

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING  
TUESDAY, OCTOBER 9, 2012**

This Town Board Meeting was opened at 7:40 p.m. Supervisor Stewart presided and the Town Clerk called the Roll. Present were:

Councilman Denis Troy  
Councilman Thomas Diviny  
Councilman Thomas Morr  
Councilman Paul Valentine

Also present: Charlotte Madigan, Town Clerk  
John Edwards, Town Attorney  
Teresa Kenny, First Deputy Town Attorney  
Jeff Bencik, Finance Director  
Ann Maestri, Supervisor of Fiscal Services  
Joseph Moran, Commissioner of DEMA  
Robert Simon, Receiver of Taxes  
John Giardiello, Director of OBZPAE  
Aric Gorton, Superintendent of Parks-Rec & Building Maint.

Charlotte Madigan led the Pledge of Allegiance to the Flag.

Supervisor Stewart introduced Jeff Bencik, the new Finance Director.

Summary of Public Comments:

May Krieder, Pearl River, has been an active member of this community for 42 years. She has voted for the school budgets and facilities for our children. She does this happily, even though she has no children or grandchildren in Orangetown, using any of these facilities. Now as a senior, she would appreciate the Town Board keeping Broadacres open. This is an enjoyable and healthy activity. She loves golf and wants to thank Joe Wrafter for being very accommodating to the seniors.

Arline Hornung, Pearl River, is in favor of Broadacres staying open and has enjoyed playing on the Ladies League.

Melanie Powell, VP of Broadacres Ladies League, said the Ladies League handicap makes it difficult to play elsewhere. Joe Wrafter has always been willing to help the women, particularly the seniors. We have also held many successful fundraisers for the community. In 2004 Broadacres made a profit of \$64,000 and between 2005 and 2010 revenue increased by 42%. Broadacres costs less than 1% of the Town's budget. If Broadacres is closed the Town will be losing \$6,000 a week in revenue. She suggested offering discounts to Rockland County residents, advertise more, open the clubhouse for private parties and have a food stand at Broadacres. She requested to see the actual numbers and not to close Broadacres.

Pat McAndrews, Pearl River, said the Town offers a beautifully landscaped 9-hole golf course, as open space, that all ages can enjoy; it is something to be proud of. She enjoys playing at Broadacres with the Ladies League, her family, her grandchildren and her friends. Where will the seniors and the Ladies League go and hold their fundraisers? This is an activity that is enjoyable and healthy to everyone.

Genevieve Coffey, Pearl River, spoke about the ongoing flooding/drainage problem on her property. She wants to know when it will be corrected.

Mike Mandel, Pearl River, spoke about reducing spending, town personal vehicles, not hiring any new employees, and part-time positions not being made full-time.

Mike Mandel, Chairman of the Ethics Committee, informed the Town Board that a Land Use Board member has not submitted his financial disclosure statement after many requests.

Mr. D, Pearl River, has witnessed ongoing street level drug deals in Orangetown. The Police need to find a solution to alleviate this problem. He suggested a system that the Police can take information from residents, act upon it and follow-up on it. We need a street crime unit.

Eileen Larkin, Palisades, agrees with leasing or public/privatizing Broadacres. She believes it's vital for the Town to put together a plan for RPC, especially to control its destiny.

Ed O'Dea, Chairman of the Substance Abuse Committee, hears from parents, teachers and doctors that many 18-24 years old are admitted to hospitals because of drugs. Playing golf at Broadacres

is a positive activity for many youths. He requested solutions to the drug problem and to keep Broadacres open.

Jayne Ann Sofi, Nyack, said Broadacres has added to her quality of life in her senior years. She hopes Broadacres will stay open. She believes this contributes to better health for all, particularly the seniors.

Joe Wrafter, Broadacres' Manager, spoke about Broadacres being an asset to Orangetown. He asked, where are the residents going to play, during tournaments at Blue Hill.

Mr. Anonymous, stated members of our Police Dept. are already trained in drug intelligence and enforcement. We should gather these members and start our own street narcotics' team.

