

STATE OF MARYLAND
BOARD OF PUBLIC WORKS
GOVERNOR'S CONFERENCE ROOM
STATE HOUSE
ANNAPOLIS, MARYLAND

September 6, 1978

9:55 o'clock, a. m.

Reported by:

HUNT REPORTING COMPANY
1875 Lindamoor Drive
Annapolis, Maryland 21401

269-6759 * 838-8228 * 836-3663

P R E S E N T:

ACTING GOVERNOR BLAIR LEE, III, Presiding;
HONORABLE LOUIS L. GOLDSTEIN, Comptroller;
HONORABLE WILLIAM S. JAMES, Treasurer;
EDWARD L. MIDDLETON, Secretary, Board of Public
Works;
J. MAX MILLSTONE, Secretary, Department of
General Services;
THOMAS W. SCHMIDT, Secretary, Department of
Budget and Fiscal Planning;
VLADIMIR WAHBE, Secretary, Department of
State Planning;
JOHN A. KELLY, Director of Administration,
Department of General Services;
LOUIS N. PHIPPS, Deputy Secretary, Department of
Natural Resources;
J. HUGH NICHOLS, Assistant Secretary, Department
of Budget and Fiscal Planning; and
BARBARA B. ALLEN, Administrative Assistant,
Board of Public Works.

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P R O C E E D I N G S

GOVERNOR LEE: Ladies and gentlemen, we'll start the meeting.

I have only one personal appearance formally listed, but I look around the room and suspect there may be others.

The one that's listed is Mr. Barnes, Vice-President and Treasurer of Johns Hopkins Hospital, having to do with Item M-7 on the General Services Agenda, page 59.

MR. BARNES: Good morning, sir.

GOVERNOR LEE: Good morning.

MR. BARNES: We are here at Mr. Millstone's request in case you have any questions about the project for the expansion of the Radiation Therapy facilities at Johns Hopkins.

MR. MILLSTONE: Governor, this item is a request by Hopkins for the approval of the appointment of an architect, for approval to employ a construction manager for the project, for approval to prequalify the mechanical and electrical subcontractors on the project, and, frankly, for approval to place orders for long lead items, in some instances, sole source items of equipment, in connection with the Regional Cancer Center.

I thought perhaps if the Board has any questions, particularly concerning the equipment, that Mr. Barnes could respond to the Board's questions.

We have reviewed it and we certainly recommend approval of this item.

MR. GOLDSTEIN: Well, how about items that have a life of less than 15 years? Are the same restrictions going to apply to these items like they apply to items in University Hospital?

MR. MILLSTONE: Yes, sir. Dr. Muller sent a very complete list of equipment and some of it, quite frankly, I am not in a position to say whether it does, indeed, have a 15-year life. The various radiotherapy linear accelerators, things of that nature, I'm stuck.

MR. BARNES: I'm W. Thomas Barnes, Vice-President and Treasurer of Johns Hopkins Hospital. I have with me this morning Mr. Richard Gelfond and Mr. Richard Trompeter, who are much more conversant with the details of the project, and, with your permission, I'd like to have Mr. Gelfond answer your question about the life of the equipment.

Dick?

MR. GELFOND: With that, we generally follow the HSCRC ruling.

GOVERNOR LEE: Mr. Gelfond, would you come over here to the mike?

MR. GELFOND: I'm sorry. When it comes to some of these equipment --

MR. GOLDSTEIN: Your name?

MR. GELFOND: I'm sorry; Richard A. Gelfond, G-e-l-f-o-n-d; I'm the Administrator for Capital Equipment at Hopkins.

The vast majority of hospital equipment, we follow the HSCRC -- Health Services Cost Review Commission -- rulings and that is quite specific at ten years life expectancy on these.

Now, the very expensive things, the linear accelerators, which, of course, are very large and constitute the lion's share of the equipment moneys, we have those on hand, are following the ten years. I'm not familiar with the fifteen-year life with the University.

We do have some of these accelerators at present and we are depreciating them at that rate.

MR. JAMES: Well, our interpretation is that the equipment should be that which the state would regard as eligible for capital construction expenditures, which is equipment which will last fifteen years.

GOVERNOR LEE: It's not a matter of depreciation as much as how long is the doggone thing going to keep functioning?

MR. GELFOND: Well, the type of equipment, now, is not, as such, part of the building. Linear accelerators is something -- I would make, certainly, a very broad comparison -- like X-ray machines or our patient treatment machines, not as an integral part of the building, itself.

GOVERNOR LEE: As a piece of equipment, will it be functioning fifteen years from now, I gather, is the question? Is that the question? Is that what you were worrying about?

MR. WAHBE: Yes, sir.

MR. BARNES: I think that the equipment will function that long. As you are probably well-aware, the problem has been the rapid technological change. We have not had any long experience with this type of equipment.

We installed similar equipment just two years ago.

I am reasonably sure that it would last fifteen years, but, as you well know, some of these things become technologically obsolete.

MR. GOLDSTEIN: I think the same rule ought to apply here that applies to University Hospital when they buy equipment, in other words. We can't let a private institution have equipment you wouldn't let the University of Maryland Hospital have.

MR. JAMES: I think we could solve the problem just simply by moving that we approve the expenditure subject to a review by the State Planning Department of the eligibility of the equipment to participate in this grant.

MR. WAHBE: We will do that, Governor.

GOVERNOR LEE: We're certainly not going to try to figure them out right here today.

MR. WAHBE: No.

MR. GOLDSTEIN: I mean, this is a great project; we need it, we want the project, but I want the same rule to apply for equipment for Johns Hopkins that is required at the University Hospital, their Cancer Center down there.

MR. WAHBE: We do that with the University, Governor.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: That's what we're talking about.

MR. BARNES: I can't imagine that the University of Maryland does not have this type of equipment down there. They must.

MR. GOLDSTEIN: Well, we'll find out.

MR. GELFOND: They do have this type.

MR. GOLDSTEIN: We want the same rule to apply to you that applies to them and vice versa. We'll treat them all with kindness and respect and we'll have no problem.

MR. BARNES. Thank you, sir. That would seem reasonable.

MR. GOLDSTEIN: Do you have any objection to that?

MR. BARNES: No, Indeed.

GOVERNOR LEE: I really think the rules ought to sort of lean a little toward the hospitals in the area of this mysterious and very expensive equipment that is subject to technological obsolescence that is highly unpredictable.

MR. WAHBE: Governor, the key to this is that if the University --

GOVERNOR LEE: It's not like buying wastebaskets.

MR. WAHBE: Yes; if the University wishes to replace equipment because of technological advances, then they pay for that replacement themselves.

GOVERNOR LEE: Right.

MR. WAHBE: And that's the key to the whole thing.

GOVERNOR LEE: Yes.

MR. WAHBE: We don't pay again.

MR. GOLDSTEIN: Now, you're asking for advance purchases. We realize that some of this equipment is only made by one company and there isn't any competition.

MR. BARNES: That's right.

MR. GOLDSTEIN: Is that the reason why you want to place an advanced order?

MR. GELFOND: The advance is for two different types of equipment. The linear accelerators are actually made in the States by two different companies. We have selected -- that which came as the low bidder.

MR. GOLDSTEIN: I see. You had bids for those, did you?

MR. GELFOND: Yes, indeed. Now, the reason for advance payment is, you do require some radiological active

material, and in order to get that, it's roughly an 18-month lead time, and to start building of these, and that's why we would like to go ahead and to place orders with them for the linear accelerators.

In addition, we do have one company which is Oldelft -- it's Dutch -- that makes an image simulator, and they're the only company in the world that makes this. It is a relatively new device from which not only being able to view the cancer but make blocks of the cancer area for the beaming of the electron beams so that they restrict it to the cancer area, itself. They have approximately a 12-month lead time.

In some of these instances, we are seeing a very accelerated rate of increase of inflation where they are saying between 10% and 15%.

Now, we're talking almost a million dollars, which is a \$100,000 penalty if we waited that long, and for Oldelft, and particularly the quote we got from them on June 7 has a 90-day lead time -- of good time -- which is tomorrow. Now, that can be extended a week or two, year, but as to several months, we have problems.

