members of the Association (homeowners). Committees are established from time to time for the purpose of addressing, monitoring and or studying current or ongoing functions or the needs of the community. Committees prepare and present issues and recommendations to the Board. As appropriate, Committees involved in physical projects, repairs or maintenance, etc. upon approval by the Board and in consultation with the managing agent and/or contractors, shall oversee such projects, review and follow up on implementation to ensure that all work performed meets standards of good workmanship.

The Managing Agent

The managing agent is engaged to manage the day to day business of RHOA: to arrange for contractors to coordinate and supervise any work required by the Association; to ensure that needed repairs and work is addressed promptly and professionally; and, to recommend contractors subject to the Board's approval. All work and payment, therefore, is subject to prior authorization by the Board.

Monthly Board Meeting

The regular Board Meetings are intended to be a forum between the Board and managing agent in order to review the ongoing status of the Association's business matters, which includes monthly and year-to-date financial reporting.

Meetings also provide an opportunity for homeowners to discuss suggestions, issues and/or problems with the Board. The current Board policy is that homeowners are welcome to participate in discussions with the Board, to point out issues, concerns and other relevant matters. We have set aside 7 p.m. to 7:30 p.m. at each Board Meeting for such discussions. For day to day issues and problems, homeowners need to contact the managing agent directly - CAMCO Services of NY, Inc. at 476-2100.

HOA POLICIES

Architectural Improvements

(Additions, Modifications to Structure & Landscaping)

Policy: *All* proposed modifications and/or additions to a unit's exterior structure and/or landscaping is subject to the Board's review and shall be approved, with or without modifications, or denied based on the proposal's conformity with the Riviera's architectural character.

Procedure: The Board shall consider impacts upon neighboring and/or adjacent units, conformity with the overall architectural character of the community, as well as the requirements and limitations set forth in the Declarations, By-Laws and Town Code.

Applications for such proposed changes shall be in writing and shall include architecturally accurate plans which specify materials, construction details and a description of the proposed work. Seven copies of the full application are required.

No construction activity shall commence prior to the Board's written approval and the issuance of a building permit, when applicable, or documentation from the appropriate Port Jefferson Village official to the effect that no building permit is required.

Architectural changes include, but are not limited to, exterior windows, doors, fences, gates, awnings, garden hard structures including water features (pools et. al.), as well as new, modified, or remodeling construction.

Maintenance of Unit Exteriors and Landscaping

Policy: Homeowners are responsible for properly maintaining the structural integrity of their unit's exterior siding and lot landscaping (front, rear and side yards), including but not limited to lawns, gardens, plantings, fences, hardscape and all other exterior improvements. Exterior painting and roofing are Association obligations.

Procedure: In the event a homeowner neglects and/or fails to maintain the aforesaid unit exterior and/or lot landscaping in a manner satisfactory to the Board, said Board, upon written notice to the homeowner, where said owner shall have a reasonable opportunity to cure any such conditions, the Board may arrange for any necessary maintenance and/or restoration at the homeowner's sole expense, which expense shall be charged back to homeowner as an assessment against said unit.

Procedure (1): The Board, via US Postal Service to the premises (and by additional means at its discretion), shall provide written notice to any homeowner where unit landscaping, building exterior and or any other improvements are in a state of disrepair or derelict condition.

Procedure (2): All proposed changes to individual units, including landscaping, are subject to Board approval. Plans shall be submitted in triplicate to the Board for its review and determination.

Skylight (Original) Replacement

Policy and Procedure: When an original skylight (installed at the time of construction) needs replacement, as evidenced by its condition rendering it beyond repair, the HOA shall reimburse the unit owner the sum of \$250.00 per skylight, so long as the management agent, upon request of the homeowner, inspects and confirms the need for replacement prior to its removal and replacement.

Dog Control

(Based on Restraint Law of Village of Port Jefferson)

Policy: Every dog(s) owner shall keep his/her dog under restraint at all times and shall not permit such dog to be at large.

DEFINITIONS: As used in this Policy, the following terms shall have the meanings indicated:

At Large: Off the premises of the owner; not under "restraint" as defined herein.

Any dog, whether licensed or not licensed.

Restraint: Controlled by a leash or other similar device; or, at heel beside a competent person of suitable age and discretion and obedient to the orders of that person; or, on or within a vehicle driven or parked on the streets; or within the limits of its owner's, keeper's or harborer's property.

Dog Control/Clean-Up

(Based on Pooper Scooper Law, Village of Port Jefferson)

Policy: Removal of feces required. Any person owning or in charge of any dog which soils, defiles, defecates on any common thoroughfare, sidewalk, passageway, play area or any place where people congregate or walk, or upon any unit's exclusive use area, shall immediately remove all feces so deposited by such dog, in a sanitary manner.

