

BALTIMORE COUNTY COUNCIL MINUTES  
LEGISLATIVE SESSION 2006, LEGISLATIVE DAY NO. 17  
September 18, 2006 7:00 P.M.

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A. The meeting was called to order by Chairman Olszewski at 7:00 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
VINCENT J. GARDINA	FIFTH DISTRICT
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

Council Oliver was absent the entire meeting.

**B. APPROVAL OF JOURNAL**

Upon motion by Councilman Moxley, seconded by Councilman McIntire, the reading of the Journal Entries for the meeting of September 5, 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 94-06, 95-06, 96-06, 97-06, 98-06, 99-06, 100-06, 101-06, 102-06, 103-06, 104-06, 105-06 & 106-06.

**D. INTRODUCTION OF BILLS**

BILL 116-06, 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 Department of Natural Resources Waterway Improvement Program in the amount of \$150,000 for dredging Seneca Creek and Goose Harbor Cove main channels.

BILL 117-06, 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 from the State of Maryland Department of Human Resources.

BILL 118-06, entitled An Act for the purpose of establishing a property tax credit for residential energy conservation improvements 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 property tax credits for residential energy conservation improvements.

BILL 119-06, entitled An Act for the purpose of expanding the definition of a “research park”; defining the term “television studio”; adding television studio to the list of uses permitted as a matter of right in the O.T. zone; and generally relating to uses permitted in the O.T. Zone.

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

\_\_\_\_\_ At this time there were no bills for final reading and vote.

**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 September 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- 8.

1. Contract of Sale - Roger S. and Linda E. Burnett - Purchase of 1 Apartment Building at Yorkway Apartments

\_\_\_\_\_ A contract of sale with Roger S. and Linda E. Burnett to purchase 1 apartment building known as the Yorkway Apartments, at 2526 Yorkway, Dundalk, Maryland 21222; for redevelopment and recreational purposes.

2. Contract of Sale - George A. Foudos - Purchase of 4 Apartment Buildings at Yorkway Apartments

A contract of sale with George A. Foudos to purchase 4 apartment buildings known as the Yorkway Apartments, at 2502, 2507, 2528 and 2530 Yorkway, Dundalk, Maryland 21222; for redevelopment and recreational purposes.

3. Contract - Rummel, Klepper & Kahl, LLP - On-call Sanitary Engineering Services

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

4. BAT 07-04C - Public Works Gray’s Road Rehabilitation

A budget appropriation transfer needed for the Department of Public Works for Gray’s Road rehabilitation, as the bid showed an incorrect quantity for hot mix asphalt, 3-inch depth.

5. Contract - Crown Electric Company - Electrical Services

A contract with Crown Electric Company for a new term contract for electrical services.

6. Contract - Eastern Sales and Engineering Company, Inc. - General Contractor Services

A contract with Eastern Sales and Engineering Company, Inc. for a new term contract for general contracting (electrical) services.

7. Contract - Kelly Services and Swift Staffing - Temporary Personnel Services

A contract with Kelly Services and Swift Staffing for temporary personnel services.

8. Contract of Sale - John L. Gross - Vincent Farm Elementary School Site Improvements

A contract of sale with John L. Gross to purchase 5935 Ebenezer Road for the Vincent Farm Elementary School site improvements.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, Fiscal Matters 1 through 8 were unanimously approved by the six Councilmembers present.

**G. MISCELLANEOUS BUSINESS**

1. Res. 69-06 - Revenue Bonds - St. Joseph Medical Center

At the direction of the Chairman, the Secretary read this Resolution authorizing the issuance and sale by Baltimore County, Maryland, pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, of its economic development revenue bonds, at one time or from time to time and in one or more issues or series, as limited obligations and not upon its faith and credit, or pledge of its taxing power, in an aggregate principal amount not to exceed \$135,000,000, and to loan the proceeds from the sale of such bonds to Catholic Health Initiatives, a not-for-profit corporation organized under the laws of the State of Colorado, to be used to finance and refinance the costs of the acquisition of certain facilities, within the meaning of such Act, located in Baltimore County, Maryland, to be used by St. Joseph Medical Center Inc., a not-for-profit corporation organized under the laws of the State of Maryland, for its tax-exempt purposes of providing health care services to the public; authorizing the County Executive to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale, security, issuance, delivery and payment of and for such bonds and the lending of the proceeds thereof; reserving certain rights in the County; and generally providing for and determining various matters in connection with such bonds and the lending of the proceeds thereof. Stan Jacobs appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, this Resolution was unanimously approved by the six Councilmembers present.