MR. BARNES: I might remind you that this involves construction of an addition to the Cancer Center, and if we don't order the equipment now, the building will be ready and the equipment won't be in, so this is another one of the reasons.

MR. GOLDSTEIN: Well, Governor, I move that we approve Item M-7 with the explanation that the Department of State Planning will set the guidelines for the equipment.

MR. JAMES: Seconded.

GOVERNOR LEE: Motion is duly made and seconded to approve Item M-7 with the understanding that DSP will review the equipment for proper longevity --

MR. JAMES: -- and eligibility.

GOVERNOR LEE: -- and eligibility; very good, and, without objection, so ordered.

MR. BARNES: Thank you, sir.

GOVERNOR LEE: All right. Now, I see Senator Blunt and Dr. Pullen, and I think they're all here on the same thing.

MR. PULLEN: I want to pay my respects to you first.

GOVERNOR LEE: Good to see you.

MR. PULLEN: As the old saying goes.

MR. SCHMIDT: Governor, we have the item.

GOVERNOR LEE: Oh, good.

MR. PULLEN: Gentlemen, I am Thomas G. Pullen, Jr., retired Maryland school teacher, but coming to you currently as President of the Catonsville Historical Society.

We have come to ask your assistance in one of the finest projects which I have been interested in years. It pays tribute to a great Marylander, one of the first and greatest scientists of the early history of this country, a native Marylander of Catonsville, where I have lived for 52 years, and the home, boyhood home, of my friend, Senator Blount, and he is a man that transcended race, ignorance, poverty and everything, to do and to achieve much in the field of science.

I'm going to make this very brief, so don't think I'm going to talk too long.

This project, paying tribute to Benjamin Banneker, was started by the Catonsville Bicentennial Commission. It could not be completed before it went out of existence, so they asked the Catonsville Historical Society to co-sponsor. Our board agreed unanimously.

The project, however, was very much bigger than we

had anticipated and, as we went on, instead of using simple, run-of-the-mind people, actually secured the services of Oscar Davis and that famous little Maryland actor, Eugene Williams of Columbia. It's a great film; I've seen part of it.

Finally, we went to the Maryland Historical Society and asked the President, Mr. Leonard Crewe and Mrs. Sommerville, the Director, to come in and co-sponsor this with us so that we could bring this to a fruition.

I think my letter there tells the story. We need \$20,000.

When I went to Mr. Crewe, I said, "Mr. Crewe, we need \$40,000. Can you help us? I think it would be good if the Maryland Historical Society would come in because this has not only state but national and international implications," and he not only said, "I will go along with you on this, but I'll put up \$20,000 of my own money if the state will match it," and then I came to you.

Gentlemen, this is a great -- I think, a great honor that we ought to pay to a great Marylander, and I feel -- may I ask that you give Mr. Crewe, the President of the

Society, a few moments to give the state the interest of the Maryland Historical Trust.

Thank you for your consideration.

GOVERNOR LEE: Thank you, sir, very much.

MR. CREWE: Leonard C. Crewe, Jr., President of the Maryland Historical Society.

I think Dr. Pullen has covered the subject very well. I, naturally, wanted to know some of the same things that you would want to know in considering this grant.

First, the need for it. Dr. Pullen has explained the importance this great early American scientist...there is no other film or no other project that is being done that even approaches this effort.

Two, I wanted to know personally about the quality of the work being done. To this end, we gathered together the experts of the Catonsville Historical Society last week and those of the Baltimore Historical Society, historians and so forth, and I can assure you that the work that has been done is first-class.

Third, I wanted to be sure, in my own mind that the film with this grant would, indeed, be finished. I

pledged my personal word to you that the film will be finished. I would not give \$20,000 earmarked for this project unless I was sure it was going to be finished.

Thank you very much. If there are any questions, I'll be glad to try to answer them.

GOVERNOR LEE: Thank you, Leonard. Let me say that there is considerable correspondence on this matter, and the item, itself, in all candor, caused a good deal of heartburn in the Budget Department because it flies in the face of established policy that is aimed at preventing visitations during the budget year with unexpected and unplanned and un-budgeted items, such as this; however, in your letter of August --

MR. CREWE: -- 24th.

GOVERNOR LEE: -- 24th --

MR. CREWE: Yes.

GOVERNOR LEE: -- the concluding paragraph says, "\$40,000 is needed to complete the project. Mr. Leonard C. Crewe, Jr., has pledged an outright gift of \$20,000 to the Maryland Historical Society to match a similar unrestricted grant from the State Board of Public Works for this purpose,"

and at that point the whole thing became sort of irresistible and we have had the Budget Department work up an Agenda Item which is now identified as Item 1a-GEF, and is now officially in the Agenda and is available for action by the Board.

Mr. Blount, did you want to get into the act here?

MR. BLOUNT: Well, Governor, all I wanted to say, Dr. Pullen and Mr. Crewe have given you the type of remarks I would wish to make, but this Marylander is really an exciting person. He made the first clock in America which struck the correct hour, and the French architect who designed Washington, D. C. -- now, some of us may not think that was a fine plan, because I get lost every time I go over there -- but it's supposed to be, according to those who have studied cities, the best-laid city in the world, Washington, our capitol, and there was some argument between Jefferson and the architect, so I understand, so the architect wrapped up all of his works and went back to Paris, and Benjamin Banneker, who worked with him, out of memory, reproduced the plan.

MR. GOLDSTEIN: That's right.

MR. BLOUNT: So when you drive around Washington or

go over to Washington, this Marylander did that from memory, and these are just some of his achievements, and I certainly support the request of the Catonsville community and the historical organizations.

GOVERNOR LEE: Did you say he invented the alarm clock?

MR. BLOUNT: He made the first alarm clock in the United States.

GOVERNOR LEE: I'm not so sure that I feel so strongly about this now.

(Laughter.)

MR. GOLDSTEIN: In '76, it was the Preakness Saturday, and Senator James and myself were out there with Old Ella, when they erected that monument to Benjamin Banneker, and I've done a lot of research on him, too, and Thomas Johnson, who had charge of the Commission to lay out Washington, D. C., picked him, selected Benjamin Banneker, to do the engineering and the survey work. Do you all realize that? That was one of his first recognitions. Thomas Johnson, born down at Brew House on St. Leonard's Creek in Calvert County -- the first elected Governor of Maryland -- appointed him, and I move that

we approve this appropriation for \$20,000 and express to our good friend, Leonard Crewe, our most sincere thanks for him putting up his \$20,000 that shows the confidence, and I know Leonard Crewe; I serve on the Board of the Maryland Historical Society, so I'm wearing two different hats here today, and I don't know of anybody who's more thorough than Leonard Crewe.

I congratulate you, sir, for your generosity.

MR. CREWE: Thank you, sir.

MR. GOLDSTEIN: And your interest.

MR. CREWE: Thank you.

MR. JAMES: In seconding the motion, I'm not too sure we aren't violating our policy of not permitting people to come in and ask for grants that are not really contemplated by the Legislature.

The budget language which authorizes the use of emergency funds permits us to supplement state programs and our state program is to support the Maryland Historical Society in its historical work, and this seems to me is a supplementation of the normal work of the Maryland Historical Society, so I think we're consistent.

MR. GOLDSTEIN: And I want to add one more thing;

I almost forgot about it. My good friend, Thomas G. Pullen, of Saluda, Virginia -- anytime he says he's lived 52 years in Catonsville...a good Virginian comes here and tells us about Maryland -- I know it's got to be good.

Tom, you're great, and all the folks -- where's that lovely lady from the Historical Society of Catonsville that spoke to me about it?

MS. WALSH: Jean Walsh.

MR. GOLDSTEIN: Mrs. Walsh; yes, ma'am. Congratulations to all of you. It's a pleasure to cooperate.

MS. WALSH: Thank you.

MR. GOLDSTEIN: This is great. This ought to be shown in every school in America.

MR. PULLEN: It will be. Could I add one thing, Governor?

GOVERNOR LEE: Yes, sir.

