

MINUTES FOR THE SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD ON MONDAY, AUGUST 2, 2021

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Kimberley Payne, Ted Necarsulmer and Robert Treuhold and Village Clerk Aimee Buhl

OTHERS PRESENT: Code Enforcement Officer Chris Osborne, Cristina Kepner, Roger and Susie Moley, Ted Davis, Jim Tolan, Ann and Clarke Lewis and Brendan O'Reilly of the Southampton Press

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the proposal from Firematic Supply Co., representing Pierce, and utilizing the purchasing cooperative, is accepted and the Mayor is authorized to sign the contract after the permissive referendum period has expired.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Jessup Avenue Road Reconstruction Project is awarded to South Fork Asphalt for the sum of \$737,894 and the Mayor is authorized to sign and execute the contract subject to the receipt of a satisfactory time schedule.

Trustee Robert Treuhold recused himself and left the meeting.

Regarding discussion of outdoor dining at the Quogue Club, Mayor Sartorius stated that he would start the discussion with a tentative decision that he recommends that the Board of Trustees adopt. He would then give time for comments and hold a vote.

Mayor Sartorius stated that the Board has studied the situation and visited the site individually on multiple occasions. Code Enforcement Officer Chris Osborne has visited on multiple occasions and has taken readings after establishing a baseline. He also said that Board members have looked at the videos Roger Moley sent and strained to hear the sounds of talking. The sounds are discernible, he said, but not to the point where it would be disturbing to the use and enjoyment of neighboring properties.

He then read the following tentative decision:

1. On the front porch the club may serve dinners outside to members, their guests and hotel guests whenever the club is open without restriction as to dates, times or number of diners.
2. On the back patio, we will stick with the present arrangement—up to 24 diners at a time at tables seating not more than six people, Friday and Saturday nights only between May 15 and October 15, inclusive, except that we will add Sunday nights preceding national holidays or observed national holidays. All diners must vacate the patio by 9:00 pm.
3. The Club must continue to seek measures to mitigate noise—umbrellas, which I understand have been ordered, and explore a way through landscaping or another means

to break the straight line between the patio and the tree line on the south side of the property between the two cottages.

4. This arrangement will continue indefinitely, but the Trustees reserve the right to reopen this decision at any time should the impacts change significantly or conditions warrant.

The Mayor asked if anyone wanted to comment. Roger Moley thanked the Board and asked if he should continue to vigilantly document. The Mayor stated that no, he did not have to continue, and should focus his attention elsewhere. Roger said he felt marginalized and hasn't felt transparency.

Susie Moley questioned the Board regarding the right to change its mind and would the lack of complaints be held against them.

Cristina Kepner thanked everyone for their time and effort. She stated that she is pleased with this outcome and that the Club will continue to do all that can be done to mitigate noise.

Jim Tolan asked what standard was used to determine the threshold of the noise level. Mayor Sartorius stated that property owners should not have to endure noise that a reasonable person would find annoying or disruptive of his or her ability to enjoy their premises while they are inside or outside, engaged in typical homeowner activities.

Ted Davis stated he was disappointed in the decision and that this summer's weather has affected noise level.

Clark Lewis stated that he was disappointed in the decision. He said the Board needed to consider the totality of what the neighbors have to deal with day in and day out and the dangers that are being created. Mayor Sartorius stated that this proceeding was regarding outdoor dining.

Ann Lewis spoke in opposition of the decision.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and approved by Randy Cardo and Kimberley Payne, the tentative decision was approved.

With no other business to discuss and upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, the meeting was adjourned at 4:43 PM.

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Aimee Buhl, Village Clerk