Rose Baldes, Piermont, stated that the recreation for seniors and young adults is limited. There has to be better ways of operating the Town rather than close Broadacres.

**RESOLUTION NO. 456**

**CLOSE PUBLIC COMMENTS**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the public portion is hereby closed.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 457**

**SCHEDULE PUBLIC HEARING  
OVERRIDING 2% TAX LEVY  
LIMIT/AMEND RESOLUTION NO.  
321/2012**

Under new business, Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that Resolution No. 321/2012 is hereby amended to reschedule the public hearing to override the 2% Tax Levy Limit (Chapter 34 of the Town Code) to October 23, 2012, 8:00 p.m.

Ayes: Councilmen Troy, Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 458**

**ACCEPT/2012-2013 EMPLOYEE  
ASSISTANCE PROGRAM (EAP)  
SERVICES CONTRACT/NYACK  
HOSPITAL**

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED that the 2012-2013 Employee Assistance Program (EAP) Services Contract, with an increase in price from the 2011 contract, from \$9,900 to \$10,175 is hereby accepted.

Ayes: Councilmen Troy, Valentine, Diviny, Morr  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 459**

**COMBINE AGENDA ITEMS**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

**Resolution No. 459 - Continued**

RESOLVED, that agenda items 2 thru 4 are hereby combined.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 460**

**APPROVE AID/TAPPAN REFORMED CHURCH/FALL FESTIVAL**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED that aid to the Tappan Reformed Church, by providing 12 trash receptacles and their removal and barricades for their annual Fall Festival to be held October 11 thru 13<sup>th</sup>, 2012 is hereby approved.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 461**

**APPROVE AID/PEARL RIVER SEPTA CHILI COOK-OFF**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED that aid to Pearl River SEPTA, by providing 3 portable toilets (1 handicapped) for their Chili Cook-off, to be held, Saturday, September 29, 2012 on the Central Avenue Field is hereby approved.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 462**

**APPROVE AID/ROCKLAND COUNTY COLUMBUS ASSOCIATION, INC.**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED that aid to the Rockland County Columbus Association, Inc., by providing barricades and trash containers, for the Columbus Day Parade, to be held October 14, 2012, 12:00 – 5:00 PM in Tappan, is hereby approved.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 463**

**COMBINE AGENDA ITEMS**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that agenda items 5 thru 10 are hereby combined.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 464****TAX CERTIORARI SETTLEMENT  
96 ROUTE 303, INC. (77.11-1-35)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Consent regarding the tax certiorari proceeding *96 Route 303, Inc. v. The Assessor of the Town of Orangetown, et an*, Tax Map designation 77.11-1-35 for the tax assessment years 2011, for a total refund by the County of \$150, a total refund by the Town of \$480 and a total refund by the School District of \$1,571. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 465****TAX CERTIORARI SETTLEMENT  
CSILLEBERC INC. (73.19-1-3)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Stipulation and Order and Judgment Reducing Assessments regarding the tax certiorari proceeding *Csilleberc Inc. v. Town of Orangetown, et al.*, Tax Map designation 73.19-1-3, for the tax assessment years 2008 through 2011, for a total refund by the County of \$657, a total refund by the Town of \$2,661 and a total refund by the School District of \$8,158. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 466****TAX CERTIORARI SETTLEMENT  
MARINA OPERATIONS BY HALF  
MOON LTD d/b/a TAPPAN ZEE  
MARINA (75.38-2-11)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Stipulation of Settlement and Order regarding tax certiorari proceeding *Marina Operations by Half moon LTD d/b/a Tappan Zee Marina v. The Assessor, et al.*, Tax Map designation 75.38-2-11, for the tax assessment years 2010 through 2011, for a total refund by the County of \$249, a total refund by the Town of \$235 and a total refund by the School District of \$3,423. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 467****TAX CERTIORARI SETTLEMENT  
KEEBLER COMPANY (73.19-1-8)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Stipulation of Settlement and Order regarding the tax certiorari proceeding *Keebler Company v. The Assessor, et al.* Tax Map designation 73.19-1-8, for the tax assessment years 2007 through 2011, for a total refund by the County of \$8,896, a total refund by the Town of \$32,213 and a total refund by the School District of \$134,434. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 468****TAX CERTIORARI SETTLEMENT  
400 HIGH AVENUE, NYACK LLC  
(65.28-1-2 and 65.28-1-11)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Stipulation of Settlement and Consent Order and Judgment regarding the tax certiorari proceeding *400 High Ave., Nyack, LLC v. Brian Kenney, Assessor, et ano* Tax Map designation 65.28-1-2 and 65.28-1-11, for the tax assessment years 2009 through 2011, for a total refund by the County of \$118, a total refund by the Town of \$294 and a total refund by the School District of \$1,308. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 469****TAX CERTIORARI SETTLEMENT  
MJC MANAGEMENT (66.45-3-18 and  
66.46-1-52)**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that upon the recommendation of the Town Attorney's Office and the Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign the Stipulation of Settlement and Consent Order and Judgment regarding the tax certiorari proceeding *MJC Management v. The Assessor of the Town of Orangetown, et al.*, Tax Map designation 66.45-3-18; for the tax assessment years 2009 through 2011, for a total refund by the County of \$358, a total refund by the Town of \$551 and a total refund by the School District of \$3,778; and Tax Map designation 66.46-1-52 for the tax assessment years 2009 through 2011, for a total refund by the County of \$609, a total refund by the Town of \$1,009 and a total refund by the School District of \$8,603. Interest on the Town's liability as a result of assessment decrease or refund is waived if payment is made within sixty (60) days after a copy of the order based upon the settlement is served on the Town.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