MR. PULLEN: I'd like to pay my respects to the Committee for the Humanities which has put \$44,000 in this project. It has great faith in it, and I would like to thank Mrs. Heysel and Miss Hunt for their efforts.

GOVERNOR LEE: Very good, sir. Item 1a-GEF, motion

is made and seconded for approval; without objection, it is so ordered.

All right. I have a note from Mrs. Speicher.

This is another unlisted personal appearance. Mrs. Jean Speicher?

MRS. SPEICHER: Yes; that's correct.

GOVERNOR LEE: Of Laurel.

MRS. SPEICHER: Yes.

GOVERNOR LEE: In connection with Open Space Item

5A. All right.

MRS. SPEICHER: Good morning, Governor. Thank you very much for allowing me a few minutes of your time. I didn't realize that I was to sign in beforehand; otherwise, I would have done so.

I would just like to read for the record the letter that I have presented to you and the other Members of the Board of Public Works this morning.

Again, my name is Mrs. Jean Speicher, and I am from 12209 Shadetree Lane in Laurel, Maryland, and we now have a new post office so we can also be identified as Montpelier Station, Maryland, which is kind of nice.

This letter reads thusly: "The citizens of Northern

Prince George's County and the staff of the Maryland Park and Planning Commission have been in the process of developing a plan for the Montpelier Complex for approximately 8 years. We have had many setbacks in this planning, such as budgetary restraints, the need to dispossess a colony of 400 brown bats and the destruction of the original barn by a fire attributed to vandals.

"The Ad Hoc Citizens Committee was formed to transmit ideas and review proposed renovation and planned programs for the facility. As time went on, the Complex was recognized for its historic significance and a group of volunteers was established called "Friends of Montpelier" which has opened the house for regular tours and a wide range of activities. I have been the Chairman of the "Friends" group since its inception on February 26, 1976," which, by the way, is the same day in 1600 that Richard Soughton was given a grant for the land on which Montpelier lies. "I am also proud to have been chosen Chairman of the Ad Hoc Committee for the past 4 years. This Committee has approved the numerous programs planned by the staff of the Maryland Park and Planning Commission. I refer you to the programs

outlined in the enclosed letter co-signed by the County Executive, the Chairman of the County Council and the Chairman of the Prince George's County Planning Board.

"For the past 8 years, the South Laurel Recreation Council, in conjunction with the various civic organizations in the Montpelier/South Laurel Community, has offered a May Festival for the enjoyment of all. The number in attendance has grown each year and the crowd at this year's festival was estimated at approximately 6,000," and these are the pictures that I have presented to you this morning. "Many outdoor activities, such as this, will be scheduled at the Montpelier Complex. The construction of this facility," which, for lack of another name, we will call the Barn, because that's what it was before, "will enable such activities to be carried on regardless of the weather.

"The Montpelier Complex is becoming a landmark in Prince George's County and it is planned to someday establish a museum on the site to mark the home of Thomas Snowden, owner of the first iron works in the State of Maryland. It is our aim to keep this land in Open Space for the future enjoyment of all citizens of our country.

"Therefore, we the Ad Hoc Committee and I, as Chairman, ask that this Program Open Space grant, No. 1211-16-99, be approved for use as submitted," Very truly yours,
Jean Speicher.

I'd be glad to answer any questions that you have.

GOVERNOR LEE: Frankly, I don't think we had any. We're in pretty good shape on this one.

MR. GOLDSTEIN: How about that large brick home? What are you all using that large brick home for now?

MS. SPEICHER: The large brick home is now in the process of -- on Thursday, it will be open for tours from -- on Thursdays, from 11:00 to 3:00, on Saturdays, from Noon to 4:00, on a regular basis now, from now until November, and then the season closes, except for candlelight tours in December, and then again in the spring, we will open for the regular tour season. We have a musicale that's scheduled there for George Washington's Birthday, or as close to it as we can come, on a Sunday, and we have -- last year, a program that one of the junior high schools developed and they brought 140 students there and we had a nature walk. They mapped the place. They had the tours. They had their picnic lunch; they

went to the nearby airport and had a ride, and we are also hoping -- we had hoped to get some kind of solar energy grant for this building that would be a public demonstration sort of thing for air-conditioning and heating, both, and the pitch of the roof, as it is designed, will accept this as something that can be added later, but what we were hoping for and have asked the public schools to come in with us on something like this, is that it would be a demonstration project for the Prince George's County schools, or whoever else would like to use it, and anything that was developed behind walls or underground or anything would be filmed and there are areas within this area -- the facility -- that they can use for lectures and things like that.

MR. GOLDSTEIN: Right. Governor, I move we approve this. It's a very fine project.

MR. JAMES: Who takes care of the mansion?

MS. SPEICHER: The mansion is maintained by the Park and Planning Commission. It was a gift, which is very nice, too, and I know Mr. Crewe would be very happy to go in with us on that because he, of course, knows all about the mansion.

It was given to us by the family of the Ambassador Long, Breckenridge Long, who lived there.

MR. GOLDSTEIN: Yes; it's a beautiful place.

MS. SPEICHER: And then they subsequently took it over and maintain it and with a lot of pushing from a good number of the Montpelier friends, we are getting things done.

MR. GOLDSTEIN: It's a beautiful place, a magnificent place.

MR. JAMES: Yes.

MR. GOLDSTEIN: Here's Delegate Mothershead.

GOVERNOR LEE: Yes; Delegate Mothershead?

MR. MOTHERSHEAD: I'd like to comment on this project.

MS. SPEICHER: He's been a very, very dear friend of ours on this project, I'll tell you that, and right now we're kind of in a different boat, aren't we?

Thank you very much.

MR. MOTHERSHEAD: Governor, I wanted to come down this morning to speak to you on this project. Andrew L. Mothershead, Delegate from the 21st Legislative District.

Again, I'll start. I wanted to come down and speak

on behalf of this project. It's an outstanding community project. The people there have really worked very hard and I think the state would be proud of their being a participant in this project because there must be 10,000 to 15,000 of the community people that do use it and it will be quite an historical thing, too.

Thank you.

GOVERNOR LEE: Thank you.

MR. GOLDSTEIN: I move we approve it.

MR. JAMES: Seconded.

GOVERNOR LEE: Motion is made and seconded to approve Open Space Item 5A; without objection, so ordered.

Now, can we go to the Transportation Agenda?

MR. GOLDSTEIN: I would think so.

MR. TREXLER: Good morning. I'm Ed Trexler, Department of Transportation.

MR. GOLDSTEIN: Governor, there's a Mr. Blum here.

GOVERNOR LEE: What?

MR. GOLDSTEIN: One minute. The lawyer that represents these people that had that situation where he had the Commissioner of Motor Vehicles -- do you want to hear

from him this morning?

GOVERNOR LEE: Is it on the Agenda?

MR. GOLDSTEIN: No. It's not on the Agenda. We'd better not go ahead. Let's wait, then.

GOVERNOR LEE: Do I understand Item 2T has been withdrawn?

MR. TREXLER: That's correct. We have 43 items on the printed Agenda and we have asked for consideration of two supplemental items, Item 44 and 45. We have submitted a revised Item 11, too, which you all have. Item 2T is withdrawn.

GOVERNOR LEE: Without objection, Item 2T is withdrawn. Where is the next problem.

MR. JAMES: I think we need a formal motion to approve 11T. It's a request for condemnation.

MR. TREXLER: That is the revised item. There should be an asterisk on your copy following the number at the top of the page. We added three additional properties to the request for condemnation to the original two.

This has to do with right-of-way required for construction of the Baltimore Region Rapid Transit System.

MR. JAMES: On page 2, you have a list of the offers

that are made for these various properties; however, the record is not clear that these offers were received, and I think that this should be in the record.

MR. KIMBALL: L. A. Kimball, Deputy Administrator of the MTA.

Yes, sir, Senator James. The file in our office indicates that we have a formal record of having made the offers and they have been declined.

MR. JAMES: Okay. I move we approve the request for condemnation.

MR. GOLDSTEIN: Second the motion.