Procedure:

Disposal: Feces removed from the above mentioned designated areas shall be disposed of by the person owning (or in charge) of any such dog in a sealed, non-absorbent, leak proof container. In no case shall any feces be deposited in sewers/drains of any kind.

Note: All residents and visitors of and to the Riviera who are dog keepers or owners are required by law to conform to the ordinances established by the Village of Port Jefferson, and set forth in its Code, and as summarized above, and as adopted and affirmed-by the RHOA.

Homeowner's Insurance

Requirements and Advisory

Policy: Board Policy is derived from Article X of the Declarations. As interpreted, the RHOA policy covers only the original builder's specifications. In order to cover upgrades, additions and/or alterations (such as windows, kitchens, furnaces, bathrooms, carpeting, built-ins, lighting, security systems, structural changes, etc.), additional insurance is needed by the homeowner.

Therefore, based on our understanding, the Association offers these suggestions:

An "**H0-6**" insurance policy covers what is called improvements and betterments (I&B), Personal Property (Contents), and Personal Liability at a minimum. You must make certain that it is understood by your personal Broker that any and all structural changes to the unit/building even if not done by you but a prior owner are covered under the classification of improvements and betterments (some carriers may refer to this as the dwelling coverage). Furthermore, this aforementioned I & B coverage should be designated primary insurance – not excess insurance.

Note: The building I&B/Dwelling coverage H0-6 should be written on an ALLRISK form and the contents coverage on a special peril. This personal policy will provide contents and liability coverage to the extent the homeowner considers adequate. Homeowners are advised to consult with their own insurance brokers to ensure appropriate limits and coverage for their units are being maintained.

Parking Cars/Vehicles

Policy: Limited parking spaces and narrow streets mandate consideration and full cooperation of all homeowners in order to maintain the aesthetics of our community. The Port Jefferson Village Code governs all street parking and prohibits the overnight parking of Commercial vehicles in both driveways and public streets.

Note: The Village of Port Jefferson especially requests no street parking during the winter months, particularly when homeowners are away for any length of time. If you are leaving for the winter, please park your vehicle in your driveway to allow the snow plows to effectively clear the streets.

Pool Utilization

Policy: Rules and Regulations for pool utilization and safety shall be posted at the pool.

- 1) All homeowners need to familiarize themselves with the pool regulations which are specifically designed to ensure the enjoyment and safety of all pool users .
- 2) Complaints and/or suggestions may be addressed to the managing agent.
- 2) The use of the Pool is reserved exclusively for members in good standing and their guests. Tenants may be designated as members if the owner notifies the Board, in writing, and agrees to relinquish their own membership privileges. Owners and their tenants may not simultaneously have membership privileges.

Sale & Leasing of Homes

Selling: Homeowners are permitted to sell their units. There is no "right of first-refusal" vested in our Association. Board approval is not required in connection with the sale of a unit. However, the following rules apply:

Procedure:

- Only one (1) "Open House" per week is permitted per unit;
- "For Sale" or "For Rent" sign(s) may be posted at the respective homeowner's unit ONLY during an "open house" conducted by a Realtor or the Homeowner; such signs shall be removed at the end of the day and until another "Open House" is conducted.

Upon the listing and/or sale of a unit, the following requirements pertain:

- Notify the Management Company and the Board President of the intent to sell your residence.
- Realtors may post one (1) sign at either entrance to the Riviera; and one (1) sign at the unit during an "Open House" day only.
- Prior to transfer of title, the homeowner shall bring all current and/or past due maintenance fees & assessments, if any, up to date.
- Please notify the managing agent of your pending sale. They will need the name(s) of the new owner(s) and the approximate "closing" date and advise of any requirements related to the sale.
- Homeowner shall collect or satisfy the reserve contribution of two (2) months common charges required of the new owner.

Leasing

Leasing: Homeowners may NOT lease or rent their unit or any portion thereof for a period less than six(6) months.

Since the managing agent is required by the Board to keep an updated file of all renters or lessees, with name(s) of said occupants and their telephone numbers, *et. al.*, unit owners shall complete and forward to the Board and the managing agent, a "Lease Form" indicating the name(s) and number(s) of tenants, and the applicable lease period.

Located on Common Property

Policy: Tree Trimming - The Board's policy on tree topping and trimming on common property has been established for many years. It is herein stated in its original form:

- All tree trimming, topping or pruning of trees located on Riviera common property requires the approval of the Board of Directors.
- All such work shall be done by an arborist; subject to plans submitted to and approved by the Board and is at the expense of the affected homeowner.
- All such work, when approved, shall be undertaken upon notice to and under the supervision of the managing agent.

