

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 12**  
**June 5, 2006                      6:00 P.M.**

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**A.**     The meeting was called to order by Chairman Olszewski at 6:05 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 15 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 meetings of May 15, 2006 and May 25, 2006 were waived and accepted unanimously.

**C.     ENROLLMENT OF BILLS**

The Chairman stated that the following bills was passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 43-06, 44-06, 46-06, 47-06, 48-06, 51-06, 52-06, 54-06, 55-06, 56-06, 57-06, 58-06, 59-06, 60-06, 61-06, 62-06 and 63-06.

**D.     INTRODUCTION OF BILLS**

BILL 76-06, 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 private funds and made available to the County through the Patrons of the Park.

BILL 77-06, 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 United States Department of Health and Human Services Health Resources and Services Administration (HRSA) and the Maryland Department of Health and Mental Hygiene (DMHM).

BILL 78-06, 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 Maryland Highway Safety Office (MHSO).

BILL 79-06, 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 through the National Highway Safety Administration (NSHTA) and made available to the County through the Maryland Highway Safety Office (MHSO).

BILL 80-06, 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 private grant funds and made available to the County through the Baltimore County Gas and Electric Company (BGE) and the Weyerhaeuser Company Foundation.

BILL 81-06, entitled An Act for the purpose of amending the 2006-2007 Capital Budget, by appropriating to the Capital Improvement Fund monies made available to the County through a grant from the Maryland Aviation Administration (\$167,000), for the repairing and repaving of the Essex Skypark.

BILL 82-06, entitled An Act for the purpose of authorizing the Department of Environmental Protection and Resource Management to enforce law regarding stormwater management, excavations, grading, sediment control and forest management, Chesapeake Bay critical area protection, protection of water quality, streams, wetlands and floodplains, forest conservation, removal of asbestos, food service facilities, sanitary requirements for boat marinas, public swimming pools and bathing beaches, nuisances, solid waste, water and sewers by Code enforcement; clarifying certain provisions regarding the suspension and revocation of a certain permit; defining certain terms, altering certain civil penalties; clarifying the authority to collect civil penalties; and generally relating to Code enforcement.

BILL 83-06, entitled An Act for the purpose of correcting a definition in the statute relating to the Homeowners' Tax Credit Program; and generally relating to the Homeowners' Tax Credit Program.

BILL 84-06, entitled An Act for the purpose of prohibiting the parking or storage of recreational vehicles on certain streets; providing an exception; and generally relating to the parking of recreational vehicles.

BILL 85-06, entitled An Act for the purpose of establishing a tax credit for high performance buildings under certain conditions; providing for the conditions under which a tax credit may be granted; providing for application for the credit; providing for the amount and duration of the credit; defining certain terms; and generally relating to real property tax credits for high performance buildings.

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

BILL 50-06, Final Historical Landmarks, was called. Caren Hoffberger appeared. Councilman McIntire moved to amend this bill with the following amendment:

On page 2, in line 19, after “vicinity”, insert “, EXCLUDING THE 1950s ADDITION TO THE HOUSE”

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 McIntire, seconded by Councilman Oliver, Bill 50-06, as amended, 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 May 30, 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 7.

1. Contract - Rummel, Klepper & Kahl - On-call Engineering Services

A contract with Rummel, Klepper & Kahl, LLP, for on-call engineering services for pumping stations.

2. Contracts - (2) - On-call Civil Engineering Services

Contracts with Nolan Associates, Inc. and KCI Technologies, Inc., for on-call civil engineering services, which will include survey, traffic, geotechnical, environmental and landscape engineering services.

3. Contract - Hollins Organic Products, Inc. - Yard Waste Processing Services

\_\_\_\_\_ A contract with Hollins Organic Products, Inc., for yard waste processing services.

4. Contract of Sale - Donald A. Rhine - Purchase of 2601 Yorkway Apartment Building

A contract of sale with Donald A. Rhine, for the purchase of one apartment building known as 2601 Yorkway for redevelopment and recreational purposes.

\_\_\_\_\_ 5. Contract of Sale - Bessie May Shelby - Purchase of 2500 Yorkway Apartment Building

\_\_\_\_\_ A contract of sale with Bessie May Shelby, for the purchase of one apartment building known as 2500 Yorkway for redevelopment and recreational purposes.

\_\_\_\_\_ 6. Contract - Bay Life Services Corporation - Mental Health Geriatric Services Team

\_\_\_\_\_ A contract with Bay Life Services Corporation , for a mental health geriatric services team.

\_\_\_\_\_ 7. Amendment to Contract of Sale - York Park Associates Limited Partnership - York Park Apartments

\_\_\_\_\_ An amendment to the contract of sale with York Park Associates Limited Partnership, approved on April 3, 2006 to allow for a 1031 Exchange in connection with the purchase of 2.8 acres, more or less, together with 20 apartment buildings known as the York Park Apartment for redevelopment and/or recreational purposes.

\_\_\_\_\_ There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 7 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 May, 2006.

2. Res. 39-06 - CCBC - Authorization of Expenditure of Non - Local Funds

At the direction of the Chairman, the Secretary read this Resolution concerning the Community College of Baltimore County and the authorization for Expenditure of Non-Local Funds. Stephen L. Kirchner appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Bartenfelder, this Resolution was unanimously approved.

3. Reappointments - (2) - Ethics Commission

At the direction of the Chairman, the Secretary read the correspondence from the County Executive, requesting Alexander Wright, Jr. Esq. and Ellen M. Yerman be reappointed to the Baltimore County Ethics Commission, for a 3 year period. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman McIntire, these reappointments were unanimously approved.

4. Res. 40-06 - Property Tax Exemption - Isabela K. Leister

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Isabela K. Leister who is entitled to a partial exemption from State and County real property taxes by reason of the exemption afforded to blind persons under State law. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman McIntire, this Resolution was unanimously approved.

5. Res. 41-06 - Public Disclosure - Jay Ringold

At the direction of the Chairman, the Secretary read this resolution concerning the public disclosure of Jay Ringold, an employee of the Baltimore County Fire Department. Mr. Ringold has applied for an administrative variance to permit a rear setback of 22.5 feet for a proposed sunroom addition and enclose a portion of an existing rear deck at his property. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution 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 6:15 P.M.

  
Thomas J. Peddicord, Jr.