GOVERNOR LEE: It's duly moved and seconded that Item 11T be approved; without objection, so ordered. All right. Where's your next one?

MR. TREXLER: Item 15T, if that's the next item of business, we request withdrawal of that.

MR. JAMES: Did you say 15 or 16?

MR. TREXLER: Pardon me?

MR. JAMES: 15 or 16?

MR. TREXLER: 15T.

MR. JAMES: 15.

MR. TREXLER: To withdraw it.

MR. GOLDSTEIN: That's being withdrawn, isn't it?

MR. JAMES: Yes.

MR. GOLDSTEIN: That's been withdrawn?

GOVERNOR LEE: Yes.

MR. TREXLER: Yes, sir.

GOVERNOR LEE: The thing has to be withdrawn right here to be officially withdrawn.

MR. GOLDSTEIN: Right.

GOVERNOR LEE: Without objection, Item 15T is withdrawn.

MR. JAMES: Okay.

MR. GOLDSTEIN: Okay.

GOVERNOR LEE: All right. We've got a problem.

MR. GOLDSTEIN: I'm trying to look at 28T. 28T has to have a correction. It should be Change Order No. 3, under "Change."

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: It needs a correction.

GOVERNOR LEE: Edward, did you notice the change on that, 28T? What was the number of the other withdrawn item, Ed?

MR. TREXLER: 2T and 15T.

GOVERNOR LEE: Oh, just the two of them?

MR. TREXLER: Just two.

GOVERNOR LEE: Okay.

MR. GOLDSTEIN: Governor, Item 38T is an unusual situation. There's been something in litigation for quite a while where the Highway Administration is going to hire an expert with reference to the claim by the Regal Construction Company. This has been going on for several years. I just want to call your attention to it, and the reason they're hiring this expert is to have the same expertise whenever the Court decides the case as the plaintiff, the Regal Construction Company. It's Interstate Route 70 over in Howard County.

GOVERNOR LEE: Was Regal the contractor on that?

MR. GOLDSTEIN: Right.

MR. TREXLER: Regal was the road building contractor.

MR. GOLDSTEIN: I just wanted to call it to your attention.

GOVERNOR LEE: All right.

MR. GOLDSTEIN: 41T.

MR. JAMES: 41.

MR. GOLDSTEIN: 41T, that's one of these cost-plus-fixed-fee. I just want to be sure they don't exceed the \$394,000.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: There was a Mr. Neil Haussen who was here yesterday and stated that would be the top price for it.

GOVERNOR LEE: It says it very clearly there, "Not to exceed."

MR. GOLDSTEIN: Right. 43T. That 43T is unusual, Governor. The two low bidders were disqualified. This is where they're going to have to inspect all these boilers, 25 boilers, and they gave it to the third bidder; he was well-qualified.

Is that right, Mr. Trexler?

MR. TREXLER: That's right, Mr. Goldstein.

MR. GOLDSTEIN: Those are the only ones that are unusual.

GOVERNOR LEE: All right.

MR. JAMES: I think 44 is a big item.

MR. GOLDSTEIN: Yes.

MR. JAMES: And I think it ought to have some explanation.

GOVERNOR LEE: Oh.

MR. GOLDSTEIN: 44, Governor, I think ought to be explained. That's where Florida and the State of Maryland Transportation Department are going to buy these cars.

GOVERNOR LEE: Oh, yes.

MR. GOLDSTEIN: I think we ought to have something in the record.

GOVERNOR LEE: Let's have a little presentation on 44T.

MR. KIMBALL: Yes, sir, Governor. Mr. Kimball, again.

44T is an agreement between ourselves, as the State, and the Metropolitan Dade County of Florida to jointly manage the procurement contract for our transit vehicles. As you are well-aware, and you remember, we discussed this in our briefing with you, UMTA has, in effect, forced a marriage between us in terms of the purchase of these vehicles. We think, of course, that will be advantageous to us in the

purchase price of the vehicles because the combined number of vehicles should produce a better cost in terms of our cost and their cost together.

As you also know, we're using more existing state of the art equipment. We are not doing anything in terms of exotic breakthroughs and because we have two separate contracts but a single supplier, we need to have a coordinator, in essence, to help us actually manage the assembly of the vehicles and their production to assure that both contracts, the single contract that Miami will enter into on their behalf and the contract we will independently enter into on our behalf, are administered without having any problems between them.

All this does is provide for that mechanism for coordination.

As I indicated yesterday to Mr. Goldstein and Mr. James, you will, of course, have the proposal for the actual contract when it is bid brought before you for your review and approval, but this is a mechanism for the administration of the contract once it is let.

I would call to your attention one relatively minor

change in what documents you have before you, and that is on page 7 under duties and liabilities of the parties, Item 7. Miami and ourselves have agreed that paragraph b, which established, in some sense, a liability if one or the other of us failed to continue through, that that should be deleted in its entirety, and so there is no liability for the failure on either part to complete, and that's with the advice and assistance of Mr. Kaufman, who is our general counsel and the counsel of the Metropolitan Dade County.

GOVERNOR LEE: What happens if we get into an argument or disagreement with Miami?

MR. KIMBALL: Yes, sir. The structure of the agreement provides for the method by which that coordinated review would be resolved.

Initially, it will be resolved by what is called a technical committee. If that is not successful, Governor, then what is known as the MB committee, the two representatives or the contracting officer representative will choose that. All action must be unanimous. If that is not a successful method of resolve, then we have what is known as an industry review board, a three-person group from transit industry

executives outside of ourselves appointed to resolve and make a recommendation, and we'll be bound by the majority decision of that.

MR. JAMES: Governor, I would call to your attention that the project manager here, who is the fellow right on the job, on the scene, is actually in the plant, isn't he?

MR. KIMBALL: Yes, sir. That's really where we contemplate him to be, Senator.

MR. JAMES: His selection is not approved by the Board of Public Works. Who does give that approval?

MR. KIMBALL: That would be the MB committee. That would be the single representative contracting office from Metropolitan Dade County and that representative from the State of Maryland.

MR. GOLDSTEIN: Governor, your question with reference to a dispute is on Item E on page 3. "For the purpose of resolving any dispute arising between the members of the MBC and the parties agree to refer such disputes to and be bound by a majority decision of an industrial review board which shall be created prior to the award of the contracts and shall be composed of three members selected from a list mutually

agreed upon by the parties."

GOVERNOR LEE: All right.

MR. GOLDSTEIN: So that's got all the protection you hoped to have.

MR. JAMES: Well, all I'm asking Mr. Kimball is that when this project manager is selected, I think that that selection should be reported to the Board of Public Works because he's the key man; if he's not competent, why, we're all in trouble.

MR. KIMBALL: Yes, sir. Senator, as I indicated yesterday, we'd be happy to both give you an indication of the process and the biographical sketch of the individual, himself.

MR. GOLDSTEIN: Do they have anybody in mind right now?

MR. KIMBALL: Sir, no. We are looking at individuals in this respect now in order to have this person aboard very shortly.

MR. GOLDSTEIN: Is he going to be connected with Parsons or like those DMJM people?

MR. KIMBALL: No, sir. He will not be connected

with them. He'll be independent of them.

MR. GOLDSTEIN: I hope so. I just want to be sure we put that in the record, that he will not be connected with any one of those bigshots that are now running this project.

MR. KIMBALL: No, sir; right.

MR. GOLDSTEIN: Will there be any potential conflicts?

MR. KIMBALL: No, sir.

MR. GOLDSTEIN: You're sure of that, now?

MR. KIMBALL: Yes, sir.

MR. GOLDSTEIN: Okay.

MR. JAMES: I move we approve it.

MR. GOLDSTEIN: Well, I want to have that assurance before I vote. Right; okay. I just wanted to be sure that you don't have somebody there that's representing their big interest. I want them to represent the State of Maryland and Dade County, Florida, the taxpayers. That's all I have.

GOVERNOR LEE: What's the last of the old ones, 45?

MR. TREXLER: 43 was the last of the printed.

GOVERNOR LEE: Oh, I see.

MR. TREXLER: And the supplemental items were 44 and 45.

