

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2008, LEGISLATIVE DAY NO. 02**  
**January 22, 2008            7:00 P.M.**

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**A.**     The meeting was called to order by Chairman Kamenetz 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 led by Cub Scout Troop 750 - Immaculate Conception School. 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 McIntire, seconded by Councilman Moxley, the reading of the Journal Entries for the meeting of January 7, 2008 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 92-07, 93-07 and 94-07.

**D.     INTRODUCTION OF BILLS**

**BILL 3-08**, entitled An Act for the purpose of amending the 2007-2008 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.

**BILL 4-08**, entitled An Act for the purpose of amending the 2007-2008 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 U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance - Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

**BILL 5-08**, entitled An Act for the purpose of amending the 2007-2008 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 Governor's Office of Crime Control and Prevention.

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

**Bill 95-07**, CEB - Valleys Reforestation Initiative Program, 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 96-07**, CEB - Growing Home Campaign, was called. David Carroll remained. 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 97-07**, CEB - Food Stamp Employment and Training, was called. Timothy Griffith appeared. Councilman Kamenetz question Mr. Griffith. 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 98-07**, CEB - Byrne - Justice Assistance Grant (JAG) Program, 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 99-07**, CEB - HSGP Citizens Corp/HSGP LETPP/HSGP, was called. Lt. Richard Muth appeared. Councilman Gardina questioned Lt. Muth. 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 100-07**, CEB - Assistance to Firefighters Grant, was called. Lt. Richard Muth

remained. Councilman McIntire move to amend this Bill with the following amendment:

On page 1, in the third line of the purpose paragraph, after “Security”, insert “and county matching funds”; and on page 2, in line 6, after “Department”, insert “and county matching funds”.

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 Olszewski, Bill 100-07 as amended, passed by the following roll call vote:

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

**Bill 101-07**, CEB - Local Share, was called. Lt. Richard Muth remained. 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 102-07**, Address Numbers on Improved Property, was called. Councilmembers Olszewski and Gardina commented. There being no discussion, this bill was passed by the following roll call vote:

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

**Bill 103-07**, Weed Control, 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 January 15, 2008. 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 Kamenetz then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 13.

**1. Amendment to Contract - Glass Mental Health Foundation, Inc. - Awakenings Program - Substance Abuse outpatient facilities**

An amendment to the contract with Glass Mental Health Foundation, Inc., Awakenings Program, to increase the compensation paid to the contractor to include an incentive award to improve outcomes in substance abuse level I outpatient facilities.

**2. Amendment to Contract - Alcohol & Drug Treatment, Inc. - AWARE -Substance Abuse outpatient facilities**

An amendment to the contract with Alcohol & Drug Treatment, Inc./AWARE, to increase the compensation paid to the contractor to include an incentive award to improve outcomes in substance abuse level I outpatient facilities.

**3. Amendment to Contract - First Step, Inc. - Substance Abuse outpatient facilities**

An amendment to the contract with First Step, Inc., to increase the compensation paid to the contractor to include an incentive award to improve outcomes in substance abuse level I outpatient facilities.

**4. Amendment to Contract - Friends Research Institute, Inc. - Substance Abuse outpatient facilities**

An amendment to the contract with Friends Research Institute, Inc., to increase the compensation paid to the contractor to include an incentive award to improve outcomes in substance abuse level I outpatient facilities.

**5. Amendment #2 to Contract - Benjer, Inc. - Demolition Services**

Amendment # 2 to the contract with Benjer, Inc., to increase the total compensation paid to the contractor, together with all other contractors also awarded a contract pursuant to the bid.

**6. Contract - Novaks Hauling, Inc. - Snow Removal and Deicing Services**

A contract with Novaks Hauling, Inc., to provide snow removal and deicing services.

**7. Contract - Nelson's Landscaping, Snow Plowing & Cleaning Services, LLC - Snow Removal and Deicing Services**

A contract with Nelson's Landscaping, Snow Plowing and Cleaning Services, LLC, to provide snow removal and deicing services.

**8. Contract - EcoAnalysts, Inc. - Engineering services for Benthic Macroinvertebrate Sampling**

A contract with EcoAnalysts, Inc., to provide for environmental engineering services for benthic macroinvertebrate sampling.

