

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 09**  
**May 4, 2009            7:00 P.M.**

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**A.**     The meeting was called to order by Chairman Bartenfelder 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 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
JOSEPH BARTENFELDER	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

Councilman Gardina was absent the entire meeting.

**B.     APPROVAL OF JOURNAL**

Upon motion by Councilman Olszewski, seconded by Councilman Moxley, the reading of the Journal Entries for the meeting of April 20, 2009 was waived and accepted unanimously by the six Councilmembers present.

**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 18-09, 19-09, 20-09 and 21-09.

**D.     INTRODUCTION OF BILLS**

**BILL 39-09**, entitled An Act for the purpose of adding new landmarks to the Final Historical Landmarks List; and generally relating to the Baltimore County Historical Landmarks List.

**BILL 40-09**, This Bill was withdrawn prior to the meeting.

**BILL 41-09**, entitled An Act for the purpose of authorizing the Hearing Officer to remand a certain concept plan to the Planning Board; and generally relating to the authority to remand certain matters to the Planning Board.

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

**Bill 22-09**, Zoning Regulations - Community Care Center, was called. Councilman Kamenetz commented. There being no further discussion, this bill was passed by the following roll call vote:

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

**Bill 23-09**, This Bill was withdrawn prior to the meeting.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 April 28, 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. Addendum #1 to Contract - Human and Rohde, Inc./Wallace, Montgomery & Associates, LLP - Rec. and Parks**

An addendum to the contract with Human and Rohde, Inc./Wallace Montgomery & Associates., LLP, a joint venture, to increase the maximum amount payable by the county.

**2. Contract - Delores Nash d/b/a Delores Nash Auctioneers - Tax Sale Auctioneer Services**

A contract with Delores Nash d/b/a Delores Nash Auctioneers, to provide tax sale auctioneering services.

**3. Contract of Sale - Frederick and Nerina Rogers - 3018 Putty Hill Avenue - Widening of Putty Hill Avenue**

A contract of sale with Frederick and Nerina Rogers, to purchase property located at 3018 Putty Hill Avenue, Parkville, Maryland 21234, for the widening of Putty Hill Avenue.

**4. Contract of Sale - Rita M. Foard/Rita M. Aldrich - 11500 Philadelphia Rd. - Drainage and utility easements**

A contract of sale with Rita M. Foard now known as Rita M. Aldrich, for an acquisition of property located at 11500 Philadelphia Road, White Marsh, Maryland 21162, that will provide drainage and utility easements in which to construct a sanitary sewer.

**5. Contract - VIP Special Services - Window Wash Services for various Baltimore County facilities**

A contract with VIP Special Services, LLC, to provide services to wash all interior and exterior windows, glass doorways and lights on both the inside and outside of 22 various Baltimore County Facilities.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver Fiscal Matters 1 through 5 were unanimously approved by the six Councilmembers present.

**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 and April 2009.

**2. Res. 26-09 - 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 use of Baltimore County, Maryland. The United States Marshals Service - District of Maryland is donating indoor firing range equipment and parts in the form of five (5) Meggitt Defense Systems and five (5) local control units to the Baltimore County Police Department. Major Ron Swartz appeared. There being no discussion, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this resolution was unanimously approved by the six Councilmembers present.

**3. Res. 27-09 - Catonsville Heritage Foundation Grant for Lurman Tenant House**

At the direction of the Chairman, the Secretary read this resolution adopted pursuant to the Maryland Economic Revenue Bond Act authorizing Baltimore County, Maryland, to issue and sell its bonds as its limited obligations and not upon its faith and credit or pledge of its taxing power, in one or more series, up to the aggregate amount of \$45,000,000, at the request of PRG – Towson Place Properties L.L.C., a Maryland limited liability company, the sole member of which is Provident Resources Group Inc., a Georgia non-profit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, for the purpose of financing the costs of the acquisition by PRG – Towson Place Properties L.L.C. of certain facilities consisting of an approximately 15.5 acre parcel of land located at 7700 – 7736 Greenview Terrace in Towson, Baltimore County, Maryland and adjacent to the campus of Towson University improved by thirty-three (33) brick buildings containing 220 apartments, with an aggregate of approximately 184,225 gross square feet and approximately 160,196 rentable square feet, to be rented exclusively to students, faculty and staff of Towson University; together with certain fixtures, equipment and other facilities functionally related and subordinate thereto, and such other interests in land, improvements, furnishings and equipment as may be necessary or suitable for the foregoing; specifying and describing the facilities to be financed; describing generally the public purposes to be served and the financing transaction to be accomplished;

specifying the maximum aggregate principal amount of bonds that may be issued; authorizing the County Executive or the County Administrative Officer, by executive order or otherwise, to specify, prescribe, determine, provide for or approve certain matters, details, forms, documents, or procedures appropriate to the authorization, sale, security, issuance, delivery or payment of or for such bonds; and specifying and describing various matters in connection therewith, as required or permitted by such Act. David Iannucci appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved by the six Councilmembers present.

**4. Petition for Condemnation - Laura Sheridan Lyons - Realignment of Warren Road**

At the direction of the Chairman, the Secretary read this petition for condemnation from the Administrative Officer with Laura Sheridan Lyons, for the acquisition of property located at 701 Bosley Road, Cockeysville, Maryland 21030, for the widening and realignment of Warren Road. Shirley Murphy appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Kamenetz, this resolution was unanimously approved by the six Councilmembers present

**5. Res. 28-09 - Property Tax Exemption - DAV - Thomas G. Jewell**

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Thomas G. Jewell 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 further discussion, upon motion by Councilman Kamenetz, seconded by Councilman Moxley, this resolution was unanimously approved by the six Councilmembers present.

**6. Res. 29-09 - Public Disclosure - Carole S. Demilio**

At the direction of the Chairman, the Secretary read this resolution concerning the public disclosure of Carole S. Demilio, an employee of the Office of People's Counsel. Carole S. Demilio, an employee of the Office of People's Counsel, has filed a Petition for Special Hearing for a right-of-way transfer for the property at 16323 Old York Road, Monkton, Maryland 21111. There being no further discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved by the six Councilmembers present.

**7. Res. 30-09 - Revoking prior approval of PUD for Corporate Trust**

This Resolution was withdrawn prior to the meeting.

There being no further business to come before the Council at this time, upon motion by Councilman Moxley, seconded by Councilman Kamenetz the meeting adjourned at 7:15 P.M.

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Thomas J. Peddicord, Jr.