

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 03**  
**February 6, 2006            7:00 P.M.**

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A.     The meeting was called to order by Chairman Olszewski at 7:01 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 35 persons in attendance and the following Councilmembers were present:

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

Councilman Moxley was absent the entire meeting.

**B.     APPROVAL OF JOURNAL**

Upon motion by Councilman McIntire, seconded by Councilman Kamenetz, the reading of the Journal Entries for the meeting of January 17, 2006 was waived and accepted unanimously by the six Councilmembers present.

**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 148-05, 149-05, 150-05, and 151-05.

**D.     INTRODUCTION OF BILLS**

BILL 21-06, entitled An Act for the purpose of amending the 2005-2006 Current Expense Budget, by appropriating supplemental funds to the Board of Education.

BILL 22-06, entitled An Act for the purpose of reestablishing two bird sanctuaries in Baltimore County; describing the sanctuary areas of the County; prohibiting certain acts; providing penalties; providing for the abatement of certain nuisances; and generally relating to bird sanctuaries in Baltimore County.

BILL 23-06, entitled An Act for the purpose of requiring certain large retailers to provide security in their parking lots; requiring certification of compliance with certain requirements; providing for the application of this Act; and generally relating to the provision of surveillance devices at certain shopping centers.

BILL 24-06, entitled An Act for the purpose of requiring previously approved developments to comply with the current law and the current development procedural review process; defining terms; defining the manner of the vesting of a project; clarifying the methodology employed by the Office of Planning in compiling its annual recommendation regarding overcrowded school districts; providing for the extension and expiration of development plan approvals; providing for the application of the Act; providing for the effective date of the Act; and generally relating to the scope of the County's development regulations and the vesting of development plans and plats.

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

Bill 1-06, CEB - Grants to Non Profits - Non-Profits Grants/ Public Capital Improvements, was called. Mary Harvey appeared. There being no discussion, this bill was passed by the following roll call vote:

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

Bill 2-06, CEB - MIEMSS 50-50 Matching Grant for NIPB, AED's & Cardiac Monitor, was called. Joseph Brown appeared. Councilman Oliver moved to amend this bill with the following amendments:

1. On page 1, in the third line of the purpose paragraph and the first line of the first WHEREAS paragraph, strike "Service" and substitute "Services"; in the third line of the first WHEREAS paragraph after "used", insert "in conjunction with county funds"; and also in the third line of the first WHEREAS paragraph, after "monitors", insert "an Automatic external Defibrillator,".

2. On page 2, in line 6, after "available", insert, "in conjunction with county funds".

Councilman McIntire seconded the motion and these amendments passed by the following roll call vote:

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

Thereafter, upon motion by Councilman McIntire, seconded by Councilman Oliver, Bill 2-06 as amended, passed by the following roll call vote:

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

Bill 3-06, CEB - 005-034-3418 FFY05 Citizens Corps Program, was called. Lt. Richard Muth appeared. There being no discussion, this bill was passed by the following roll call vote:

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

Bill 4-06, CEB - 241-210-0024 FFY05 Back-up Communications Center, was called. Lt. Richard Muth appeared. Councilman Kamenetz moved to amend this bill with the following amendments:

1. On page 1, in the first line of the title, strike "Current Expense" and substitute "Capital"; strike the second line of the title in its entirety; in the third line of the title, strike "241-210-0024 FFY 05" and substitute "Regional 911"; in the first line of the purpose paragraph, strike "Current Expense" and substitute "Capital"; in the second line of the purpose paragraph, strike "Gifts and Grants Special Revenue" and substitute "Capital Improvement".

2. On page 2 strike the two WHEREAS clauses in their entirety and substitute "WHEREAS, in accordance with Section 716 of the Baltimore County Charter, the County Council may, upon recommendation of the County Executive, amend the Capital Budget; now, therefore"; in lines 2 and 3 strike "Sections 306 and 712(a)" and substitute "Section 71"; strike from "and Section 10-6-102" on line 3 through "Expense" on line 4 and substitute "that the Capital"; and in line 9, strike "FFY 05" and substitute "Regional 911".

