

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2010, LEGISLATIVE DAY NO. 14
September 7, 2010 7:00 P.M.

A. The meeting was called to order by Chairman Olszewski 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 Troop 818, Phoenix, Maryland. There were approximately 20 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 August 2, 2010 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 51-10, 52-10, 53-10, 54-10, 55-10, 56-10, 57-10, 59-10, 63-10. The County Executive also returned Bill 61-10 unsigned. Bill 61-10 stands enacted as of September 7, 2010.

D. INTRODUCTION OF BILLS

BILL 71-10, entitled An Act for the purpose of amending the 2010-2011 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. The Maryland Department of Labor, Licensing and Regulation has made an award of federal funds available to the Baltimore County Office of Workforce Development, to be used for employment and training activities.

BILL 72-10, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Governor's Office for Children. The Governor's Office for Children has made an award of state funds available to the Baltimore County Local Management Board, to be used for the provision of wraparound family support services to divert children from a Voluntary Placement Agreement.

BILL 73-10, entitled An Act for the purpose of amending the 2010-2011 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. The Governor's Office of Crime Control and Prevention has made an award of federal funds available to the Baltimore County Police Department, to be used to fund the salary and fringe benefits for two part-time Human Services Associate positions.

BILL 74-10, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from private funds and made available to the County through the First Financial Credit Union. The First Financial Credit Union has made an award of private funds available to the Baltimore County Health Department, to be used for the School-Based Dental Sealant Program.

BILL 75-10, entitled An Act for the purpose of revising certain setback and building height standards and requirements for certain types of traditional housing units; and generally relating to uses in the County's business zones.

BILL 76-10, entitled An Act for the purpose of amending the 2010-2011 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the Maryland Tourism Development Board/Maryland Department of Business and Economic Development. The Maryland Tourism Development Board/Maryland Department of Business and Economic Development has made an award of state funds available to the Baltimore County Department of Economic Development, to be used for marketing business and leisure travel in the County.

BILL 77-10, entitled An Act for the purpose of prohibiting the distribution, use, purchase or possession of certain synthetic products or compounds known as Spice or K2; defining terms; providing exceptions; providing penalties; and generally relating to the regulation of certain synthetic compounds.

BILL 78-10, entitled An Act for the purpose of providing an exception to bulk regulations for certain approved condominium regimes.

BILL 79-10, entitled An Act for the purpose of conforming county law with state law pursuant to the enactment of Chapter 199 of the Laws of Maryland of 2010; repealing the statutory requirement to hold certain junk or scrap metal for a certain number of days; altering the type of information a junk dealer or scrap metal processor must record and report after the purchase of junk or scrap metal; repealing law on the release of junk or scrap metal; altering the authority of the Police Department to inspect the records of a junk dealer or scrap metal processor; clarifying the application of certain enforcement provisions; altering the penalty for certain violations; defining certain terms; and generally relating to conforming county law with state law.

BILL 80-10, entitled An Act for the purpose of permitting certain large retail businesses by Special Exception in certain of the County's business zones; and generally relating to uses in certain business zones.

BILL 81-10, entitled An Act for the purpose of permitting certain uses in an M.R. Zone subject to certain approval guidelines; and generally relating to uses in M.R. Zones.

BILL 82-10, entitled An Act for the purpose of authorizing a property tax credit for owners of residential real property that utilizes certain energy devices; defining terms; providing for the amount and duration of the credit; providing for eligible costs; limiting the annual amount of credits; providing for an application procedure; and generally relating to tax credits for energy conservation devices.

BILL 83-10, entitled An Act for the purpose of permitting an anemometer to be located on properties in certain zones; defining terms; specifying certain limitations; providing for a permit; and generally relating to the use of anemometers.

BILL 84-10, entitled An Act for the purpose of prohibiting the selling of goods or services by licensed persons to the occupants of certain residential properties and at certain times; and generally relating to door-to-door soliciting.

E. CALL OF BILLS FOR FINAL READING AND VOTE

 Bill 65-10, CEB - ARRA - Chronic Disease Self-Management Program, was called. Joanne Williams 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 66-10, CEB - Workforce Investment Act - Summer Youth Employment Program, was called. Fred Homan appeared. Councilman Moxley moved to amend this Bill with the following amendment:

On page 2, in line 8, strike “Workforce Investment Act - Summer” and “Employment”.

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

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

Thereafter, upon motion by Councilman Moxley, seconded by Councilman McIntire, Bill 66-10, as amended, passed by the following roll call vote:

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

Bill 68-10, CEB - American Recovery/Reinvestment Act Workforce Investment Act - Youth Program, 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

Bill 70-10, CEB - Workforce Investment Act - Summer Youth Employment Program, was called. Councilman Moxley moved to amend this Bill with the following amendment:

On page 2, in line 7, strike “Workforce Investment Act - Summer” and “Employment”.

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

Thereafter, upon motion by Councilman Moxley, seconded by Councilman McIntire, Bill 70-10, as amended, passed by the following roll call vote:

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

Bill 67-10, Bond Ordinance , was called. Keith Dorsey appeared. Councilman Olszewski questioned Mr. Dorsey. 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 69-10, CEB - Operational Supplies, was called. Sheriff Fisher 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 August 31, 2010. 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 Olszewski then called upon the Secretary to read the cover letters for Fiscal Matters 1 and 3 through 13. Fiscal Matter 2 was withdrawn prior to the meeting.

