

**BALTIMORE COUNTY COUNCIL MINUTES**  
**LEGISLATIVE SESSION 2011, LEGISLATIVE DAY NO. 15**  
**September 19, 2011                      7:00 P.M.**

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**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. There were approximately 35 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
TODD HUFF	THIRD DISTRICT
KENNETH N. OLIVER	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
JOHN OLSZEWSKI, SR.	SEVENTH DISTRICT

**B.        APPROVAL OF JOURNAL**

      Upon motion by Councilman Huff, seconded by Councilwoman Bevins, the reading of the Journal Entries for the meeting of September 6, 2011 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 44-11, 45-11, 46-11, 48-11 and 49-11.

**D.        INTRODUCTION OF BILLS**

**BILL 61-11**, entitled An Act for the purpose of amending the 2011-2012 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 Greater Baltimore Medical Center.

**BILL 62-11**, entitled An Act for the purpose of amending the 2011-2012 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 Health and Human Services, Health Resources and Services Administration.

**BILL 63-11**, entitled An Act for the purpose of amending the 2011-2012 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 State of Maryland Department of Health and Human Services.

**BILL 64-11**, entitled An Act for the purpose of including, as a permissible community benefit for a proposed PUD, the provision of a capital improvement benefit to property owned by NeighborSpace of Baltimore County and for use by community residents; and generally relating to the contents of a PUD application.

**BILL 65-11**, entitled An Act for the purpose of permitting certain classes of signs in conjunction with a state or county-operated use or facility in the C.T. District of Towson under certain conditions and subject to certain restrictions; and generally relating to signs in the C.T. District of Towson.

**BILL 66-11**, entitled An Act for the purpose of providing for the declaration of an impasse concerning wages and pension benefits with certain exclusive representatives; providing for an arbitrator and requiring the selection of an arbitrator through a certain process; providing for a hearing; establishing the duties of the arbitrator; requiring the arbitrator to consider certain factors; prohibiting the arbitrator from allowing certain testimony; requiring the County Executive to take certain actions; providing that the County Council is not bound by certain actions; defining certain terms and time limits; providing for the effective date of this Act; and generally relating to certain dispute resolution procedures.

**BILL 67-11**, entitled An Act the purpose of providing for a limited retirement incentive option for members of the retirement system other than certain health, social welfare and public safety employees; identifying an additional job classification that may not participate; authorizing a certain calculation of creditable service; authorizing the Administrative Officer to promulgate certain guidelines; eliminating certain early retirement penalties under certain circumstances; prohibiting additional years from being added to a deferred retirement option program period; providing conditions for approval of the retirement of a member under this Act, including the elimination of employee positions; requiring certain retirees to discontinue working by a certain date; requiring certain retirees to exhaust certain leave; providing a certain application deadline; and generally providing for a retirement incentive option.

**BILL 68-11**, entitled An Act for the purpose of limiting the application of certain zoning regulations to new churches under certain circumstances.

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

There were no Bills for final reading and vote.

**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 September 13, 2011. 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 through 12.

**1. Contract - CCG Systems, Inc. d/b/a FASTER Asset Solutions - Software licenses, support services & maintenance**

An amendment to the contract with CCG Systems, Inc. d/b/a FASTER Asset Solutions, to increase the total compensation amount, during the entire term of the agreement, including renewals thereof. This amount will also extend the renewal period to 14 consecutive one-year periods.

**2. Contracts - (2) - On-call Inspection Services**

Two contracts with Reuling Associates, Inc., and EA Engineering Science & Technology, Inc., to provide on-call construction inspection services. They will provide senior level inspectors for large public or commercial buildings, water or sewer pumping stations, water reservoirs, bridges, detention centers, etc., as well as inspectors for normal level projects.

**3. License Agreement - Verizon - Pole Attachments, Conduit Occupancy and/or Occupancy of Right-of-Way - Fiber Runs**

A license agreement with Verizon, Maryland, Inc., for pole attachments, conduit occupancy, and/or occupancy of right-of-ways in the state of Maryland allowing Baltimore County to occupy space for fiber runs on poles exclusively or jointly owned by Verizon Maryland, Inc., throughout the County.

**4. Memorandum of Understanding - MD Institute for Emergency medical Services Systems - Web Access to eMEDS**

A memorandum of understanding with the Maryland Institute for Emergency Medical Services System, to provide web access to eMEDS electronic pre-hospital care data reporting.

**5. Contracts - (25) - Assisted Living Care for Seniors**

Twenty-five contracts to provide assisted living care for approximately 60 Baltimore County seniors.

**6. Contracts - (2) - Geriatric Adult Medical Day Care Services**

Two contracts with Adult Daycare of Homeland, Inc t/a Adult Medical Day Care of Overlea and St. John the Baptist Adult Medical Day Care, LLC, to provide geriatric adult medical day care services.

**7. Contact - Cynthia Myers & Edward & Sandra Schafer - Protection of Natural Land - Coastal Rural Legacy Area**

A contract with Cynthia Myers and Edward and Sandra Schafer, to acquire 19.172 acres in fee, located on the south side of Holly Neck Road, for the protection of natural forest land, shoreline, wetland and open space in the Chesapeake Bay watershed within the Coastal Rural Legacy area.

**8. Contract - Graciela Marcus - Easement Area - Sewer Construction - Overbrook Road**

A contract with Graciela Marcus, to acquire an easement area, located at 801 Overbrook Road, Baltimore, Maryland 21239, to allow for the construction of a sanitary sewer to eliminate sanitary sewer overflow as mandated by an EPA consent decree.