MR. GOLDSTEIN: 45, Governor, that's where they're going to build these facilities for the custom inspectors.

MR. TREXLER: Custom inspection lines and booths for the U. S. Customs Service area in the International Arrivals Building.

MR. JAMES: They really need those.

MR. GOLDSTEIN: Yes, sir. You know, people get back to this country in four or five hours and then they've got wait two or three hours to get inspected.

MR. JAMES: Well, they're all exhausted when they get back.

MR. GOLDSTEIN: Yes, and they get mad and they get hot under their collar, so this is a good project.

GOVERNOR LEE: All right.

MR. TREXLER: For the record, Governor, I have another correction on Item 14T.

MR. GOLDSTEIN: Yes; 14 on page 32. I missed that.

MR. TREXLER: Just below the center point where the line starts, "Amount of Change Order." The word "order" should not be there. It's just the amount of the change, and after the "Revised Contract Amount", there should appear,

"Fiscal Year 1979." That's what this contract is for. That's all.

GOVERNOR LEE: All right. The changes are noted. Without objection, then, the Transportation Items not otherwise acted upon are approved, and then we'll get back to the Secretary's Agenda.

MR. TREXLER: Thank you.

MR. GOLDSTEIN: Secretary's Agenda. Governor, Items 1 and 2 here are jail loans for Baltimore City.

GOVERNOR LEE: Right.

MR. GOLDSTEIN: And the question is, When will the money be paid. We haven't sold those bonds yet, have we, Bill?

MR. JAMES: What?

MR. GOLDSTEIN: Items 1 and 2. That's those Baltimore City Jail Loans, the Jail Loan of '77 and '78.

MR. JAMES: No.

MR. GOLDSTEIN: There's no question about the matter of approving them.

MR. JAMES: Just make sure it's included in the next bond issue.

MR. GOLDSTEIN: The next bond issue.

MR. JAMES: Yes.

MR. GOLDSTEIN: Which will be sold sometime in January.

MR. JAMES: Right; we have a number of these jail loans.

MR. GOLDSTEIN: Right. We approved one for Carolina County at the last meeting.

MR. JAMES: Yes.

MR. GOLDSTEIN: There's no problem about them, just a matter of when the money will be forthcoming.

MR. JAMES: Yes.

GOVERNOR LEE: At the bottom of page 2, Ed, there's a mistake or a typo. City funds, \$195,000, State grant, \$195,000, total \$390? The decimal point is three places wrong.

MR. MIDDLETON: Right.

GOVERNOR LEE: All right. Wetlands.

MR. JAMES: 4 is where we have an unusual case, a rather expansive shoreline preservation project down on the Potomac, 17,000 feet.

MR. GOLDSTEIN: Yes, but there's 900-and-some-odd acres there. It's down on the Potomac. It shows on this map.

Bobby, do you want to get that map back there? You can see it much better on this map. Swan Point; it's down there in the southwestern end --

GOVERNOR LEE: Right; I know where it is.

MR. GOLDSTEIN: -- of Charles County, below Morgantown --

GOVERNOR LEE: I know where it is, Lou.

MR. GOLDSTEIN: Right here; here's the property. Right here; this big tract of land right here, like a boot.

GOVERNOR LEE: Yes.

MR. JAMES: All right.

MR. GOLDSTEIN: It gets a lot of wash from the northwest or from the southwest.

GOVERNOR LEE: And I hope they do catch it there.

MR. GOLDSTEIN: It's almost a thousand acres.

Larry Goldstein, who heads up the Wetlands, was over at our office yesterday explaining this. They've got to do a lot of work. They're going to haul 20,000 cubic yards of borrow

borrow material.

MR. JAMES: And the riprap on the outside of that.

MR. GOLDSTEIN: Right.

MR. JAMES: That riprap is 17,000 feet, so it's a real job.

MR. GOLDSTEIN: Whew. It costs a lot of money.

GOVERNOR LEE: Are you all satisfied with it?

MR. GOLDSTEIN: Yes, sir. I'm satisfied with it. I'm very familiar with that property.

GOVERNOR LEE: All right.

MR. GOLDSTEIN: See, what they're going to do, they're going to stop erosion and reclaim some of the property lost over the years. They've lost thousands and thousands of tons of dirt down there. That's some kind of sweep.

GOVERNOR LEE: Where's your first problem?

MR. JAMES: Well, one we didn't mention yesterday was Item 14, page 23, the Patuxent River study. You remember how much difficulty we had with that and we finally approved that because the Department of Natural Resources said the money was not available anywhere else, and now they say they don't need the money. Now, I would like to know why.

told that there's a grant of land there that's the local share.

MR. MIDDLETON: We revised that to reflect that.

GOVERNOR LEE: Okay.

MR. MIDDLETON: Here it is.

MR. GOLDSTEIN: Thank you. Okay; that's revised.

That answers your question, I think, Bill.

MR. JAMES: Yes.

MR. GOLDSTEIN: About the donation of that land.

On 3A, Governor, I asked about the incidentals.

The incidentals are \$39,575. Do you have any more information on those incidentals, on Item 3A?

MR. ESKEW: No, I didn't bring them with me. I can get you a list of how the estimate is made, but, as I told you yesterday, we actually only -- it's an estimate and we only reimburse them on actual bills that are audited when they send these.

MR. GOLDSTEIN: Right.

MR. ESKEW: And if it's below the estimate, then that money will go back into the fund.

MR. GOLDSTEIN: Thank you.

GOVERNOR LEE: Is there any problem on 4A? I hope

not.

MR. GOLDSTEIN: No, sir. I just wanted to call to your attention that it was a HUD block grant, a very good project up there in Rockville, and I move we approve it.

GOVERNOR LEE: Jim Rowland, will you please call Mayor Hanna and pass the word to all those Senators and Delegates?

MR. ROWLAND: Yes, sir.

MR. GOLDSTEIN: I had a letter from Delegate Owens and Senator Gilchrist and Delegate Robert Anthony Jacques, all recommending that we approve this for Montgomery County. I move we approve it.

GOVERNOR LEE: We'll catch it as part of the whole --

MR. GOLDSTEIN: Yes, sir.

GOVERNOR LEE: All right-y. Are you content on all the rest of them?

MR. GOLDSTEIN: I have no question on the rest of them. They all look okay.

GOVERNOR LEE: Very well, then, without objection, the Secretary's Agenda, including the Open Space items, that have not been previously acted upon are approved, and we're

off to the Budget Department.

MR. SCHMIDT: Governor, you have a revised item on 1-GEF.

GOVERNOR LEE: Right.

MR. SCHMIDT: And the only revision there is that the plant has located and the item as it was originally written said that it was seriously considering locating in Salisbury.

GOVERNOR LEE: Yes; but they're actually there now?

MR. SCHMIDT: They are there and they have been there since May.

MR. JAMES: How many people are they training?

MR. SCHMIDT: 214 people, sir. They're sewing machine operators, upholstery supervisors and material handlers.

GOVERNOR LEE: Now, this is described as a tentative allotment. Is it actually --

MR. SCHMIDT: It will be an actual allotment.

GOVERNOR LEE: It will be a withdrawal from the --

MR. SCHMIDT: Yes; all General Emergency Fund Items are listed as tentative allotments in case there are funds any place else within the department.

GOVERNOR LEE: Some of them, you know, come back at the end of the year.

MR. SCHMIDT: That's correct.

GOVERNOR LEE: But this is one that's not going to come back.

MR. SCHMIDT: I would suspect that it won't come back.

MR. JAMES: Well, is there also a departmental appropriation for this?

MR. SCHMIDT: \$650,000 the Department of Education has appropriated for industrial training.

MR. JAMES: But not for this specific project.

MR. SCHMIDT: Not for this specific project. That money has all been committed, in addition to which they have three or four other projects that are under negotiation now.

MR. JAMES: Well, this just is a supplementation of that program.

MR. SCHMIDT: Yes, sir.

MR. GOLDSTEIN: This ought to be a good place to build a mattress factory with all the beds you've got down at Ocean City in those hotels and motels.

(Laughter.)