1. Contracts - (9) - Cancer Screening, Diagnosis and Treatment Services

_____Nine contracts to provide cancer screening, diagnosis and treatment services. The Department of Health contracts with any provider that serves Baltimore County residents and meets the criteria and County Council requirements. Multiple contracts allow patients to have choices regarding medical providers for their cancer screening, diagnosis and treatment.

2. This matter was withdrawn prior to the meeting.

_____ **3. Contracts - (2) - General Contractor Painting Services**

_____Two contracts with Total Contracting, Inc., and Colossal Contractors to provide general contractor painting services to various County buildings on an on-call basis.

_____ **4. Addendum to Contract - Rubeling and Associates, Inc. - On-call Architectural Services**

_____Addendum # 2 to the contract with Rubeling and Associates, Inc., to increase the total agreement amount for the contract to provide on-call architectural services to Baltimore County.

5. **Addendum Contract - RJN Group, Inc. - Rain Gauge/Radar Rainfall Services**

_____ Addendum # 2 to the contract with RJN Group, Inc., to increase the professional fee, total fee and other direct costs in regards to this agreement for the maintenance, monitoring and data analysis of the County's rain gauge program.

6. **Contract - Kennedy, Porter & Associates, Inc. and Greenhorne & O'Mara, Inc. - Minor Bridge Inspection Services Contract**

_____ A contract with Kennedy, Porter & Associates, Inc. and Greenhorne & O'Mara, Inc., to provide inspection services for half of the minor bridges in the Baltimore County inventory.

7. **Contract - Nolan Associates, Inc. - Minor Bridge Inspection Services Contract 2**

_____ A contract with Nolan Associates, Inc., to provide inspection services for half of the minor bridges in the Baltimore County inventory.

8. **Contracts - (2) - On-call Traffic Engineering Services**

_____ Two contracts with Wallace, Montgomery & Associates, LLP and Whitney, Bailey, Cox & Magnani, LLC, to provide on-call traffic engineering services, which will include traffic signal design, minor geometric design, roundabout design, traffic impact studies, data collection, M.O.T. plans and various other traffic related studies.

9. **Contract of Sale - Fernando Ramirez - Protection of Farmland - Agricultural Land Preservation Program**

_____ A contract of sale with Fernando Ramirez, to acquire an agricultural easement, located at 1905 Bond Road, Parkton, Maryland 21120, for the protection of farmland through the County Agricultural Land Preservation Program.

10. **Contract of Sale - Stephanie Miller - Widening of Rolling Road**

_____ A contract of sale with Stephanie Miller, to acquire a portion of a parcel of land and necessary easements, located at 3204 N. Rolling Road, Baltimore, Maryland 21244, for the widening of Rolling Road.

11. **Contract of Sale - Linda Jeanne Rolig a/k/a Linda J. Rolig - Widening of Rolling Road**

_____ A contract of sale with Linda Jeanne Rolig a/k/a Linda J. Rolig, to acquire a portion of a parcel of land and necessary easements, located at 7502 Windsor Mill Road, Baltimore, Maryland 21244, for the widening of Rolling Road.

12. Contract of Sale - Frances M. Dutton - Widening of Dolfield Boulevard

A contract of sale with Frances M. Dutton, to acquire a parcel of land located at Featherbed Lane, Owings Mills, Maryland 21117, for the widening of Dolfield Boulevard, together with easements.

13. Agreements - (2) - Clinical Education for Advanced Life Support - Fire Dept. Paramedic Program

Two agreements with The University of Maryland Medical Center and The Good Samaritan Hospital of Maryland, to provide clinical education for Advanced Life Support for students from Baltimore County Fire Department's paramedic program.

There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, Fiscal Matters 1 and, 3 through 13 were approved by the following roll call vote:

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

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

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 June and July, 2010.

2. Res. 66-10 - Public School Recycling Amendment to Solid Waste Management Plan

At the direction of the Chairman, the Secretary read this resolution to adopt a Public School Recycling Amendment to the Baltimore County Solid Waste Management Plan. Bill Korpman appeared. There being no discussion, upon motion by Councilman Moxley, seconded by Councilman Oliver, this Resolution was approved by the following roll call vote:

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

3. Reappointment - Adult Public Guardianship Review Board - Anne Perry

_____ At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting the reappointment of Anne Z. Perry to the Baltimore County Adult Public Guardianship Review Board for a term of 3 years, effective immediately. There being no discussion, upon motion by Councilman McIntire, seconded by Councilman Moxley, this Reappointment was approved by the following roll call vote:

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

4. Res. 67-10 - Property Tax Exemption - DAV - Joseph F. Campbell

At the direction of the Chairman, the Secretary read this resolution to approve the refund of certain real property taxes collected from Joseph F. Campbell 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 approved by the following roll call vote:


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

5. Res. 68-10 - Community Legacy Program - Dundalk Renaissance Corporation

At the direction of the Chairman, the Secretary read this resolution to endorse the filing of an application by the Dundalk Renaissance Corporation. The Baltimore County Council recognizes that there is a significant need for reinvestment and revitalization of the older communities of Baltimore County and the Dundalk Renaissance Corporation proposes to file a Community Legacy application with the Department of Housing and Community Development, for a grant to support a project to renovate five houses in the Dundalk Community. There being no discussion, upon motion by Councilman Olszewski, seconded by Councilman Moxley, this Resolution was approved by the following roll call vote:

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

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 7:10 P.M.


Thomas J. Peddicord, Jr.