**9. Contract - Glenda & Elmer Price - Conservation Easement via Installment Purchase Agreement - Ag. Preservation**

A contract with Glenda & Elmer Price, to acquire a conservation easement via installment purchase agreement, located at 500 Freeland Road, Freeland, Maryland 21053, for the protection of a high quality, vital and economically important farm from imminent conservation to non-agricultural use.

**10. Contract - Rhonda, Alvin & Rebecca King - Acquisition of Land and Easements for Improvement of Cowenton Avenue**

A contract with Rhonda, Alvin & Rebecca King, to acquire a parcel of land and easements, located at 9211 Cowenton Avenue, Perry Hall, Maryland 21128, for the improvement of Cowenton Avenue.

**11. Contract - Brian & Kati Van Poppel - Acquisition of Land and Easements for Improvement of Cowenton Avenue**

A contract with Brian & Kati Van Poppel, to acquire a parcel of land and easements, located at 9135 Cowenton Avenue, Perry Hall, Maryland 21128, for the improvement of Cowenton Avenue.

**12. Contract - Michael & Pamela Hart - Acquisition of Land and Easements for Improvement of Cowenton Avenue**

A contract with Michael & Pamela Hart, to acquire a parcel of land and easements, located at 9133 Cowenton Avenue, Perry Hall, Maryland 21128, for the improvement of Cowenton Avenue.

There being no discussion, upon motion by Councilman Huff, seconded by Councilwoman Bevins, Fiscal Matters 1 through 12 were unanimously approved.

**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 August, 2011.

**2. Res. 94-11 - Endorsement of Application - Carson Scholars Fund, Inc. - Community Investment Tax Credit Program**

At the direction of the Chairman, the Secretary read this Resolution to endorse the application of the Carson Scholars Fund, Inc. to the State of Maryland Community Investment Tax Credit Program for certain tax credits to provide funding for the Ben Carson Reading Project. Andrea Van Arsdale appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilman Quirk, this Resolution was unanimously approved

**3. Res. 95-11 - Endorsement of Application - Meals on Wheels of Central MD - Community Investment Tax Credit**

At the direction of the Chairman, the Secretary read this Resolution to endorse the application of Meals on Wheels of Central Maryland, Inc. to the State of Maryland Community Investment Tax Credit Program for certain tax credits to provide funding for the Home-Delivered Meal Program. Andrea Van Arsdale remained. There being no discussion, upon motion by Councilman Oliver seconded by Councilwoman Almond, this Resolution was unanimously approved.

**4. Res. 96-11 - Property Tax Exemption - DAV - Larry E. Alvarez**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Larry E. Alvarez who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Oliver, this Resolution was unanimously approved.

**5. Res. 97-11 - Property Tax Exemption - DAV - Norman A. Patterson**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Norman A. Patterson who is entitled to an exemption from 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 Councilwoman Almond, this Resolution was unanimously approved.

**6. Res. 98-11 - Property Tax Exemption - DAV - Robert S. Marshall**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Robert S. Marshall who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilwoman Almond, this Resolution was unanimously approved.

**7. Res. 99-11 - Property Tax Exemption - DAV - Donald J. Radomsky**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Donald J. Radomsky who is entitled to an exemption from 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.

**8. Res. 100-11 - Property Tax Exemption - DAV - Carl G. Machen**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Carl G. Machen who is entitled to an exemption from 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.

**9. Res. 101-11 - Property Tax Exemption - Surviving Spouse of DAV - Mary E. Saraceno**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Mary E. Saraceno, surviving spouse of deceased 100% disabled veteran, who is entitled to an exemption from 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.

**10. Res. 102-11 - Property Tax Exemption - DAV - Frank N. Dominick**

At the direction of the Chairman, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Frank N. Dominick who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Marks, seconded by Councilman Oliver, this Resolution was unanimously approved.

**11. Res. 103-11 - Assignment & Assumption - Fullerton LLLP - Park View at Fullerton**

At the direction of the Chairman, the Secretary read this Resolution approving the acquisition and renovation of housing in Nottingham, Baltimore County, Maryland, to be financed directly by Baltimore County. Andrea Van Arsdale appeared. There being no discussion, upon motion by Councilman Oliver, seconded by Councilwoman Almond, this Resolution was unanimously approved.

**12. Res. 104-11 - Endorsement of Financial Assistance - Fullerton LLLP - Park View at Fullerton**

At the direction of the Chairman, the Secretary read this Resolution approving the acquisition and renovation of housing in Nottingham, Baltimore County, Maryland, to be financed either directly by the Department of Housing and Community Development, a principal department of the State of Maryland, or through the Department's Community Development Administration. Andrea Van Arsdale remained. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Oliver, this Resolution was unanimously approved.

**13. Res. 105-11 - PILOT - Fullerton LLLP - Park View at Fullerton**

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 the County with Fullerton LLLP, a Maryland limited liability limited partnership, for the payment of stipulated amounts in lieu of regular real property taxes in order to facilitate the acquisition and renovation of an elderly housing project to benefit low-income elderly persons in Baltimore County. Andrea Van Arsdale remained. There being no discussion, upon motion by Councilman Huff, seconded by Councilman Quirk, this Resolution was unanimously approved.

**14. Res. 106-11 - Planning Board - Lighting Standards**

This Resolution was for introduction only.

**15. Res. 107-11 - To establish the Committee to Explore the Future of Owings Mills**

This Resolution was for introduction only.

**16. Res. 108-11 - Review of PUD - Southwest Physicians Pavillion - 1<sup>st</sup> 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 Quirk, the meeting adjourned at 7:15 P.M.

  
Thomas J. Peddicord, Jr.