Councilman McIntire seconded the motion and these amendments passed by the following roll call vote:

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

Thereafter, upon motion by Councilman Kamenetz, seconded by Councilman McIntire, Bill 4-06 as amended, passed by the following roll call vote:

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

Bill 5-06, Zoning Regulations- Bowleys Quarters & Back River Neck Areas - Connection to Public Water, was called. Bill Korpman appeared. Councilman Kamenetz moved to amend this bill with the following amendment:

On page 3, in line 12, after “Regulations”, insert “IF IN THE D.R. ZONE OR THE PROPERTY OWNER OBTAINS SPECIAL HEARING RELIEF IN ACCORDANCE WITH SECTION 1A04.3.B.1.B OF THESE ZONING REGULATIONS IF IN THE R.C. 5 ZONE.

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

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

Thereafter, upon motion by Councilman Bartenfelder, seconded by Councilman Kamenetz, Bill 5-06 as amended, passed by the following roll call vote:

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

           Bill 6-06, CEB - ‘06 GOCCP- Coverdell/Backlog Reduction Grant, was called. Irvin Litofsky appeared. There being no discussion, this bill was passed by the following roll call vote:

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

           Bill 7-06, CEB - Domestic Violence Enhanced Project, was called. Captain John Campbell appeared. There being no discussion, this bill was passed by the following roll call vote:

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

           Bill 8-06, CEB - Police Crash Reconstruction Training Grant, was called. Captain Drake Roche appeared. There being no discussion, this bill was passed by the following roll call vote:

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

\_\_\_\_\_ Bill 9-06, Was withdrawn prior to the meeting.

\_\_\_\_\_ Bill 10-06, Zoning Regulations - C.T. District of Towson, was called. Councilman Gardina commented. There being no discussion, this bill was passed by the following roll call vote:

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

\_\_\_\_\_ **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 January 31, 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 letters for Fiscal Matters 1 through 4.

1. Contract Amendment - On Our Own, Inc. - Drop-In Center in Catonsville for Mental Health Consumers

A contract amendment with On Our Own, Inc. for a drop-in center in Catonsville for mental health consumers to increase compensation.

2. Contract - FMB Laundry, Inc. - Laundry Equipment Repairs - Department of Corrections

A contract with FMB Laundry, Inc. for laundry equipment repairs.

3. Contract - The Robert B. Balter Company- Consultant services for on-call geotechnical engineering services

A contract with The Robert B. Balter Company, for professional consultant services for an on-call geotechnical engineering services contract on an as-required basis.

\_\_\_\_\_ 4. Contract - Mar-Len Environmental - Forest Health Assessment Services and Forest Management Plan

\_\_\_\_\_ A contract with Mar-Len Environmental for forest health assessment service and a forest management plan.

There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Gardina, Fiscal Matters 1 through 4 were unanimously approved by the six Councilmembers present.

**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 December, 2005 and January, 2006.

2. Res. 8-06 - Property Tax Exemption - Richard J. Vander Vlis

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Richard J. Vander Vlis 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 McIntire, this Resolution was unanimously approved by the six Councilmembers present.

3. Appointments - Adult Public Guardianship Review Board - Ms. Valerie Leeb

At the direction of the Chairman, the Secretary read the correspondence from the County Executive, requesting Ms. Valerie Leeb, for appointment to the Baltimore County Adult Public Guardianship Review Board. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Olszewski, this appointment was unanimously approved by the six Councilmembers present.

4. Res. 9-06 - Engage outside counsel through MACO - FCC - Cable Franchising Process

At the direction of the Chairman, the Secretary read this resolution to authorize the County Attorney to participate through the Maryland Association of Counties to engage outside Counsel. John Beverungen appeared. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Gardina, this appointment was unanimously approved by the six Councilmembers present.

There being no further business to come before the Council at this time, upon motion by Councilman Oliver, seconded by Councilman McIntire, the meeting adjourned at 7:16 P.M.

  
Thomas J. Peddicord, Jr.