

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2008, LEGISLATIVE DAY NO. 20
November 17, 2008 7:00 P.M.

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 Boy Scout Pack 26 of St. Ursula’s Church. 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 November 3, 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 103-08, 104-08, 106-08, 107-08, and 109-08.

D. INTRODUCTION OF BILLS

BILL 121-08, entitled An Act for the purpose of permitting a revitalization property tax credit to be combined with the high performance buildings tax credit; and generally relating to property tax credits.

BILL 122-08, entitled An Act for the purpose of amending the 2008-2009 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 Federal Emergency Management Agency.

BILL 123-08, entitled An Act for the purpose of amending the 2008-2009 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County from the federal government through the Metropolitan Police Department.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 111-08, Capital Budget - Towson Circle III Project, was called. David Iannucci appeared. Councilman Gardina commented. Councilman Moxley then moved to amend this Bill with the following amendment:

On page 2, in line 4, strike “appropriate” and substitute “appropriating”; in line 6, strike “County-wide” and substitute “Countywide”; also in line 6, strike “Towson Circle III”.

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

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

There being no further discussion, upon motion by Councilman Moxley, seconded by Councilman Gardina, Bill 111-08, as amended, passed by the following roll call vote:

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

Bill 113-08, CEB - Special Operations Support Grant, was called. Captain Gordon Skinner 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 114-08, CEB - Domestic Violence Training Equipment Grant, was called. Captain Andre Davis 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 115-08, CEB - License Plate Recognition Grant, was called. Major Joe Burris 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 116-08, CEB - Enforcing Underage Drinking Laws, was called. Lt. McCann 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 117-08, this Bill was withdrawn prior to the meeting.

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 November 12, 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 9. Fiscal Matters 10 and 11 were discussed separately.

1. Contracts - (8) - Snow Removal and Deicing Services

Eight contracts for snow removal and deicing services. These contracts are to handle the removal of snow and ice from all roads with traffic volumes of 10,000 vehicles per day or greater, which will allow the Department of Public Works' trucks to move into the subdivision streets more quickly.

2. Addendum#3 to Contract - Rummel, Klepper & Kahl, LLP - On-call Engineering Services

A contract of sale with Robert, Virginia and Douglas Dunkes, for the acquisition of a conservation easement, located at 4709 Breidenbaugh Lane, Glen Arm, Maryland 21057, containing 54.48 acres, more or less for the protection of agricultural natural resources in the Long Green Valley area.

3. Contract - BARCO Enterprises, Inc. - HVAC and duct cleaning services on an on-call basis

A contract with BARCO Enterprises, Inc., to perform HVAC and duct-cleaning services on an on-call basis for all Baltimore County owned, leased or operated buildings within the confines of Baltimore County, Maryland.

4. Contract of Sale - Carolyn A. Jennings - Acquisition of easement to preserve ag. land, watersheds & wetlands

A contract of sale with Carolyn A. Jennings, for the acquisition of an easement, located at 5306 Trenton Mill Road, Upperco, Maryland 21155, to preserve agricultural land, watersheds and wetlands.

5. Contract of Sale - Patricia Ann Bell - Widening of Warren Road

A contract of sale with Patricia Ann Bell, to purchase property located at 519 Warren Road, Cockeysville, Maryland 21030, for the widening and realignment of Warren Road.

6. Contract of Sale - Bruce R. Chapper, P.R. of the Estate of Wanda C. Orms - Widening of Academy Avenue

A contract of sale with Bruce R. Chapper, P.R. of the Estate of Wanda C. Orms, for the acquisition of property located at 922 Academy Avenue, Owings Mills, Maryland 21117, for the widening of Academy Avenue at Gwynbrook Avenue.

7. Addendum to Contract - Reliastar Life Insurance Company - Life Insurance Coverage

An addendum to the contract with Reliastar Life Insurance Company, to extend the term of the contract an additional nine months to August 31, 2009, to allow time to develop a competitive bid.

8. BAT 09-02 - Department of Social Services - Family Investment Division

A budget appropriation transfer is being requested to provide manpower to address the backlog of casework in the Family Investment Division. The funds will be used to contract for temporary clerical staff and pay overtime for current County staff to work on thousands of applications for assistance and the renewals for ongoing benefits that the agency is unable to process in a timely manner. Funds are available for transfer from Reserve for Contingencies program.

