

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2007, LEGISLATIVE DAY NO. 06**  
**March 19, 2007            7:00 P.M.**

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A.     The meeting was called to order by Chairman Moxley 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 50 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 McIntire, seconded by Councilman Kamenetz, the reading of the Journal Entries for the meeting of March 5, 2007 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 11-07, 12-07, 13-07, 14-07, 16-07 and 17-07.

**D.     INTRODUCTION OF BILLS**

**BILL 23-07**, 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 Baltimore County Public School System (BCPS).

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**BILL 24-07**, entitled An Act for the purpose of authorizing a taxpayer to receive a revitalization tax credit even if the taxpayer applies for the tax credit more than 120 days after the assessment of qualified improvements; limiting the duration of a tax credit applied for more than 120 days after the assessment of qualified improvements; providing for the start date of a tax credit applied for more than 120 days after the assessment of qualified improvements; and generally relating to the revitalization tax credit.

       **BILL 25-07**, entitled An Act for the purpose of repealing the Basic Services Sewage Map, the Basic Services Water Supply Map and the Basic Services Transportation Map; and adopting a new Basic Services Sewage Map, a new Basic Services Water Supply Map and a new Basic Services Transportation Map.

       **BILL 26-07**, entitled An Act for the purpose of creating a county inventory; providing a procedure for the inclusion of certain structures on the county inventory; providing for adding certain structures on the county inventory to the preliminary county landmarks list under certain circumstances; providing for the removal of certain structures from the county inventory and the preliminary county landmarks list under certain circumstances; providing a procedure for demolition of certain structures on the county inventory; limiting the ability to nominate certain structures to the county inventory and preliminary county landmarks list under certain circumstances; providing that a structure that is not placed on the final county landmarks list by a certain time is deemed removed from the county inventory and the preliminary county landmarks list by a certain time is deemed removed from the county inventory and the preliminary county landmarks list; clarifying that certain structures are not subject to certain parts of the landmarks preservation law; clarifying that certain proposed plans for certain structures shall be approved by the Landmarks Preservation Commission in a certain manner; altering certain requirements regarding alterations to certain structures; altering certain definitions; defining terms; providing for the retroactive application of a portion of this Act; and generally relating to landmarks preservation.

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

       **Bill 18-07**, CEB - Department of Corrections - Commissary Account, was called. James O'Neill 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 19-07**, CEB - Baltimore County Growing Home Campaign, was called. David Carroll 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 20-07**, Zoning Regulations - Winery, was called. Councilman Gardina commented. 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 21-07**, Final Historical Landmarks List, was called. Caren Hoffberger appeared. Councilman Kamenetz moved to amend this bill with the following amendment:

On page 2, strike line 22, and substitute the following: “revoked.”

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

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

Councilman Gardina then moved to amend this Bill with the following amendment:

On page 2, strike line 10, and renumber items 344 through 348 on lines 11 through 16.

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 Kamenetz, seconded by Councilman McIntire, Bill 21-07 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 March 13, 2007. 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 Moxley then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 4.

**1. Contract - Good Sheperd Septic Services, Inc. - Snow Removal Services**

A contract with Good Sheperd Septic Services, Inc., to provide snow removal services.

**2. Contract - Blackjack Trucking, LLC - Snow Removal Services**

A contract with Blackjack Trucking, LLC, to provide snow removal services.

**3. Contract - Dental/Medical Associates, Inc. - Dental Assistant**

A contract with Dental/Medical Associates, Inc., Inc., to provide a dental assistant in dentistry until the dental assistant vacancy is filled.

**4. Contract - Justice Benefits, Inc. - Federal Revenue maximization for state and local political entities**

A contract with Justice Benefits, Inc., to provide federal revenue maximization for state and local political entities to which the County is entitled for the incarceration of individuals with no reported or documented claim to United States citizenship.

There being no discussion, upon motion by Councilman Oliver , seconded by Councilman Olszewski, Fiscal Matters 1 through 4 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 February 2007.

**2. Res. 1-07 - Review Planned Unit Development - 1<sup>st</sup> District - The Villas at Edan Terrace**

At the direction of the Chairman, the Secretary read this resolution to approve the review of a proposed planned unit development in accordance with County law. Skirven Enterprises, Inc. has submitted an application for approval of a 6.46 acre site in the First Councilmanic District, to be developed as a general development planned unit development (PUD) known as The Villas at Eden Terrace. Councilman Moxley commented. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Resolution was unanimously approved.