Note: All such tree-topping on Village owned **Greenbelt area requires** the approval of the Village of Port Jefferson and, as such, shall be requested using the letter in Addendum IV of this Manual, which may be obtained from the managing agent. Requests to prune must be 30 days in advance of the planned work date. Additionally, tree-topping on neighboring private property is a matter strictly between such neighbor and any given unit owner.

Tree Pruning Procedure (use the letter shown in Addendum IV of this Manual):

- Make a written proposal to the Board and the Village with specific details (and a survey, if necessary) regarding the numbers and locations of trees for all proposed work.
- Provide the arborist's letter requested by the Village;
- Submit complete request to the managing agent 30 days in advance of work;
- Managing agent submits request to the Board of Directors; upon approval, managing agent notifies the Village of Port Jefferson not less than 14 days before work is scheduled to be performed.

Special Note: Tree topping at night, or any other time is not allowed. Violators may be subject to legal action from the Village, the Board and/or neighbors. The Board of Directors may engage an attorney who will advise on other appropriate restitution measures.

Waste Management

Policy: The RHOA is responsible for maintaining the septic and cesspool system throughout the community. In order to maintain the efficiency of the system, the Board has instituted the following maintenance schedule:

- Annual pump-outs of solid waste;
- Including removal and resealing of covers to prevent odors;
- Treatment of ingesting of bacteria into the system.
- Periodic aerating and scraping of the cesspools attached to each septic tank.

The managing agent will arrange for response to emergency problems such as overflows or backups. In the event the problem is due to improper actions by the resident(s) and/or within the residents unit, the cost of repairs will be charged directly to the homeowner.

The Board is not responsible for structural or plumbing problems inside or underneath the home.

Advisory Note: Homeowners are urged to avoid excessive use of detergents, bubbly soap liquids, harsh chemicals, discarding of debris, garbage, excessive oils or grease and/or any other kind of obstructing materials that do not easily assimilate into the system.

Homeowners' cooperation and careful utilization of the septic system are imperative to maintaining an efficient system and to keeping our maintenance costs low.

Management Program for Common Area Woods

Policy: The purpose of this new policy is to maintain the natural life cycle of our community's common wooded areas utilizing the principles of environmental integrity and ecological balance.

Our goal is to maintain these common wooded areas located along Lookout Ridge, to enhance the "streetscapes" on Rockledge Path, Overlook Pass, Watersedge Drive, Laurel Crescent, Sawtooth Cove, as well as the wooded area surrounding the pool and abutting Timberline Circle.

All common areas at the rear of units are not included in the aforementioned at this time.

This program is separate and distinct from the regular landscaping maintenance program.

Procedure:

1. As needed, a N.Y.S. certified arborist shall be engaged by the RHOA to conduct seasonal "clean-up" in accordance with approved horticultural regulations and practices.
2. Under the supervision of an experienced and knowledgeable Riviera resident, in designated areas contractors will remove unnecessary underbrush, saplings, choking vines, and/or other undesirable vegetation which interferes with the sunlight and nutrition for the proper health, growth and development of such natural forest growth.

RHOA Reserve Fund Advisory

The Board is charged with the fiscal responsibility of ensuring sufficient reserve funds are available in order to meet its obligations to maintain certain elements of the units (*e.g.*, painting, roofs, gutters, septic systems, etc.) and common areas (*e.g.* the pool), which, in turn, preserves and enhances the value of the properties within the community as a whole.

Policy: The Board has heretofore developed and implemented a Financial Plan to establish reserve funds for major repairs and replacements. These reserves are outside of the normal Operating Budget and are divided into two categories:

- A Contingent Reserve, which covers Capital Repairs and Replacements of property owned by the Association;
- A Scheduled Reserve, which covers major non-budgeted maintenance obligations of homeowner property as specified in the Declarations. The Board is responsible to determine the required amounts for funding each of the two categories of the Reserve Fund.

The Plan is based on the age and condition of covered components, their useful lifespan, inflation rate, and estimated cost of replacements and/or repairs. The estimates are based on engineering studies prior experience and previous contract work performed and will be revised as deemed necessary.

The Board will report to the community, as part of the annual budgeting process, that portion of the assessment to be allocated to the Reserve Fund. All expenditures from the Reserve Funds shall be charged against the appropriate category and reported as such.