9. BAT 09-03 - Police Department - FOP Arbitrated Salary and Incidental Benefits

A budget appropriation transfer is being requested for the distribution of FOP arbitrated salary and incidental benefits as set aside by the County Executive and approved by the County Council in the FY09 Adopted Operating Budget. Funds were set aside for transfer in reserve contingencies program.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 9 passed by the following roll call vote:

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

Chairman Kamenetz stated that the Council would now consider Fiscal Matters 10 and 11.

10. Amendment #3 -(2)- Eastside Comm. Development Corp. & We Are Family Comm. Development Corp. - homeownership counseling

Two amendments to the contracts with Eastside Community Development Corporation and We Are Family Community Development Corporation, to allow for additional staffing at 2 of the County's existing homeownership counseling groups, to meet the demand for foreclosure prevention and mitigation counseling for Baltimore County homeowners. Mary Harvey appeared. Councilmembers McIntire, Moxley, Gardina and Kamenetz questioned Ms. Harvey. Councilmembers Oliver and Olszewski commented. Mr. Homan also commented. There being no further discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Fiscal Matter was unanimously approved.

11. BAT 09-04 - Office of Community Conservation - Mortgage foreclosure and mitigation counselors

A budget appropriation transfer is being requested for the funding of mortgage foreclosure prevention and mitigation counselors. The funds were available in the contingency for reserve to support unanticipated or unexpected expenditures. Mary Harvey remained. Councilman Kamenetz questioned Ms. Harvey. There being no further discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Fiscal Matter was 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 October 2008.

2. Res. 91-08 - Approve Review of PUD - The Woda Group - Restoration Village Senior Community

_____ 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. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, this Resolution was unanimously approved.

3. Res. 92-08 - Approve Easement Purchases through MD Ag. Land Preservation Foundation

_____ At the direction of the Chairman, the Secretary read this resolution to approve the County's contribution toward the purchase of certain development rights easements on property located within State Agricultural Land Preservation Districts in accordance with Title 2, Subtitle 5, Agriculture Article, Annotated Code of Maryland, and Article 24 Land Preservation, Baltimore County Code, 2003. Wally Lippincott appeared. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Resolution was unanimously approved.

4. Res. 93-08 - Accept donation from Patuxent Publishing for Department of Aging

_____ At the direction of the Chairman, the Secretary read this resolution to authorize the County to accept a donation of 300,000 informational booklets for the use of the Baltimore County Department of Aging. Arnold Eppel appeared. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution was unanimously approved.

5. Res. 94-08 - PILOT - Evergreen Senior Apartments (Kingsley Park)

_____ 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 Evergreen Senior Apartments Limited Partnership for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the development of a housing project to benefit elderly persons in Baltimore County. Mary Harvey appeared. Councilmembers Bartenfelder, McIntire, Gardina and Kamenetz questioned Ms. Harvey. Councilman McIntire also questioned Councilman Gardina. Councilman Gardina then commented. There being no further discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution passed by the following roll call vote:

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

6. Res. 95-08 - Endorsement of State Financial Assistance for Evergreen Senior Apartments

_____ At the direction of the Chairman, the Secretary read this resolution approving the development of housing in Essex, Baltimore County, Maryland, to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration. Mary Harvey remained. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution passed by the following roll call vote:

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

7. Res. 96-08 - Property Tax Exemption - DAV - Brian A. Hubbard

_____ At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Brian A. Hubbard 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 Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

8. Res. 97-08 - Greenspring - East Pikesville Community Action Plan

_____ At the direction of the Chairman, the Secretary read this resolution to review and update the Greenspring - East Pikesville Community Action Plan. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, this Resolution was unanimously approved.

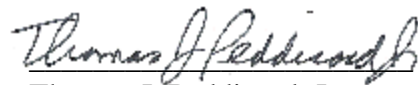
9. Res. 98-08 - Approve Review of PUD - Associated Catholic Charities, Inc. - 4313 Fitch Avenue

_____ This Resolution was for introduction only.

10. Res. 99-08 - Amendment to South Perry Hall - White Marsh Area Plan

_____ This Resolution was for introduction only.

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 8:00 P.M.


Thomas J. Peddicord, Jr.