

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 05
March 2, 2009 3:00 P.M.

A. The meeting was called to order by Chairman Bartenfelder at 3:15 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 meeting of February 17, 2009 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

 The Chairman stated that the following bill was passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bill 6-09.

D. INTRODUCTION OF BILLS

BILL 15-09, 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 from the United States Department of Justice, Office on Violence Against Women, through the Maryland Governor's Office of Crime Control and Prevention available to the County through the Department of Social Services, to be used for the Court Advocate Program (VAWA).

BILL 16-09, 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 from the United States Department of Agriculture, Food and Nutrition Services passed through the State of Maryland Department of Human Resources to the County through the Department of Social Services.

BILL 17-09, entitled An Act for the purpose of raising the level of ownership interest an individual must have to be considered an owner of a property for purposes of boarding- or rooming house analysis; providing that an individual who lives in a building for a certain amount of time may be considered to reside in a building for purposes of boarding- or rooming house analysis under certain circumstances; providing for the burden of proof under certain circumstances; clarifying the intent of county rental housing law; clarifying a certain term; and generally relating to boarding- or rooming houses.

E. CALL OF BILLS FOR FINAL READING AND VOTE

 Bill 7-09, CEB - Maryland Business Works Program, was called. Barry Williams appeared. Councilman Moxley then moved to amend this Bill with the following amendment:

On page 1, in the third line of the title, strike “Maryland Business Works Program” and substitute “Workforce Investment Act Customer Services Office”.

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

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Olszewski, Bill 7-09, as amended, passed by the following roll call vote:

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

 Bill 8-09, Zoning Regulations - O.T. Zone, was called. Councilman Kamenetz commented then moved to amend this Bill with the following amendments:

1. On page 1, strike the purpose paragraph and substitute:

“FOR the purpose of prohibiting residential uses as a matter of right in the O.T. Zone in certain areas of the County; and generally relating to permitted uses in the O.T. Zone.”

2. On page 3, in line 7, strike the brackets and after “uses”, insert “, EXCEPT IN THE OWINGS MILLS TOWN CENTER”
3. On page 3, in line 17, after “enactment” insert “, and shall not apply to any development plan or planned unit development approved prior to the effective date of this Act.

Councilman Oliver seconded the motion and these amendments passed by the following roll call vote:

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

There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Oliver, Bill 8-09, as amended, passed by the following roll call vote:

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

_____ **Bill 9-09**, CEB - FFY06 HSGP UASI, was called. Chief Hubbard 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 10-09**, Tax Sales - Date of Commencement, was called. Keith Dorsey 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

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 February 24, 2009. 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 Bartenfelder then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 3.

1. Contract - Mar-Len Environmental, Inc. - On-call professional forester - Forest Sustainability Program

A contract with Mar- Len Environmental, Inc., to provide the services of an on-call professional forester, to assist with implementation of DEPRM's forest sustainability program.

2. BAT 0905C - Public Schools - Sudbrook Magnet Middle and Cockeyville Middle Schools

A budget appropriation transfer is being requested for renovations at Sudbrook Magnet Middle School and Cockeyville Middle School. The funds are being transferred from four renovation projects where there are surplus funds available.

3. Contracts - (2) - Snow Removal and Deicing

Two contracts with W.R. Preston, Jr. Trucking and C & L Excavating, Inc., for snow removal and deicing services.

There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Moxley, Fiscal Matters 1 through 3 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Res. 13-09 - Approve Review of PUD - Center at Owings Mills- 4th Councilmanic District

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. Hill Management Services, Inc., has submitted an application for approval of a 1.2 acre site located on the east side of Red Run Boulevard, west of Dolfield Boulevard in the Fourth Councilmanic District to be developed as a general development planned unit development (PUD) known as the Center at Owings Mills. Councilman Olszewski commented. There being no further discussion, upon motion by Councilman Oliver, 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 Oliver the meeting adjourned at 3:25 P.M.


Thomas J. Peddicord, Jr.