Reference Table

<u>Policy Title</u>	<u>Reference</u>
Architectural Changes	Article XIV, Section 3, By-Laws Article VII, Declaration
Dog Control	Article XI(h), Declaration Port Jefferson Village Code
Insurance	Article X, Declaration
Landscape & Exterior Maintenance	Article XIV, Section 3, By-Laws Article VII, Declaration Article XI(m), Declaration Article IX, Section 2, Declaration
Parking	Article XI(o) & (r), Declaration
Pool Utilization	Article XI(s) & Article IV, Section 2, Declaration
RHOA Reserve Fund	Article VI, Section 3, Declarations
Sale & Leasing Homes	Article XIII, By-Laws
Skylight Replacement	Article IX, Declaration
Violations & Penalties	Article VIII, Section 5, By-Laws
Waste Management	Article vm, Section 5, By-Laws
Woods Management & Tree Topping, et al.	Article IX, Section 1, Declaration

ADDENDUM I

2016

Summary of Maintenance

Association Responsibility

- Exterior painting of all units
- Maintenance of the roof of all units and garages
- Maintenance of pipes, electrical conduits located outside of the individual units except the partly enclosed privacy adjacent to the front of the units.
- Maintenance of Community Parcels (defined as areas devoted to the common use and/or enjoyment of homeowners)
- Maintenance and repair of gutters and leaders
- Snow removal of walks and driveways
- Weekly trash removal
- Septic tank and cesspool maintenance on cyclical basis

Homeowners Responsibility

- Maintenance of all windows, doors and garage doors
- Maintenance of driveway
- Maintenance and replacement of all exterior siding
- Maintenance and replacement of decks and respective railings
- Landscaping and maintenance of each individual unit's abutting front, side and backyards

ADDENDUM II
2016
Board Members Principles of Ethics

Any member who shall serve as a Director of the *RHOA*, shall be bound by the applicable Declaration, By-Laws, Policies and the following ethical precepts established by the Association.

Said Member/Directors of Board shall:

- 1) Diligently perform the duties, as a member/director of the Board based on the overall best interest of the community;
- 2) Be governed by fairness and equity in the discharge of his/her duties;
- 3) Refrain from acting in the name of the Board without specific authorization from said Board;
- 4) Make the well-being of the community his/her prime consideration in all Board related actions & decisions;
- 5) Act with good stewardship in the administration of the RHOA's funds and resources;
- 6) Provide full, accurate and completed disclosure to the Board relative to the discharge of his/her duties as member/director; disclose any personal or business relationship which may exist with contractors or vendors performing work for the RHOA;
- 7) Refrain from using his/her position as a member/director to derive personal or financial gain;
- 8) Fulfill his/her responsibilities with honesty and integrity;
- 9) Maintain confidentiality regarding privileged, sensitive or personal information acquired as a member/director of the Board.

ADDENDUM III
2016

The officers of the Board have been appointed as follows:

President	Robert (Bob) Boonin	631-474-1445
Vice President	Robert Stock	631-929-0218
Treasurer	Angela Murgola	631-331-1650
Secretary	Mark Coleman	516-983-4061

Committees have been formed and are chaired as follows:

Capital Projects Management & Architectnre	All Board Members Bob Boonin	474-1445
Landscape	Angela Murgola	331-1650
Landscape	Bob Stock	331-2998
Pool	Angela Murgola	331-1650
Waste-Water	Bob Boonin	474-1445
Finance	Angela Murgola	331-1650
Website Matters	Mark Coleman	

ADDENDUM IV
REQUEST FOR HOMEOWNER TREE PRUNING/MAINTENANCE WORK

Board of Directors of Riviera Homeowners Association, Inc.
c/o Camco Services of NY, Inc.
P.O. Box 990
Port Jefferson Station, New York 11776

Dear Members of the Board:

I hereby request the performance of tree pruning and/or maintenance work on the Riviera property as follows:

1. The specific area to be pruned is _____.
2. I have attached a letter from _____, a certified arborist, describing the work to be performed and attesting that it complies in all respects with the ANSI A300 standards for Tree, Shrub and Other Woody Plant Maintenance currently in effect, or, if such standards are no longer promulgated by the Tree Care Industry Association, horticultural best practices.
3. The work will be performed by _____. A copy of an insurance certificate reflecting coverages of not less one million dollars each in liability, property and automobile insurance is enclosed. The Riviera Homeowners Association, Inc. is named as an additional insured.
4. No work will begin until I receive the prior written approval of the Board of Directors. Upon my receipt of such approval, I will notify the Board in writing no less than seven days prior to the performance of any work.
5. I understand and agree that if I fail to comply with the statements above, or perform any pruning work without the prior written consent of the Board of Directors, I may be subject me to monetary penalties and/or enforcement action.

Very truly yours,

_____(Homeowner Signature)

cc: Administrator of the Incorporated Village of Port Jefferson
Director of Planning and Building of the Incorporated Village of Port Jefferson