

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 23**  
**December 18, 2006                      7:00 P.M.**

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**A.**     The meeting was called to order by Chairman Olszewski at 7:05 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 30 persons in attendance and the following Councilmembers were present:

S.G. SAMUEL MOXLEY	FIRST DISTRICT
KEVIN KAMENETZ	SECOND DISTRICT
T. BRYAN MCINTIRE	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

**B.     APPROVAL OF JOURNAL**

Upon motion by Councilman Moxley, seconded by Councilman McIntire, the reading of the Journal Entries for the meeting of December 4, 2006 was waived and accepted unanimously.

**C.     ENROLLMENT OF BILLS**

The Chairman stated that the following bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 131-06, 132-06 & 133-06.

**D.     INTRODUCTION OF BILLS**

**BILL 147-06**, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Associated Black Charities, Inc.

**BILL 148-06**, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Department of Health and Mental Hygiene.

**BILL 149-06**, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Department of Health and Mental Hygiene.

       **BILL 150-06**, entitled An Act for the purpose of amending the 2006-2007 Current Expense Budget, by appropriating supplemental funds to the Board of Education.

**E.     CALL OF BILLS FOR FINAL READING AND VOTE**

       **Bill 134-06**, CEB - High Risk Infant Program, was called. Dr. Pierre Vigilance appeared. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

       **Bill 135-06**, CEB - Orphans' Court Mediation Grant Program, was called. Judge Lawler appeared.. Councilman Moxley moved to amend this bill with the following amendment:

On page 2, in line 8, strike "\$16,660" and substitute "\$16,600"

Councilman Olszewski seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Gardina, Bill 135-06 as amended, passed by the following roll call vote:

       Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

       **Bill 136-06**, CEB - Secure Our Schools Grant, was called. Captain Tom Busch appeared. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**Bill 137-06**, CZMP - Towson Manor Village, was called. Prior to consideration of the Bill, the Towson Manor Village Log of Issues was considered. Councilman Gardina moved to change the existing zoning from BM (0.016 acres), DR 5.5 (9.285 acres) and RO (0.324 acres) to BL (0.001 acres), BM (0.019 acres), DR 16 (9.301 acres) and RO (0.304 acres) as shown in the Towson Manor Village Enhancement Study ( Figure 6, p.24). Motion was seconded by Councilman Moxley and passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

Thereafter, upon motion by Councilman Gardina, seconded by Councilman Moxley, Bill 137-06, passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

       **Bill 138-06**, Zoning Regulations - Planned Unit Development, was called. Councilman Gardina moved to amend this bill with the following amendment:

On page 2, strike lines 5 and 6 and substitute the following: “IF THE UNDERLYING ZONE IS CLASSIFIED RESIDENTIAL, THE RESIDENTIAL TRACT DENSITY MAY BE CALCULATED AT A MAXIMUM OF 115% OF THE PERMITTED DENSITY OF THE UNDERLYING”

Councilman Kamenetz seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

       Thereafter, upon motion by Councilman Gardina, seconded by Councilman Moxley, Bill 138-06 as amended, passed by the following roll call vote:

       Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

       **Bill 139-06**, Zoning Regulations - Signs, was called. Councilman Kamenetz commented then moved to amend this bill with the following amendments:

1. On page 1, in the second line of the purpose paragraph strike “, size and permitted number”

2. On page 2, in column II, strike “;A in line 8, and strike the balance of the column; in column V, strike lines 6 and 7 and substitute “50 SQUARE FEET”; in lines 14 and 15, strike “ON EACH SIDE”; in lines 16 and 17, strike “[50] 40” and substitute “50”; in column VI, strike the brackets in line 6, and strike the balance of the column.
3. On page 2, in line 23, strike “30” and substitute “45”
4. On page 2, in lines 4 and 5, strike “CAMPAIGN TREASURER” and substitute “CANDIDATE IDENTIFIED ON THE SIGN, ACCORDING TO THE AUTHORITY LINE,”
5. On page 3, in line 16, after the comma, insert “UPON A FINDING OF A VIOLATION,”
6. On page 3, strike lines 18 and 19, and substitute ““OR THE CANDIDATE IDENTIFIED ON THE SIGN, ACCORDING TO THE AUTHORITY LINE.””