**RESOLUTION NO. 470**

**RELEASE PERFORMANCE BOND  
RON'S QUALITY AUTOMOTIVE  
PEARL RIVER**

Councilman Troy offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED that upon the recommendation of the Planning Board (PB#2012-11), the Town Highway Department, DEME and the Town Attorney's Office, the Board hereby authorizes the release of the Ron's Quality Automotive Services Performance Bond (Bon#RNS115399) issued by RLI Insurance Company, related to the 'Ron's Quality Automotive Site Plan', at 186 East Central Avenue, Pearl River, NY, which bond was posted pursuant to Town Board Resolution No. 478/01.

Ayes: Councilmen Troy, Morr, Diviny, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 471**

**APPROVE NEW FEES/FIRE  
INSPECTION**

Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

WHEREAS, Town Code §15-17(A) authorizes the Town Board to change by resolution the fees for certificates of compliance for new or changed uses and inspection fees payable for the various specific uses subject to inspection by the Chief of the Bureau of Fire Prevention and/or Assistant Fire Inspector,

BE IT RESOLVED that the fee for Multiple Residence (R occupancy) shall be \$44.00 for three (3) living units, and an additional \$11.00 for each additional living unit,

BE IT RESOLVED that the fee for B Business (Office) and M Mercantile (Retail) is \$27.50 biennially for 1 square foot to 2,500 square feet; and that the fee for Business (Office) and Mercantile (Retail) shall follow the same fee schedule as Industrial/Storage/Institutional for over 5,000 square feet set forth hereafter

BE IT FUTHER RESOLVED THAT the fees for F or H Industrial, S Storage and I Institutional, shall be as follows:

Gross Square Footage	Fee
1 – 5000	\$ 55.00
5,001 – 10,000	\$ 275.00
10,001 – 25,000	\$ 550.00
25,001 - 50,000	\$ 825.00
50,001 – 75,000	\$1,100.00
75,001 – 100,000	\$1,375.00
100,001 – 125,000	\$1,650.00
125,001 – 150,000	\$1,925.00
150,001 – 175,000	\$2,200.00
175,001 – 200,000	\$2,500.00
200,001 – 250,000	\$2,750.00
250,001 – 300,000	\$3,025.00
300,001 – 350,000	\$3,300.00
350,001 – 400,000	\$3,575.00
400,001 – 450,000	\$3,850.00
450,001 – 500,000	\$4,125.00
500,001 – 550,000	\$4,400.00
550,001 – 600,000	\$4,675.00
600,001 – 650,000	\$4,950.00
650,001 – 700,000	\$5,225.00