MR. GOLDSTEIN: That ought to be a good market for mattresses. Those mattresses get a lot of use down there, I understand.

MR. JAMES: What's that show called, "Once Upon a Mattress"?

MR. GOLDSTEIN: Yes; so I think this would be a good market, a good place to build a mattress factory. They're Sealy mattresses. They're good for your back. Man, it makes you feel good to sleep on a nice Sealy mattress, with built-in springs. It's very important, you know that? If you wake up feeling good in the morning, you know, nobody likes to wake up feeling bad.

MR. JAMES: Well, maybe this is a better contribution to the happiness of the people than we know.

MR. GOLDSTEIN: Yes, sir; that's exactly right. Everybody will get a good night's sleep down there after they start using those mattresses.

My next item was 5-CI, page 5. Governor, this is a non-profit -- who is Junction, Inc., and where are they incorporated?

MR. SCHMIDT: They're a corporation that operates out of Carroll County.

MR. GOLDSTEIN: Carroll County?

MR. SCHMIDT: They've been operating with the Public Safety and Correctional Services for about five years now.

MR. GOLDSTEIN: Well, this is a new contract, isn't it?

MR. SCHMIDT: This is a new contract. This is an LEAA grant. They have been operating under the bootstrap grant at the central laundry, but this is a brand-new project, but they have had experience with Public Safety already. They will be dealing with drug abuse treatment and also education. They will provide remedial education and drug abuse treatment to follow-up for drug abuse.

MR. GOLDSTEIN: Well, are these teachers, are they doctors? Who is Junction, Inc.?

MR. SCHMIDT: Well, they have some psychologists. There is no one who works for the State of Maryland that will be employed in this.

MR. GOLDSTEIN: I see. In other words, you don't

have any double-dippers here.

MR. SCHMIDT: No; no double-dippers, according to our staff's review of this. They asked that question.

MR. GOLDSTEIN: Are these people connected with Springfield?

MR. SCHMIDT: No; no.

MR. GOLDSTEIN: I see.

MR. SCHMIDT: Not according to the staff's investigation in this.

GOVERNOR LEE: All right-y.

MR. GOLDSTEIN: Okay; thank you, sir.

MR. JAMES: When I look at these things, I often wonder under what section of the law the program is developed. Maybe that would be a lot of trouble to put that in, but the Department of Health and Mental Hygiene has so many powers, I often wonder which one they're exercising, and the same way with Human Resources, they have such a -- it's practically a total volume code. It really would be very interesting to know under what section of the Code they're really implementing the program. They have vast powers, I know.

MR. SCHMIDT: Yes; that's true. There is a drug

abuse program, as you know, within the Department of Health and Mental Hygiene.

MR. JAMES: Yes.

MR. SCHMIDT: Which is administering this program.

MR. GOLDSTEIN: On this Number 6-CI, this bid for housekeeping services --

MR. SCHMIDT: Yes.

MR. GOLDSTEIN: -- that wasn't any one of these low-balling kind of things, was it?

MR. SCHMIDT: No; no. They reviewed this thoroughly. You see, the first two bids are very close, \$18,500 difference between the first two bids.

MR. GOLDSTEIN: Right.

GOVERNOR LEE: Is this a new thing?

MR. SCHMIDT: No. Abacus has the present contract now. This expands the area of service considerably. The present contract is only for \$223,000.

GOVERNOR LEE: Right.

MR. SCHMIDT: And they wanted to include a lot more areas in the housekeeping program in opening up the Highland Center.

MR. JAMES: It costs a lot to keep buildings up, doesn't it?

MR. GOLDSTEIN: Whew. The rest of them look all right. My next question was on disposal of property.

MR. JAMES: Could I ask a question on this 7-CI? Is that an unusual contract? Do they have contracts at all with the State's Attorney's Offices?

MR. SCHMIDT: They have contracts with all the State's Attorney's Offices. When Section 4D of the Social Security Code was revised, it required collection from absent parents, and provided attaching money for that, the Department of Human Resources contracted with the State's Attorney's Office to do the work.

MR. JAMES: Yes. This is the first one I've ever seen on the Agenda. Maybe most of them are less than \$100,000.

MR. SCHMIDT: Yes. They've been here before. This one was in last year.

GOVERNOR LEE: Yes.

MR. SCHMIDT: It's an annual one.

MR. JAMES: Okay.

MR. GOLDSTEIN: I see they're still stealing

typewriters from the members of the General Assembly.

MR. SCHMIDT: Yes.

MR. GOLDSTEIN: We had another typewriter stolen from Human Resources. That's on Disposal of Property, Item 10-DP, Item 13-DP.

MR. JAMES: Well, they stole the typewriter from the State's Attorney up in Harford County about a year ago.

MR. GOLDSTEIN: Right. And then on the next page, 10, they're stealing microscopes up there in Frostburg, \$1,450, and books; total value, 1,747 books, almost \$8,500, and down below, 17-DP, they're stealing guns over there at the Port Administration.

MR. SCHMIDT: It's a serious problem.

MR. GOLDSTEIN: Well, if you don't put some kind of responsibility on people that have this equipment...

GOVERNOR LEE: Without objection, the Budget Department Items not previously acted upon are approved, and General Services. We're moving right along.

MR. GOLDSTEIN: General Services; right. Governor, my first item was Item 2, page 2. I think Mr. Max Millstone explained it, but I think for the record, we ought to have a

short explanation, as to why we're going ahead and doing this renovation work on practically a new building.

MR. MILLSTONE: All right, sir. This is work that really should have been included in the original contract, Governor, and I think at the time the program was developed, they didn't recognize that they were going to have the kinds of problems that they are experiencing there, so what they're doing, they're replacing ceilings in the corridors and the bedrooms in four of the cottages. This represents approximately 70% of the cost, and the purpose is to prevent escapes and destruction which is caused by the clients housed there. The individuals in the cottages are teenage hyperactive, fully mobile, retarded who are destructive, and this is work that they had contemplated putting in as a change order originally, but it was decided to bid it separately when the project was completed. Of course, there is some prior safety work that's involved and items that the fire marshal missed when he reviewed the plans originally that are being changed now. That's about 30% of the work. I'll have this typed up for you, Mr. Goldstein, so you'll have it for your files.

MR. GOLDSTEIN: Fine; I just want to be sure we have

an explanation of why we're doing it. Thank you, sir.

GOVERNOR LEE: Where's your next problem?

MR. GOLDSTEIN: Bill, do we have anything before
M-3?

MR. JAMES: Yes. I had I-1, which requests
separation of the legal fees from the reimbursement of
expenses. I think it gives a false impression of the --

GOVERNOR LEE: What page are you all on now?

MR. JAMES: It would be 34.

MR. MILLSTONE: Yes, sir.

MR. GOLDSTEIN: Page 34.

MR. MILLSTONE: I have the breakdown here,
Mr. Treasurer, and, Governor, a copy for you.

GOVERNOR LEE: Oh, good.

MR. MILLSTONE: Bob Bomboy is here on that fee.
The actual fee is \$6,000 and the remaining \$1,858 is for
expenses in connection with the taxes and recording of the
lease and mortgage, photostatic copies and recording of deed.
This, by the way, is, I would say, a particularly reasonable
fee considering the -- recognizing the consideration of the
purchase. I'd say if it had been as much as \$10,000, it would

still have been a cheap figure.

MR. GOLDSTEIN: Well, this is a very involved title. It goes back better than 200 years. That property was acquired around 1772 up through the 1800's. There was numerous leases, trustees, and all these indexes had to be run, and if we hadn't gotten a title policy, it would be in addition to this, even.

MR. MILLSTONE: Oh, yes, sir.

MR. GOLDSTEIN: I feel it's a fair proposition, myself; I move we approve it.

MR. JAMES: Seconded.

GOVERNOR LEE: Okay. It is a reasonable figure.

MR. MILLSTONE: It is a very reasonable figure; yes, sir.

GOVERNOR LEE: You're dealing here with a public official so you can't be too careful.

MR. GOLDSTEIN: That's right.

GOVERNOR LEE: All right-y.