## 2. Res. 70-06 - Revenue Bonds - Garrison Forest School

At the direction of the Chairman, the Secretary read this Resolution authorizing and providing for the issuance and sale by Baltimore County, Maryland, pursuant to the Maryland Economic Development Revenue Bond Act, as its limited obligations and not upon its faith and credit or pledge of its taxing power, of one or more series of its bonds (as defined in such Act) in an amount not to exceed \$17,000,000, for the purpose of (1) refunding all or a portion of the Baltimore County, Maryland Variable Rate Economic Development Revenue Bonds (Garrison Forest School, Incorporated Project) Series 2001 which were issued on June 26, 2001; (2) financing and refinancing a portion of the costs of the acquisition by Garrison Forest School, Incorporated, a Maryland nonprofit corporation (the "Facility Applicant"), of a certain facility (as defined in such Act), such facility and the acquisition thereof to consist of and include: (a) the construction on the existing campus of Garrison Forest School located at 300 Garrison Forest Road in Owings Mills, Baltimore County of a new Middle School, containing approximately 30,000 square feet; (b) site work, including realignment of roads and parking, installation of additional lighting and landscaping; (c) the renovation of an existing building (currently used as the Middle School) for use as a Math/Science Building for the Upper School; (d) the acquisition and installation of certain necessary or useful furnishings, fixtures, equipment and machinery; and (e) the acquisition of such interests in land as may be necessary or suitable for the foregoing, including rights of access, utilities and other site preparation facilities; and (3) paying the costs of issuance, capitalized interest and other costs related to the transaction described herein; such facility to be used by the Facility Applicant in connection with its operation of a school serving grades pre-K through 12; reserving in Baltimore County, Maryland certain rights concerning the issuance of such bonds; generally describing the public purposes to be served and the financing transaction to be accomplished; specifying the maximum aggregate principal amount of such bonds that may be issued; authorizing the County Executive to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents or procedures appropriate to the authorization, sale, security, issuance, delivery, or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by such Act. Stan Jacobs remained. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

## 3. Res. 71-06 - PILOT Agreement - Meadows at Reisterstown II

At the direction of the Chairman, the Secretary read this Resolution to authorize the County Executive or other authorized administrative official to enter into a written agreement on behalf of the County with Homes for Reisterstown II Limited Partnership, d/b/a/ Meadows at Reisterstown II (the "Owner") for payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of an elderly housing project to benefit low income elderly persons in Baltimore County. Mary Harvey appeared. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

4. Res. 72-06 - Endorsement of application of CASA of Baltimore County, Inc. for Community Investment Tax Credit Program

At the direction of the Chairman, the Secretary read this Resolution to endorse the application of CASA of Baltimore County, Inc. to the State of Maryland Community Investment Tax Credit Program for certain tax credits to provide funding for the administration of a program that provides volunteers who serve as Court Appointed Special Advocates in juvenile court. Mary Harvey remained. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Gardina, this Resolution was unanimously approved by the six Councilmembers present.

5. Res. 73-06 - Property Tax Exemption - Philip DelCostello

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At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Philip DelCostello 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 Gardina, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

6. Res. 74-06 - Lutherville Volunteer Fire Co. - Community Investment Tax Credit Program

At the direction of the Chairman, the Secretary read this Resolution to endorse the application of the Lutherville Volunteer Fire Company to the Department of Housing and Community Development Community Investment Tax Credit Program for assistance for a certain project. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

7. Res. 75-06 - Providence Volunteer Fire Co. - Community Investment Tax Credit Program

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At the direction of the Chairman, the Secretary read this Resolution to endorse the application of the Providence Volunteer Fire Company to the Department of Housing and Community Development Community Investment Tax Credit Program for assistance for a certain project. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved by the six Councilmembers present.

8. Res. 76-06 - Property Tax Exemption - Robert W. Fisher

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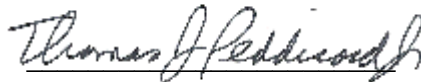
At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Robert W. Fisher who is entitled to an exemption from State and County real property taxes by reason of the exemption afforded to disabled veterans under State law.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

9. Reappointment - Agricultural Preservation Advisory Board - Miles Paterson

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At the direction of the Chairman, the Secretary read the correspondence from the County Executive, requesting Miles Paterson, for re-appointment to the Baltimore County Agricultural Preservation Advisory, effective immediately. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this re-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 Moxley, seconded by Councilman McIntire, the meeting adjourned at 7:10 P.M.



Thomas J. Peddicord, Jr.