700,001 – 750,000	\$5,500.00
750,001 – 850,000	\$5,775.00
850,001 – 950,000	\$6,050.00
950,001 +	\$6,325.00

BE IT FURTHER RESOLVED THAT the fees for A1 through A5 Place of Assembly shall be:

Capacity of Persons	Fee
1 – 50	\$ 55.00
51 – 100	\$ 82.50
101 – 300	\$110.00
301 +	\$110.00 plus \$0.55 per person over 300 persons

BE IT RESOLVED THAT the fees set forth hereinabove shall be effective on January 1, 2013.

Ayes: Councilmen Troy, Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 472**

**PERMISSION GRANTED/CHIEF NULTY  
NYS INTELLIGENCE SUMMIT/ALBANY**

Councilman Morr offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED that permission is hereby granted to Chief Kevin A. Nulty, to attend the New York State Intelligence Summit in Albany, NY on October 17-18, 2012, with lodging and meals being provided by the NYS Department of Homeland Security and Emergency Services (NYS DHSES) with no expense to the Town.

Ayes: Councilmen Morr, Valentine, Troy, Diviny  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 473**

**APPROVE AID/PEARL RIVER  
ROTARY CLUB/SHARE CHRISTMAS**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that aid to the Rotary Club of Pearl River, for use of the Showmobile, sound system, personnel to operate same, trash receptacles, barricades and rental of two-port-o-johns to be used for the annual “Share Christmas and Holiday” program to be held on Friday, December 7, 2012, with a rain date of December 14, 2012 is hereby approved. The requesting organization will provide a certificate of insurance listing the Town of Orangetown as additionally insured and pay the rental fee of \$350.00.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 474**

**AMEND RESOLUTION NO. 438/2012  
BID STREET SWEEPER TRUCK**

Councilman Diviny offered the following resolution, which was seconded by Councilman Troy and was unanimously adopted:

**Resolution No. 474 - Continued**

RESOLVED that Resolution No. 438/2012 for One (1) New Street Sweeper Truck, in the amount of \$205,813.00 to the reduced amount of \$192,126.00, to be awarded to Trius Inc., Bohemia, NY, the only qualified bidder, to be charged to Account No. H5130200 is hereby amended.

Ayes: Councilmen Diviny, Troy, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 475****RECEIVE/FILE DOCUMENT TOWN CLERK'S OFFICE**

Councilman Morr offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED that the Sanitary Sewer Easement, for 622 Route 303 Site Plan, Blauvelt (65.14-1-11), Suncap Property Group, LLC. is hereby received and filed in the Town Clerk's Office, This document has been recorded in the Rockland County Clerk's Office as Instr. No. 2011-00019727.

Ayes: Councilmen Morr, Diviny, Troy, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 476****ACCEPT/RECEIVE/FILE DOCUMENTS TOWN CLERK'S OFFICE**

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the following documents are accepted, received and filed in the Town Clerk's Office:

1. Drainage/Access Easement and Sanitary Sewer Maintenance Easement for the Beaver Creek Subdivision, Blauvelt Rd, Pearl River (69.14-3-13.2 and 13.3), Heryons Ghyll Builders. These documents have been recorded in the Rockland County Clerk's Office as Instr. Nos. 2012-00025511 and 2012-00025512.
2. September 6, 2012 Special Town Board Meeting minutes, September 10, 2012 Regular Town Board Meeting/Audit Meeting and Executive Session minutes and September 13, 2012 Special Town Board Meeting minutes.

Ayes: Councilmen Troy, Valentine, Diviny, Morr  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 477****ENTERED AUDIT**

Councilman Valentine offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the Town Board entered the Audit Meeting at 8:55 p.m.

