

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2009, LEGISLATIVE DAY NO. 11
June 1, 2009 6:00 P.M.

A. The meeting was called to order by Chairman Bartenfelder at 6:00 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 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 May 21, 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 24-09, 25-09, 26-09, 27-09, 28-09, 29-09, 30-09, 31-09, 32-09, 33-09, 34-09, 35-09, 36-09, 37-09 and 38-09.

D. INTRODUCTION OF BILLS

BILL 42-09, 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 Aging.

BILL 43-09, entitled An Act for the purpose of amending the 2009-2010 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 Aging.

BILL 44-09, entitled An Act for the purpose of amending the 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 Governor's Office of Crime Control and Prevention/Byrne-Justice Assistance Grant Program.

BILL 45-09, 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 U.S. Department of Housing and Urban Development (HUD).

BILL 46-09, entitled An Act for the purpose of amending the 2009-2010 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 Housing and Urban Development (HUD) as part of the American Recovery and Reinvestment Act of 2009.

BILL 47-09, entitled An Act for the purpose of amending the 2009-2010 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 48-09, 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 Governor's Office of Crime Control and Prevention.

BILL 49-09, entitled An Act for the purpose of prohibiting the delivery of unsolicited advertising circulars to any residential address in the County unless the circular contains a certain notice; prohibiting the placement of such circulars on motor vehicles; defining terms; providing penalties for violations; providing for enforcement of the law; and generally relating to the delivery of unsolicited advertising circulars.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 39-09, Final Landmarks List, was called. Karin Brown 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 41-09, 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 May 26, 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 15 and 18. Fiscal Matters 16 and 17 would be considered separately.

1. BAT 09-05 - CCBC - Institutional Support

A budget appropriation transfer totaling \$700,000 to the Institutional Support Program of the Community College of Baltimore County to fund higher than expected contractual service costs for various purposes.

2. BAT 09-06 - Baltimore County Public Schools - Year-end Expenditures

A budget appropriation transfer totaling \$5,339,123 to seven programs within the Baltimore County Public Schools budget to fund higher than expected costs for utilities, school-based spending, the new charter school, and other costs.

3. BAT 09-07 - Department of Public Works - Year-end Expenses

A budget appropriation transfer totaling \$2,319,000 to 10 programs within the Department of Public Works to fund higher than anticipated costs for storm emergencies, fuel, salaries, operational supplies, water service, maintenance/repairs, and mileage reimbursement.

_____ 4. BAT 09-07 - Department of Public Works - Year-end Expenses

A budget appropriation transfer totaling \$1.8 million to the Fire Department to fund higher than anticipated salary costs due to leave payouts to retiring employees and lower vacancy rates than anticipated, which are expected to result in unrealized turnover savings.

_____ 5. Contract of Sale - Carrie M. McBride - Drainage/Utility Easement - Lloyd Avenue - White Marsh

A contract of sale with Carrie M. McBride for a drainage and utility easement needed to construct a sanitary sewer along Lloyd Avenue west of Philadelphia Road.

6. Contract of Sale - Wendy K. Dixon - Widening of Lyons Mill Road

A contract of sale with Wendy K. Dixon to be used for highway widening, temporary construction and adjustment, and temporary slope easement areas in connection with the widening of Lyons Mill Road.

7. Contract of Sale - Thomas & Elizabeth Magaha - Widening of Warren Road

A contract of sale with Thomas and Elizabeth Magaha to be used for the widening and realignment of Warren Road in Cockeysville.

8. Contract of Sale - Calvin & Patricia Bennett - Replacement of Thornton Mill Road Bridge

A contract of sale with Calvin and Patricia Bennett to be used for a highway right-of-way area and a temporary construction area in connection with the replacement of the Thornton Mill Road Bridge.

9. Contract of Sale - Patricia A. Burke - Widening of Putty Hill Avenue

A contract of sale with Patricia A. Burke to be used for highway widening, temporary construction and adjustment, and temporary slope easement areas in connection with the widening of Putty Hill Avenue.

10. Contracts - (6) - Information Technology Commodities Contractors

Six contracts to establish a pool of contractors to provide information technology commodities and related services. The six contractors are: Advanced Computer Concepts, Inc., Data Networks of America, Inc., Halifax Corporation of Virginia, Hartford Computer Group, Inc., Presidio Networked Solutions, Inc.; and USC/Canterbury Corporation.