**3. Res. 17-07 - Review Planned Unit Development - 3<sup>rd</sup> District - Global View**

At the direction of the Chairman, the Secretary read this resolution to approve the review of planned unit development in accordance with County law. A & A Global Industries, Inc. and James Keely and Co., Inc. has submitted an application for approval of a 6.42 acre site on York Road, in the Third Councilmanic District, to be developed as a general development planned unit development (PUD) known as Global View. Councilman McIntire moved to amend this Resolution with following amendments:

In the fourth line of the First RESOLVED paragraph, after “Code”, insert:

“subject to the following restrictions and conditions:

1. The proposed residential towers shall be limited in height to eight (8) residential floors plus one above ground parking garage level.
  
2. Proposed roof top cupola ornamentation shall not exceed twenty-four (24) feet in height”

Councilman McIntire seconded the motion and these amendments 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 Kamenetz, Resolution 17-07 as amended, passed by the following roll call vote:

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

**4. Res. 19-07 - Review Planned Unit Development - 1<sup>st</sup> District - Enterprise Housing Corporation**

This Resolution was for introduction only.

**5. Res. 20-07 - Local Endorsement - MD Community Investment Tax Credit Program - Diversified Housing Development, Inc.**

At the direction of the Chairman, the Secretary read this resolution to endorse the application of Diversified Housing Development, Inc., (DHD) to the State of Maryland Community Investment Tax Credit Program for certain tax credits to provide funding for the administration and facilitation of a housing counseling program; homebuyers education workshop, and a post-purchase counseling program for new homeowners to mitigate mortgage default and foreclosure. Mary Harvey appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Olszewski, this Resolution was unanimously approved.

**6. Res. 21-07 - Accept a gift from Franklin Square Hospital for Baltimore County Emergency Task Force**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution to authorize the County to accept a 6'x12' trailer for the use of the Emergency Task Force. Joseph Brown appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Kamenetz, this Resolution was unanimously approved.

**7. Res. 22-07 - Planning Board - Community Plan for the Hillendale Area of Baltimore County**

At the direction of the Chairman, the Secretary read this resolution requesting the Baltimore County Planning Board to prepare a community plan for the Hillendale area of Baltimore County. Councilman Gardina commented. There being no discussion, upon motion by Councilman Gardina, seconded by Councilman Oliver, this Resolution was unanimously approved.

**8. Res. 23-07 - Employee Free Choice Act**

At the direction of the Chairman, the Secretary read this resolution urging the Maryland Congressional Delegation to support enactment of the Employee Free Choice Act. Councilman Olszewski commented. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Oliver, this Resolution failed by the following roll call vote:

Aye - Gardina, Olszewski

Nay - Moxley, Kamenetz, McIntire, Oliver, Bartenfelder

**9. Res. 24-07 - Planning Board - Basic Services Transportation Map**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution to request the Planning Board to review and update certain standards used in the preparation of the Basic Services Transportation Map. Councilmembers Bartenfelder and Moxley commented. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Oliver, this Resolution was unanimously approved.

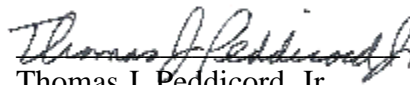
**10. Res. 25-07 - Planning Board - Boarding Houses and Rooming Houses**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read this resolution to request the Planning Board to consider proposing amendments to the Baltimore County Zoning Regulations in order to strengthen the standards governing Boarding Houses and Rooming Houses. Councilman Gardina commented. There being no discussion, upon motion by Councilman Gardina, seconded by Councilman Oliver, this Resolution was unanimously approved.

**11. Grant - Towson University - Division of Economic & Community Outreach - partial fund of business incubator**

\_\_\_\_\_ At the direction of the Chairman, the Secretary read the correspondence from the County Administrative Officer requesting the Council's approval for a business incubator at Towson University that will accelerate the successful development of start -up and fledgling companies by providing entrepreneurs with an array of targeted resources and services to be partially funded. David Iannucci appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, these grant recommendations were unanimously approved.

There being no further business to come before the Council at this time, upon motion by Councilman Oliver, seconded by Councilman Kamenetz, the meeting adjourned at 7:25 P.M.

  
Thomas J. Peddicord, Jr.