MR. JAMES: It's in his name. I suppose his law firm took care of the work.

GOVERNOR LEE: An invoice for the A. S. Abel Company;

I don't know if I'll go along with that.

(Laughter.)

MR. GOLDSTEIN: I have one question I want to ask on A-7.

MR. MILLSTONE: A-7.

MR. GOLDSTEIN: That's the Youghiogheny River.

MR. MILLSTONE: Yes, sir.

GOVERNOR LEE: What page?

MR. GOLDSTEIN: That's on page 46. How is that project coming? Maybe the people in Natural Resources -- that's the river, you know, the wild river.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: There have been a lot of questions about it. How is that project coming?

MR. ESKEW: Well, there's still opposition from the property owners along the river; however, the administration of the rules and regulations and the law has been relatively smooth. We've had very few complaints about any, you know, in the administering of the river, but there is still opposition from property owners -- not near what it was initially, though.

MR. JAMES: What's that, M-3 on page -- wait a minute, now; 55. It's architectural/engineering services for the Stadium.

MR. GOLDSTEIN: Yes; M-3, page 55. That's my next one.

MR. MILLSTONE: Mr. Comptroller, you asked about the firm that is working with Jewell-Downing.

MR. GOLDSTEIN: Yes, sir.

MR. MILLSTONE: They are a New York outfit; that's Iffland, Kavanagh & Waterbury.

MR. GOLDSTEIN: Right. That's what gets me. Here, the state puts up money for Baltimore City and they're talking about promoting industry and promoting things in the State of Maryland, and here we're called upon to vote for outside outfits, which I'm sure is fine in some cases, but here you have the Johns Hopkins study and all these studies that say, "What are you doing to promote Maryland?" And here we have it again. I keep asking these questions. That's Item Number M-3, page 55, the Baltimore City Stadium.

GOVERNOR LEE: Now, the other part, Jewell-Downing, they're local?

MR. MILLSTONE: Jewell-Downing is a Baltimore City firm.

GOVERNOR LEE: They are a local firm.

MR. MILLSTONE: Yes. This particular appointment was approved by the City's Consultant Evaluation Board and its Architectural and Awards Commission, so it's been through the City's routine process. The Board of Estimates also approved the joint venture on August 2nd.

MR. JAMES: Well, it wouldn't be a bad idea to try to find out what their schedule is for construction so we'll know when to include the matter in the bond issue.

MR. MILLSTONE: All right, sir.

MR. GOLDSTEIN: But the point I make is, here, they come along and write these adverse reports saying the State of Maryland is not doing anything for the economy. But here, Baltimore City goes up in New York and gets somebody to come down here and design a stadium, when I'm sure we've got enough architects in the Baltimore Metropolitan Area and Washington, Montgomery, Prince George's and the University of Maryland School of Architecture, to have somebody around this state do some of this work.

MR. JAMES: I wouldn't think that would look like an especially typical architectural assignment.

MR. GOLDSTEIN: That's right. I mean, I know what that stadium needs. It needs parking on either side with escalators to bring the people right in. In other words, you would have an escalator to bring you right in the section where you are. It doesn't take any brilliant man to figure that out. They need more toilet facilities, more space to sell the soft drinks and beer and crab cakes and hot dogs and all that. I mean, I go there. I'll be there Sunday afternoon when they play the football game, so I know what goes on and I know how far you've got to park your car and where you've got to walk, and I've walked the ramps. It doesn't take any brilliant architect to design that. Why go to New York to find somebody to do that?

MR. MILLSTONE: I'll check with Doug Tawney and see if I can get you some information as to why --

MR. GOLDSTEIN: Well, can we defer it?

GOVERNOR LEE: All right.

MR. GOLDSTEIN: Okay; all right. I mean, I'm in favor of making that one of the finest stadiums in the country,

but I would really believe we have enough architects in the Maryland area that can do this kind of work.

MR. MILLSTONE: Let me check with Doug Tawney to see if I can find out what the unique qualifications of Iffland, Kavanagh & Waterbury are. Maybe there is a reason why they employed them.

MR. GOLDSTEIN: I've been to the one in Seattle; I've been to the one in Kansas City; I've been to the one in New Orleans.

MR. JAMES: Have you been in the Dome in New Orleans?

MR. GOLDSTEIN: I've been in the building. I never attended a game, and I've been in the one in Houston. I've been there in Houston twice.

MR. JAMES: That's like watching television on a big screen.

MR. GOLDSTEIN: Yes; Houston.

MR. JAMES: That's Houston; yes.

MR. GOLDSTEIN: Well, the nice thing about Houston, you get up there and you walk around and the Coronation Dairy gives you ice-cream and another lady had a place there -- two widows that had a furniture business in Texas, they had all

kind of barbecue and steak; you've never seen such a spread of food in your life. I just walked in and I didn't know the people. I didn't know how they knew me, but they were very nice and very cordial.

GOVERNOR LEE: Oh, boy.

MR. GOLDSTEIN: I'm not going to vote against it.

MR. MILLSTONE: I'll get back to you on this.

GOVERNOR LEE: Okay.

MR. JAMES: Let's see.

MR. GOLDSTEIN: We took care of M-7, 59, at Johns Hopkins.

MR. JAMES: What did you do about that Baltimore Gas and Electric Company easement, P-2, page 64? Did we hold up on that?

MR. GOLDSTEIN: That's a Property Item. Let's see here.

MR. JAMES: Oh, excuse me. On page 61, there's a mistake, you know.

MR. MILLSTONE: Oh, yes; yes. Governor, on page 61, I do have a revised page. Eagle Eyes, who reviewed the Agenda, called my attention to the fact that --

MR. GOLDSTEIN: Yes, Governor. You've got Washington County and we're dealing with Allegany County. It's in the third paragraph. "Cost sharing is based on the State Department of Education's formula for support of schools in Washington County, revised..." and so on. It should be Allegany County, shouldn't it?

MR. MILLSTONE: Mr. James and Mr. Goldstein caught that on me yesterday and we need to get a page revised to show the proper county. I couldn't tell you how many times I read that and it was saying "Allegany County" to me.

MR. GOLDSTEIN: I know it's easy to do. You start reading these Agendas, and after about four hours, boy, I'm telling you, it all comes together.

GOVERNOR LEE: A giant blur.

MR. GOLDSTEIN: Sunday afternoon, I went up to the Baltimore office building to work, with no air-conditioning on -- I'm telling you, I sat there in my shorts, and the guard came in and said, "What's wrong?" I said, "Man, come here and feel the heat in here." That was after I had walked at that Fair for about six hours.

GOVERNOR LEE: Oh, yes.

MR. GOLDSTEIN: And before I went to Douglas' affair, I wanted to shave and shower and change my clothes and I figured I would have about two or three hours to do some work. I'm telling you, it was the hottest damn place I've been in a long time.

(Laughter.)

MR. GOLDSTEIN: Sweat was rolling off of me.

MR. JAMES: What did you decide to do about this, defer it?

MR. MILLSTONE: Which one's that?

MR. GOLDSTEIN: What's that?

MR. JAMES: P-2, page 64.

MR. MILLSTONE: No, sir. On P-2 -- and there's another easement item on here -- I think the Board instructed me to see that the instrument would provide for the state's retaining all metal rights.

MR. GOLDSTEIN: I think if you look at that one we did with PEPCO over there at Cheltenham --

MR. MILLSTONE: Yes, sir.

MR. GOLDSTEIN: -- the Boys' Village property, you remember, we held that up, and also Baltimore Gas & Electric;

we held them up, too, on another one. You look at those two. I might not have made copies of them.

MR. JAMES: Well, I think we ought to have a specific motion on this one.

GOVERNOR LEE: P-8, too, I guess.

MR. JAMES: I move we approve P-2 with the understanding that there will be a clause in the deed reserving any mineral rights to the state provided that the use of the easement is not impaired.

MR. MILLSTONE: Right. On page 67, now --

GOVERNOR LEE: Wait a minute, now. Do you second that motion?

