

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 08**  
**April 20, 2009                      7:00 P.M.**

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A.     The meeting was called to order by Chairman Bartenfelder at 7:05 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 Scout Troop 779 of Fork United Methodist Church. There were approximately 100 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 April 6, 2009 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 15-09, 16-09 and 17-09.

**D.     INTRODUCTION OF BILLS**

**BILL 24-09**, 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 to the County through the Maryland Emergency Management Agency (MEMA).

**BILL 25-09**, 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 to the County through the Maryland Emergency Management Agency (MEMA)

**BILL 26-09**, 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 to the County through the Maryland Emergency Management Agency (MEMA).

**BILL 27-09**, 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 to the County through the Maryland Emergency Management Agency (MEMA).

**BILL 28-09**, 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 to the County through the United States Department of Housing and Urban Development.

**BILL 29-09**, 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 economic stimulus funds and made available to the County through the Maryland Department of Labor, Licensing and Regulation.

**BILL 30-09**, entitled An Act for the purpose of repealing the Basic Services Sewerage Map, the Basic Services Water Supply Map and the Basic Services Transportation Map; and adopting a new Basic Services Sewerage Map, a new Basic Services Water Supply Map and a new Basic Services Transportation Map.

**BILL 31-09**, 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 to the County through the Office of Economic Adjustment.

**BILL 32-09**, 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 to the County through the Maryland Department of Housing and Community Development (MDHCD).

**BILL 33-09**, 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 to the County through the Maryland Department of Labor, Licensing and Regulation.

**BILL 34-09**, entitled An Act for the purpose of permitting farmstead creameries as of right in certain zones; placing certain limitations on the use of a farmstead creamery; clarifying certain law regarding agricultural uses in certain zones; defining a certain term; amending certain definitions; and generally relating to the use of creameries in certain zones.

**BILL 35-09**, entitled the Annual Budget and Appropriation Ordinance of Baltimore County to adopt the County Budget, consisting of the Current Expense Budget for the fiscal year ending June 30, 2010, the Capital Budget for the fiscal year ending June 30, 2010 and the Capital Improvement Program for the fiscal years ending June 30, 2011, June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015; and to appropriate funds for all expenditures for the fiscal year beginning July 1, 2009 and ending June 30, 2010, as hereinafter indicated.

**BILL 36-09**, entitled An Act for the purpose of levying and imposing a property tax for the use of Baltimore County for taxable year beginning July 1, 2009 and ending on the thirtieth day of June following; fixing the rate of county taxation for such taxable year; fixing the rate to be charged when property taxes are paid on a semi-annual basis; and generally relating to the property tax.

**BILL 37-09**, entitled An Act for the purpose of providing for certain changes to the Baltimore County Classification and Compensation Plan by amending certain Pay Schedules; adding certain new class titles, codes and grades; changing certain job classifications, class titles, codes and grades; abolishing certain job classifications, codes and grades; amending certain personnel rules and regulations; providing for the application of this Act; and generally relating to the governance and compensation of the personnel of Baltimore County Government.

**BILL 38-09**, entitled An Act for the purpose of exempting certain dwellings from the scope of the Rental Housing License law.

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

**Bill 18-09**, CEB - Cracking Down on Auto Theft, was called. Major Joe Burris appeared. Council Moxley commented. There being no further discussion, this bill was passed by the following roll call vote:

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

**Bill 19-09**, CEB - FFY2008 BZPP (Buffer Zone Protection Program), was called. Major Jeff Caslin 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 20-09**, CEB - Neighborhood Stabilization Program (NSP) was called. Mary Harvey 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 21-09**, Tax Credits 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

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**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 April 14, 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 5.

**1. Contracts - (2) - Senior Assisted Living Subsidy Program**

Two contracts with New Age Living and Red Dot Homes, LLC T/A Sudbrook Manor, for the Baltimore County Senior Assisted Living Subsidy Program, to provide assisted living care to seniors in Baltimore County, Maryland. The Department expects that 74 clients will have been served in FY'09.

**2. Memorandum of Understanding - NMWDA - Expanded Regional Resource Recovery Facility**

A memorandum of understanding by and among Harford County, Maryland, Northeast Maryland Waste Disposal Authority (NMWDA), for the development of an expanded regional resource recovery facility (waste to energy). The expanded facility will be a modern, state-of-the-art, energy recovery facility with a design capacity of 547,000 tons per year (1,500 tons per day). Baltimore County and Harford County will each be allotted 273,750 tons per year of design capacity (50%). Each of the Counties will reimburse the NMWDA for certain of the Authority's cost expenses for the development of the facility.

**3. Contract of Sale - Richard & Carol Bernstein - Agricultural Easement - Ag. Preservation Program**

A contract of sale with Richard and Carol Bernstein, to acquire an agricultural easement, located at 2025 Freeland Road, Freeland, Maryland 21053; for the protection of farmland through the County Agricultural Land Preservation Program.

**4. Contracts - (2) - Waterproofing Services**

Two contracts with Christopher B. Miller Co., Inc. and C.T. Battle Enterprises for waterproofing services.

**5. Contracts of Sale - (2) - Widening of Putty Hill Avenue at Harford Road**

Two contracts of sale with Edan Realty Company and Richard & Joanne Davenport for the widening of Putty Hill Avenue project at Harford Road in Baltimore County, Maryland.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver Fiscal Matters 1 through 5 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 March 2009.

**2. Res. 22-09 - Accept gift from MD Masonic Homes to Department of Aging**

At the direction of the Chairman, the Secretary read this resolution to authorize the County to accept a gift for the use of the Baltimore County Department of Aging. The Department of Aging has received a donation from Maryland Masonic Homes having an approximate value of \$6,000 providing catering services and the facility to hold the annual Staff Learning Day. Arnold Eppel appeared. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this resolution was unanimously approved.

**3. Res. 23-09 - Catonsville Heritage Foundation Grant for Lurman Tenant House**

At the direction of the Chairman, the Secretary read this resolution to approve a grant to Catonsville Heritage Foundation, Inc. as part of the Baltimore County Office of Community Conservation Action Grant Program. Mary Harvey appeared. There being no discussion, upon motion by Councilman Kamenetz, seconded by Councilman Bartenfelder, this Resolution passed by the following roll call vote:

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

Nay - None

Abstain - Moxley

**4. Res. 24-09 - Property Tax Exemption - Paul Martin**

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

**5. Reappointment - Board of Appeals - Maureen Murphy**

At the direction of the Chairman, the Secretary read the correspondence, requesting Ms. Maureen Murphy to be reappointed to the Baltimore County Board of Appeals for an additional three year term beginning May 1, 2009. There being no discussion, upon motion by Councilman Mozley, seconded by Councilman McIntire, this reappointment was unanimously approved.

**6. Reappointment - Board of Appeals - Edward Crizer**

At the direction of the Chairman, the Secretary read the correspondence, requesting Mr. Edward Crizer to be reappointed to the Baltimore County Board of Appeals for an additional three year term beginning May 1, 2009. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this reappointment was unanimously approved.

**7. Res. 25-09 - Planning Board - Red Line Transit Corridor Plan**

At the direction of the Chairman, the Secretary read this resolution of the Baltimore County Council asking the Baltimore County Planning Board to prepare a Red Line Transit Corridor Plan in support of the Red Line Transit Project. Councilman Moxley commented. 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 McIntire the meeting adjourned at 7:15 P.M.

  
Thomas J. Peddicord, Jr.