Councilmembers Moxley and Gardina questioned Councilman Kamenetz on the amendment. Councilman Kamenetz questioned John Beverungen, then moved to amend the amendment to read as follows:

1. On page 1, in the second line of the purpose paragraph strike “, size and permitted number”
2. On page 2, in column II, strike “;A in line 8, and strike the balance of the column; in column V, strike lines 6 and 7 and substitute “50 SQUARE FEET”; in lines 14 and 15, strike “ON EACH SIDE”; in lines 16 and 17, strike “[50] 40” and substitute “50”; in column VI, strike the brackets in line 6, and strike the balance of the column.
3. On page 2, in line 23, strike “30” and substitute “45”
4. On page 3, in line 16, after the comma, insert “UPON A FINDING OF A VIOLATION,”

Councilman Moxley seconded the motion and the amended amendment was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver  
 Nay - Gardina, Bartenfelder, Olszewski

Thereafter, upon motion by Councilman Moxley, seconded by Councilman Oliver, Bill 139-06 as amended, passed by the following roll call vote:

\_\_\_\_\_ Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Olszewski  
\_\_\_\_\_ Nay - Bartenfelder

\_\_\_\_\_ **Bill 140-06**, South Perry Hall - White Marsh Area, was called. There being no discussion, this bill was passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**F. APPROVAL OF FISCAL MATTERS**

The Chairman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council's work session on December 12, 2006. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Olszewski then called upon the Secretary to read the cover letter for Fiscal Matters 1 through 18.

**1. Settlement Agreement and Release - MCS Edgemere, LLC, Honeywell International, Inc. - Bauer Farm Property**

A settlement agreement and release among MCS Edgemere, LLC, Honeywell International, Inc. in connection with the remediation of a portion of the real property located at 2901 Bauer Farm Road known as the Bauer Farm Property.

\_\_\_\_\_ **2. Contract of Sale - Kevin J. and Renee B. Webster - Joppa Road Improvements at Cowenton Program**

A contract of sale with Kevin J. and Renee B. Webster, husband and wife, to acquire property at 5201 East Joppa Road, Perry Hall, Maryland 21128 for the Joppa Road improvements at Cowenton Program. \_\_\_\_\_

\_\_\_\_\_ **3. Contract of Sale - William J. Fisher and 1918 Eastern Blvd. Associates, LLC - Old Eastern Ave. & Eastern Blvd.**

A contract of sale with William J. Fisher and 1918 Eastern Blvd. Associates, LLC, to acquire a road right-of-way for connector road and easements needed for making improvements to the intersection of Old Eastern Avenue and Eastern Boulevard.

**4. Contract of Sale - Norbert J. Porter - Shoreline Protection - Chesapeake Bay - Coastal Rural Legacy**

A contract of sale with Norbert J. Porter, to purchase 16.404 acres in fee for the protection of natural forest land, shoreline, wetland, and open space in the Chesapeake Bay watershed within the Coastal Rural Legacy area.

**5. Contract - Bridjeo Shivnarain - Purchase of 2 apartment bldgs. Known as Yorkway Apartments**

A contract with Bridjeo Shivnarain, to purchase 2 apartment buildings known as the Yorkway Apartments for redevelopment and recreational purposes.

**6. Contract - Mark Bundy, PhD, Consulting Services - Sustainable Design Specs and Guidelines**

A contract with Mark Bundy, PhD, Consulting Services, for Mark Bundy to be a consultant for the development of sustainable design specifications and guidelines.

**7. Contract - Premiere Investigative Services Agency, LLC - Security Guard Services at County Health Centers**

A contract with Premiere Investigative Services Agency, LLC to provide security guard services at eight Baltimore County Health Centers. This contract replaces the previous contract with B&B Security Consultants, Inc. who lost the contract by default.

**8. Contract - Draft, McCune & Walker - On-call Land Surveying Services**

A contract with Draft McCune & Walker, to provide on-call land surveying services for various capital projects throughout Baltimore County.

**9. Contract - McKee & Associates - On-call Land Surveying Services**

A contract with McKee & Associates, to provide on-call land surveying services for various capital projects throughout Baltimore County.

**10. Contract - Johnson, Mirmiran and Thompson, Inc. - On-call Land Surveying Services**

A contract with Johnson, Mirmiran and Thompson, Inc., to provide on-call land surveying services for various capital projects throughout Baltimore County.

**11. Contract - Wood, Stear and Ledoux, Inc. d/b/a Air Cleaning Technology - Plymo-Vent vehicle exhaust systems**

A contract with Wood, Stear and Ledoux, Inc. d/b/a Air Cleaning Technology, to provide preventive maintenance and repairs to the plymo-vent vehicle exhaust systems in the County fire stations for semi-annual testing and inspections.

**12. Sublease Agreement - The Board of Trustees of the CCBC - Office of Employment and Training**

A sublease agreement with the Board of Trustees of the Community College of Baltimore County for the Office of Employment and Training for space at 11101 McCormick Road, Hunt Valley, MD to provide workforce development services for Baltimore County residents in the north-central area of the County.

**13. Addendum Contract - Bowman Internet Systems, LLC - User licenses and software for HMIS statistical reports**

An addendum #2 to the contract with Bowman Internet Systems, LLC for the purchase of 125 user licenses and supplemental system software that will allow Baltimore County agencies that serve the homeless population to create detailed HMIS statistical reports and interact seamlessly with other Baltimore County community providers.

**14. Amendment to Contract - AMP-CEP Group Homes, Inc. d/b/a Hilltop Recovery Center**

An amendment to the contract with AMP-CEP Group Homes, Inc. d/b/a Hilltop Recovery Center to provide additional treatment services and fund increasing program costs of substance abuse treatment services to eligible County residents.