11. Amendment to Contract - Syscom, Inc. - Compensation Cap Increase

An amendment to a contract with Syscom, Inc. to add 10 automatic 1-year renewal periods to the current term and increase the maximum compensation of the contract which supports the County's enterprise document imaging and retrieval system.

12. Contract - HEI Hunt Valley LLC d/b/a Hunt Valley Inn - Hostage Negotiation Team Seminar

A contract with Hunt Valley Inn to provide food and beverages, meeting space and lodging for the Police Hostage Team Seminar which is scheduled for February 2010. All costs associated with the seminar, including any liquidated damages charged to the County will be funded by the Baltimore County Police Foundation.

13. Contracts- (3) - Family Counseling Services - Local Management Board

Three contracts to provide community-based family counseling services. The three contractors are: Dundalk Youth Services Center, Inc., First Step, Inc., and Lighthouse, Inc.

14. Contract - Veolia Transportation Services, Inc.-Sedan/cab services-Medicaid Recipients

A contract with Veolia Transportation Services, Inc., to provide transportation for eligible Medicaid recipients to and from medical appointments and services.

15. Contract - Overflo Warehouse LLC - Emergency Surplus Food Distribution

A contract with Overflo Warehouse, LLC to distribute emergency surplus food to local food pantries.

18. BAT 09-09 - Police Department - Operations Program

A budget appropriation transfer totaling \$157,000 to the Police Department to restore funding for overtime expended at the request of the Mass Transit Administration.

_____ There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 through 15 and 18 were unanimously approved.

At this time the Chairman asked the Secretary to read the cover letters for Fiscal Matters 16 and 17.

16. Ground Lease - Towson Swim Center, LLC - Warden's Building

A ground lease between Baltimore County and Towson Swim Center, LLC for a portion of the structure known as the Warden's Building. Towson Swim Club will be leasing a portion of the property to construct and operate a community swim center and a food and beverage service, fitness center, child day care center, meeting facilities and a party/recreation space.

17. Ground Lease - Towson Jail Associates, LLC - Warden's Building

A ground lease between Baltimore County and Towson Jail Associates, LLC for a portion of the structure known as the Warden's Building. Towson Jail Associates will be leasing a portion of the property for a café and general commercial office use.

_____ Nancy West appeared and was questioned by Councilman Moxley. Comments were also made by Fred Homan. Thereafter, upon motion by Councilman Gardina, seconded by Councilman Olszewski, Fiscal Matters 16 and 17 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 April, 2009.

2. Grant Recommendations - Non-Profit Organizations

At the direction of the Chairman, the Secretary read the correspondence from the Administrative Officer requesting approval of operating grants and capital endowments to 46 cultural and artistic nonprofit organizations. Mr. Barrett appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, these grant recommendations were unanimously approved.

Chairman Bartenfelder stated that the Council would now consider Miscellaneous Business Item #14.

14. Res. 40-09 - Accept donation from Baltimore County Farm Bureau for Recreation and Parks

At the direction of the Chairman, the Secretary read this resolution to accept a donation of a trailer valued at \$10,000 from the Baltimore County Farm Bureau to be used for nature education programs at Stansbury Park for youth and adults. Mr. Barrett remained. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Gardina, this resolution was unanimously approved.

3. Res. 31-09 - Amendment to PUD Review - Iron Horse Properties, LLC

At the direction of the Chairman, the Secretary read this resolution to approve an amendment to the community benefit proposed as part of a previously approved Resolution permitting the review of a Planned Unit Development known as Brandywine, submitted by Iron Horse Properties, LLC. The development consists of an approximately 7.44 acre site located at the northeast corner of Kenwood Avenue and Delege Road, the improvements thereon known as 6204 Kenwood Avenue, in the 6th Councilmanic District. Councilman Bartenfelder commented. Thereafter, upon motion by Councilman Bartenfelder, seconded by Councilman Moxley, this Resolution was unanimously approved.

4. Res. 32-09 - Expend Non-Local Funds for CCBC

At the direction of the Chairman, the Secretary read this resolution to expend additional non-local funds totaling \$6,260,000 for higher than expected tuition and fees and grant revenues, partially offset by lower-than-expected State aid and interest income. Melissa Hopp appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved.