**9. Contract -Johnson, Mirmiran & Thompson, Inc. - On-call engineering services**

A contract with Johnson, Mirmiran & Thompson, Inc., to provide on-call civil engineering services to prepare studies, preliminary designs and contract documents for site development of public building projects as needed.

**10. Contract - Hord, Coplan, Macht, Inc. - On-call architectural services**

A contract with Hord, Coplan, Macht, Inc., to provide on-call architectural services to perform preliminary design, site survey, geotech reports, cost estimates, schematic design, design development construction document, bid and construction administrative phase services as needed.

**11. BAT # 08-06C - Public Works - Maintenance Repair - Bridge #79**

A budget appropriation transfer needed for the Department of Public Works to be used for the maintenance and repair of bridge # 79 on Wise Avenue, due to deteriorated and inoperable condition to maintain marine traffic as requested by the U.S. Coast Guard.

**12. Contract - DNK Enterprise, Inc. - Snow Removal and Deicing Services**

A contract with DNK Enterprise, Inc., to provide snow removal and deicing services.

**13. Contract - Maryland Department of Juvenile Services - Circuit Court Liaison**

## **Services - DJS Community Detention Program**

A contract with the Maryland Department of Juvenile Services, to provide resource coordination and Circuit Court liaison services to Baltimore County youth assigned to DJS community detention program.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 13 were unanimously approved.

### **G. MISCELLANEOUS BUSINESS**

#### **1. Res. 1-08 - Woodlawn Commercial Revitalization District**

At the direction of the Chairman, the Secretary read this resolution for the purpose of expanding the existing boundaries of the Woodlawn Commercial Revitalization District along Woodlawn Drive and Security Boulevard. Councilman Olszewski commented. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, this resolution was unanimously approved.

#### **2. Res. 2-08 - Revision of County's Investment Policy**

At the direction of the Chairman, the Secretary read this resolution to revise the County's Investment Policy to emphasize safety and diversification, increase oversight authority through an investment committee and prohibit the purchase of asset-backed commercial paper and derivatives. Keith Dorsey appeared. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this resolution was unanimously approved.

#### **3. Appointment - Baltimore County Board of Appeals - Andrew M. Belt**

At the direction of the Chairman, the Secretary read this correspondence from Councilman Gardina requesting the appointment of Andrew M. Belt to the Baltimore County Board of Appeals for a three year term ending on April 30, 2010. Arnold Eppel appeared. Councilman Gardina commented. There being no discussion, upon motion by Councilman Gardina seconded by Councilman Oliver, this resolution was unanimously approved.

#### **4. Res. 3-08 - Property Tax Exemption - Vivian G. Raskin**

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Vivian G. Raskin 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 Kamenetz, seconded by Councilman Moxley, this resolution was unanimously approved.

#### **5. 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, 2007.

**6. Res. 4-08 - Development Rights Easements - Agricultural Preservation Areas**

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 appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, this resolution was unanimously approved.

**7. Res. 5-08 - Property Tax Exemption - Lee A. Williams**

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Lee A. Williams 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.

**8. Res. 6-08 - Public Disclosure - Mark H. Tabisz**

At the direction of the Chairman, the Secretary read this resolution concerning the public disclosure of Mark J. Tabisz, an employee of the Baltimore County Department of Public Works who has applied for a zoning variance to enclose a deck at his residence at 3702 Oakfalls Way. There being no discussion, upon motion by Councilman Gardina, seconded by Councilman Moxley, this resolution was unanimously approved.

**9. Reappointment - Adult Public Guardianship Review Board - Marre Fanning**

At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting the re-appointment of Marre Fanning, M.S.W. to the Baltimore County Adult Public Guardianship Review Board. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, this resolution was unanimously approved.

**10. Res. 7-08 - Planning Board - County-wide Sustainability Program**

This resolution was for introduction only.

11. This resolution was withdrawn prior to the meeting.

**12. Res. 9-08 - Extension of 90-day period for Cavalier IPTV, LLC - Cable**

## **Franchise Agreement**

At the direction of the Chairman, the Secretary read this resolution to extend the 90-day period within which the Council may agree on the terms of a competitive cable franchise agreement with Cavalier IPTV, LLC. Councilmembers Kamenetz commented then was questioned by Councilman Gardina. There being no further discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, 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 Oliver, the meeting adjourned at 7:30 P.M.

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Thomas J. Peddicord, Jr.