**15. Amendment to Contract - Glass Mental Health Foundation, Inc. Awakenings Programs - Opioid Maintenance Therapy**

An amendment to the contract with Glass Mental Health Foundation, Inc., Awakenings Programs to provide additional treatment services and fund increasing program costs of substance abuse treatment services to eligible County residents.

**16. Contract - Center for Watershed Protection, Inc. - Small Watershed Action Plans (SWAP's)**

A contract with Center for Watershed protection, Inc. to provide assistance in the development of Small Watershed Action Plan (SWAP's) for the upper Back River and lower Jones Falls.

**17. Amendment to Contract - Watt, Tieder, Hoffar and Fitzgerald, L.L.P. - Detention Center**

An amendment to the contract with Watt, Tieder, Hoffar and Fitzgerald, L.L.P. to continue providing engineering and legal services associated with construction contract claims and litigation on the Detention Center Expansion Project.

**18. Amendment to Contract - Crabtree, Rohrbaugh & Associates -Detention Center**

An amendment to the contract with Crabtree, Rohrbaugh & Associates to modify the original agreement to allow an additional employee to perform the services required for claims litigations in connection with the Detention Center Expansion Project.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 18 were unanimously approved.

**G. MISCELLANEOUS BUSINESS**

**1. Correspondence**

At the direction of the Chairman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during October and November, 2006.

**2. Res. 102-06 - Application for Development Rights Easements - Agricultural Preservation**

At the direction of the Chairman, the Secretary read this Resolution to approve certain applications for the sale of development rights easements on property located within State Agricultural Districts or on farms approved by the Baltimore County Council in Resolution 43-06 and submitted for approval as State Agricultural Districts. David Carroll appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman McIntire, this Resolution was unanimously approved.

**3. Res. 103-06 - Ranking of Applications - Development Rights to County through Agricultural Preservation Program**

At the direction of the Chairman, the Secretary read this Resolution to approve certain applications for the sale of development rights easements on agricultural properties located within Agricultural Preservation Areas. David Carroll remained. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Kamenetz, this Resolution was unanimously approved.



**4. Res. 104-06 - Accept a gift from Emergency Number Systems Board - 9-1-1 Telephone System**

At the direction of the Chairman, the Secretary read this Resolution to accept a gift of money from the Emergency Number Systems Board of the Maryland Department of Public Safety and Correctional Services. Fred Homan appeared. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved.

**5. Res. 105-06 - To adopt the Multi-Hazard Mitigation Plan - Federal Disaster Mitigation Act of 2000**

At the direction of the Chairman, the Secretary read this Resolution to adopt the Baltimore County Multi-Hazard Mitigation Plan. Bill Korpman appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver this Resolution was unanimously approved.

**6. Res. 106-06 - Adoption of Liberty West Community Plan as part of Master Plan 2010**

At the direction of the Chairman, the Secretary read this Resolution to adopt the Liberty West Community Plan as part of the Baltimore County Master Plan 2010. Councilman Oliver moved to amend this resolution with the following amendment:

On page 10, insert the following after “Discourage placement of bus routes and stops on local streets (as defined in the Federal Highway Functional Classification Map).”:

“• Upon adoption of the Plan, address all public transportation issues via the implementation committee, to include representation from MTA.”

Councilman Moxley seconded the motion and this amendment passed by the following roll call vote:

Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

\_\_\_\_\_ Thereafter, upon motion by Councilman Oliver, seconded by Councilman Moxley, Resolution 106-06 as amended, passed by the following roll call vote:

\_\_\_\_\_ Aye - Moxley, Kamenetz, McIntire, Oliver, Gardina, Bartenfelder, Olszewski  
Nay - None

**7. Res. 107-06 - Property Tax Exemption - Irvin R. Jaslow**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Irvin R. Jaslow who is entitled to an exemption from State and County real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley this Resolution was unanimously approved.

**8. Res. 108-08 - Review of Planned Unit Development - Charter Homes, L.L.C. and Hobson Development**

This resolution was for introduction only.

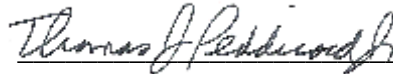
**9. Res. 109-06 - Endorsement of application by the Dundalk Renaissance Corp. - Neighborhood Bus. Works Pro.**

At the direction of the Chairman, the Secretary read this Resolution to endorse the filling of an application by the Dundalk Renaissance Corporation for financing to create a facade improvement program for Dundalk Main Street. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley this Resolution was unanimously approved.

**10. Appointment - Acting Administrative Officer - Fred Homan**

At the direction of the Chairman, the Secretary read the correspondence from the County Executive, requesting the approval of Fred Homan, Director of Budget and Finance, as Acting Administrative Officer until the end of the current term, which expires May 31, 2007. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Gardina, this appointment was unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman McIntire, the meeting adjourned at 7:35 P.M.

  
Thomas J. Peddicord, Jr.