5. Res. 33-09 - Residential Permit Parking Area "B" - Designated areas of West Towson

At the direction of the Chairman, the Secretary read this resolution which proposes to amend an existing residential permit parking area in the Southland Hills community. Bill Korpman appeared. There being no discussion, upon motion by Councilman Gardina, seconded by

Councilman Oliver, this resolution was unanimously approved.

6. Res. 34-09 - Sanitary Sewer Extension - Franktown Diamond Point Area - 7th Council District

At the direction of the Chairman, the Secretary read this resolution to approve a sanitary sewer extension in the Diamond Point area of Eastpoint, at Oriole Avenue and Diamond Point Road, in the 7th Councilmanic District. Bill Korpman remained. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this resolution was unanimously approved.

7. Res. 35-09 - Additional Grant Funding - Baltimore County Libraries

At the direction of the Chairman, the Secretary read this resolution requesting authorization for the Baltimore County Public Library to expend additional non-local funds totaling \$719,970 for additional grant funding from Federal and private sources not anticipated or included in the FY 2009 operating budget. Jim Fish appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved.

8. Res. 36-09 - To Prioritize 5 Rural Legacy Area Applications

At the direction of the Chairman, the Secretary read this resolution to endorse and prioritize 5 applications to be submitted to the MD DNR for MD Rural Legacy Program funding. The Department of Environmental Protection and Resource Management recommends the ranking for FY2010 to be the same as the FY 2009 ranking which is:

1. Piney Run Watershed Rural Legacy Area; and
2. Gunpowder River Rural Legacy Area; and
3. Baltimore County Coastal Rural Legacy Area; and
4. Long Green Valley Rural Legacy Area; and
5. Manor Rural Legacy Area.

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

9. Reappointment - Ethics Commission, Chairman - Melissa D. Gray

At the direction of the Chairman, the Secretary read the correspondence from the County Executive requesting the reappointment of Melissa D. Gray as Chairperson of the Baltimore County Ethics Commission for a period of one year effective July 1, 2009. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this reappointment was unanimously approved.

10. Reappointment - Ethics Commission - Emerson L. Dorsey, Jr.

At the direction of the Chairman, the Secretary read the correspondence from the County

Executive requesting the reappointment of Emerson L. Dorsey, Jr., to the Baltimore County Ethics Commission for a period of three years effective June 4, 2009. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this reappointment was unanimously approved.

11. Res. 37-09 - Property Tax Exemption - Blind - Ann Sabatino

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Ann Sabatino 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 Gardina, seconded by Councilman Moxley, this resolution was unanimously approved.

12. Res. 38-09 - Property Tax Exemption - DAV - Leo S. Szymanski

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Leo S. Szymanski 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 Oliver, this resolution was unanimously approved.

13. Res. 39-09 - Property Tax Exemption - DAV - Willie E. Craig

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Willie E. Craig 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 Oliver, seconded by Councilman Moxley, this resolution was unanimously approved.

14. This item was considered earlier in the meeting.

15. Res. 41-09 - Grant Award - Digital Video and Photographic Equipment - Corrections

At the direction of the Chairman, the Secretary read this resolution to accept a grant award of \$2,050 from the MD State Police and Correctional Training Commission's Professional Development Fund for the purchase of a digital camera and a video camera to be used by the Department of Correction's Training Unit. Jim O'Neill appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Gardina, this resolution was unanimously approved.

16. Res. 42-09 - PILOT - Towson Jail Associates, LLC and Towson Swim Center, LLC

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 Baltimore County, Maryland with the Towson Jail Associates, LLC, a limited liability company

organized and existing under the laws of the State of Maryland (“TJA” or the “Café Tenant”), and Towson Swim Center, LLC, a limited liability company organized and existing under the laws of the State of Maryland (“TSC” or the “Pool Tenant”), for the payment of stipulated amounts in lieu of Baltimore County real property taxes for the property located at the northwest corner of Towsontown Boulevard and Bosley Avenue in Towson, Maryland 21204, which is improved by a multi-story structure formerly known as the Warden’s Building. Nancy West appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this resolution was unanimously approved.

17. Res. 43-09 - Review of PUD - Randallstown Cooperative Housing III - 4th Councilmanic District

This resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Oliver, seconded by Councilman Moxley, the meeting adjourned at 6:30 p.m.


Thomas J. Peddicord, Jr.