Ayes: Councilmen Valentine, Diviny, Troy, Morr  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 478****PAY VOUCHERS**

Councilman Troy offered the following resolution, which was seconded by Supervisor Stewart and was unanimously adopted:



**Resolution No. 478 - Continued**

RESOLVED, that the Finance Office is hereby authorized to pay vouchers for the General Fund, Town Outside Village, Blue Hill, Broadacres, Highway, Sewer, Capital Projects, Risk Retention, and Special Parking Funds in the amount of \$759,905.51.

Ayes: Councilmen Troy, Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 479****ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session, were Supervisor Stewart, Councilmen Troy, Diviny, Morr and Valentine, John Edwards, Teresa Kenny, Jeff Bencik, Chief Nulty and Captain Zimmerman.

Councilman Troy offered the following resolution, which was seconded by Councilman Valentine and was unanimously adopted:

RESOLVED, that the Town Board entered Executive Session to discuss a particular Police Disciplinary matter at 9:05 p.m.

Ayes: Councilmen Troy, Valentine, Diviny, Morr  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 480****RE-ENTERED RTBM**

Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting at 9:57 p.m.

Ayes: Councilmen Troy, Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 481****CLARIFICATION OF THE TOWN'S  
MILITARY LEAVE POLICY**

Under new business, Councilman Troy offered the following resolution, which was seconded by Councilman Diviny and was unanimously adopted:

WHEREAS, by Resolution 129 of 2004 ("Resolution 129"), the Town Board declared it to be the policy of the Town that employees who are activated in connection with the War on Terrorism and Operation Iraqi Freedom should not be penalized economically as a result of their service to the Nation; and

WHEREAS, in furtherance of that policy, Resolution 129 established a personnel policy (the "Town Military Leave Policy"), pursuant to which any activated employee would continue to receive his or her full Town salary and benefits (to the extent set forth) for the first 60-day period of activation, and, thereafter, throughout the entire period of his or her activation less any military pay earned; and,

WHEREAS, by Resolution 291 of 2008 ("Resolution 291"), the Town Board amended Resolution 129 and the Town Military Leave Policy established therein with respect to employees activated in connection with the continuing War on Terrorism; and

**Resolution No. 481 - Continued**

WHEREAS, the Town Board, once more, wishes to re-affirm the underlying public policy that Town employees who are activated to military service should not be penalized economically based on their service to our Nation, it further wishes to clarify that such policy is not intended to

cover Town employees who are not already in the military service, either as an active member of the National Guard or in the reserves of one of the military branches, but while a Town employee chooses to enlist as an active member of one of the branches of the military service,

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1) The Town Board hereby reaffirms both the underlying public policy and the Town Military Leave Policy set forth and established in Resolution 129 of 2004, as amended by Resolution 291 of 2008;

2) The Town Military Leave Policy is intended to, and shall apply, only to those Town employees who already are active members of the National Guard or in the reserves of one of the other branches of the military service, but not to an individual who, while a Town employee, enlists in, or otherwise voluntarily becomes a member of, one of the branches of the military service, in effect, voluntarily choosing to put his Town employment on hold for the period that he or she might serve;

3) The Town Military Leave Policy shall be deemed amended as set forth herein.

AND BE IT FURTHER RESOLVED, that this resolution is not intended to abrogate, or otherwise to limit, any other benefit to which any employee may be entitled by state or federal law, but rather, is intended only to clarify to whom the *added benefits* of the Town's Military Leave Policy shall apply.

Ayes: Councilmen Troy, Diviny, Morr, Valentine  
Supervisor Stewart

Noes: None

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**RESOLUTION NO. 482****ADJOURNMENT/MEMORY**

Councilman Diviny offered the following resolution, which was seconded by Councilman Morr and was unanimously adopted:

RESOLVED, that the Town Board re-entered the Regular Town Board Meeting and adjourned, in memory of Terrance McCrudden, New City; and Ventura (Riccardo) Marino, Nanuet, at 10:05 p.m.

Ayes: Councilmen Diviny, Morr, Troy, Valentine  
Supervisor Stewart

Noes: None

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**Charlotte Madigan, Town Clerk**