MR. GOLDSTEIN: Yes. Well, you see, Governor, this is one of these things that started back in 1970 and the papers all got lost, so they've got to pay us, Number 1, for the back rent, and then they start paying us from \$3,000 a year -- you see, \$27,000 represents years '70 through '78.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: And they're paying for the timber. They're paying the administration fee and then they're going to pay an annual fee of \$3,000 each year.

GOVERNOR LEE: I just want to get the record straightened out.

MR. GOLDSTEIN: I second Mr. James' motion; yes, sir.

GOVERNOR LEE: Motion is made and seconded to approve Item P-2 with the condition set forth by Mr. James; without objection, so ordered.

MR. GOLDSTEIN: Okay.

MR. MILLSTONE: Governor, on Item P-5, the Comptroller and the Treasurer feel that the appraised value that's being used as the basis for the rental of the easement is pretty low so they have asked that we defer it and check out the appraisals.

MR. GOLDSTEIN: You can't buy any land down there in that area for that kind of price. That's over there in Charles County. Here, we're paying \$900 an acre for submerged land over here in Item P-1 -- wetlands. You see, this is all fastland.

MR. MILLSTONE: So with the Board's approval, we'll defer it and check the appraisals and see what the fair value should be.

GOVERNOR LEE: All right. Well, without objection, Item P-5 is deferred.

MR. GOLDSTEIN: And we want to be sure they pay you for the timber, too, you see.

MR. MILLSTONE: Item P-7 on page 68, Governor --

GOVERNOR LEE: Is P-6 with us or not?

MR. MILLSTONE: Yes, sir, it is.

GOVERNOR LEE: All right.

MR. GOLDSTEIN: Yes; we're getting \$500 for that.

MR. MILLSTONE: Item P-7 I'm going to withdraw.

GOVERNOR LEE: Oh, I see; that's what it is.

All right.

MR. MILLSTONE: And it's been suggested that rather than transfer title to the firetower to Harford County that we enter into some long-term lease agreement with the county requiring them to maintain the tower and the access but retaining title with the park.

MR. GOLDSTEIN: Governor, we've had some, you know, said experiences where we give fee simple title to different people and then we need it, then we've got to go back and really pay through the nose, so this way, we hold title, let

them use it, maintain it, until we need it for our state activities --emergency medical service, for example.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: I think that's a better way of doing it.

GOVERNOR LEE: Then, for the time being, then, P-7 is withdrawn.

MR. MILLSTONE: Yes, sir.

GOVERNOR LEE: Without objection, Item P-7 is withdrawn.

MR. GOLDSTEIN: Governor, P-8, that's down in Caroline County for that Multi-Purpose Center.

GOVERNOR LEE: Yes.

MR. GOLDSTEIN: That's a very important project. Now, we're getting six acres there at a reasonable price, and I imagine a question will be about the existing building. You all haven't determined whether you're going to maintain it or tear it down.

MR. MILLSTONE: We're going to make a study of it and see if it's necessary to raze it; if it is, we'll be back to the Board with a request for approval to raze it, if

that's the determination that's made.

GOVERNOR LEE: Is this that vacant land alongside the old school there?

MR. WAHBE: And the school.

GOVERNOR LEE: And the school.

MR. GOLDSTEIN: And the land.

MR. MILLSTONE: Yes, sir.

GOVERNOR LEE: Right.

MR. GOLDSTEIN: As you go through Route 404 on the right, isn't it?

MR. MILLSTONE: Yes, sir.

MR. GOLDSTEIN: That big school there.

GOVERNOR LEE: Yes; I was looking at this last week.

MR. GOLDSTEIN: Yes.

MR. JAMES: Okay. I move we approve it.

MR. GOLDSTEIN: Second the motion.

GOVERNOR LEE: Without objection, Item P-8 is approved.

MR. GOLDSTEIN: I looked at all these leases and agreements and didn't have any questions on them. They all look like they're in good shape. I went through them yesterday.

Deferred items. We settled on that for \$9,000 for the man to move all his property up there.

GOVERNOR LEE: Where are you now, Lou?

MR. MILLSTONE: Page 81.

MR. GOLDSTEIN: 81. That's the one we held up last time on that Morrison that had that land up there in Seneca.

GOVERNOR LEE: Yes.

MR. JAMES: 82.

MR. GOLDSTEIN: And D-2, that's that security system up there in Frederick for the Taney House.

MR. JAMES: Yes; that's a question again. That's the second, not the low bid. I'm really not convinced that this is a very good reason, myself, "...an hour would pass before they could bid the property..." to service a break-in. I'm just wondering how important is service for a burglary alarm. The reason is that Flashgard is located in Baltimore and more than an hour would pass before they could be at the property, should an emergency servicing be needed, or another break-in incurred. What relationship does the break-in have to do --

MR. GOLDSTEIN: This building, you know, is located

right on West Paca Street, right there by Carroll Creek, and they had a robbery there this last year.

MR. MILLSTONE: Right.

MR. GOLDSTEIN: There are some very valuable things there.

MR. JAMES: I think this is just because they want to get a loophole.

MR. MILLSTONE: It may be worded poorly, but I think what they're suggesting is that the security company would take them an hour to get there to check out, not the breakdown of the system, but, rather, a break-in.

MR. GOLDSTEIN: Now, wait a while. Now, you see, you're wrong. You see, when you establish one of these systems, you tie it in with the local police force or fire department. That's tied in there.

GOVERNOR LEE: That's right.

MR. JAMES: Yes.

MR. GOLDSTEIN: They're not tied in with some damn guy down in Baltimore. When you put one of these systems in, it's tied in with the Frederick City Police or the Sheriff's Office and local fire department. When that thing goes off,

it rings the bell in Frederick City, not down in Baltimore. That's how it works.

MR. JAMES: Well, maybe your maintenance might cost a little more, if you were dependent on somebody in Baltimore.

MR. GOLDSTEIN: That's how these things operate.

MR. JAMES: But they just want to give it to the local man.

GOVERNOR LEE: I don't see how we can reject a low bidder for a reason like this.

MR. GOLDSTEIN: Well, that's why we deferred it last time, Governor, because it doesn't make sense.

MR. JAMES: Yes.

MR. GOLDSTEIN: It's just like these fire alarms you put in your house made by Westinghouse or Gillette. There must be 25 or 30 of them made. Well, I had a local fire department man install mine.

MR. JAMES: He's not even close.

MR. GOLDSTEIN: I've got some with batteries and some are electrical, so the ones with batteries I wanted him to come there and service them. It may cost me a dollar or two more, but I want to help my local fire department. You know,

they want to help the local economy instead of down in Baltimore; that's what it is.

MR. JAMES: I would have to move we reject it. I just don't think this is sound reasoning.

MR. MILLSTONE: I think that's probably the only way to address it, turn it down and go back to Maryland Historical Trust and tell them that the Board will not approve the second low bidder.

GOVERNOR LEE: Do I hear a motion to disapprove?

MR. JAMES: I made a motion.

MR. GOLDSTEIN: I second the motion.

GOVERNOR LEE: Motion is duly made and seconded to disapprove Item D-2; without objection, so ordered.

Is that it?

MR. GOLDSTEIN: Governor, for the next meeting, I think we have some problems. We just had this meeting today, and I think we've got a constitution meeting October 4th?

GOVERNOR LEE: Right. That will be our next meeting from today.

MR. MIDDLETON: That will be the official meeting.

MR. GOLDSTEIN: That will be the official meeting, yes.

I think we'd better, you know, make decisions there; so there won't be a 26th meeting.

MR. MIDDLETON: Right; the Board's 26th meeting.

MR. GOLDSTEIN: Yes; October 4th is the regular constitutional meeting.

GOVERNOR LEE: We were tentatively planning to meet on the Tuesday, September 26th, but we have scratched that one and the next meeting will be Wednesday, October 4th, which is a constitutionally required day for this Board.

MR. JAMES: You know, we have to go out to Western Maryland that afternoon. Don't you think we should try to get started earlier than usual?

MR. GOLDSTEIN: Yes, sir. Governor, to dedicate that big mine on the 5th -- is that day the 5th?

MR. JAMES: The 5th; yes.

MR. GOLDSTEIN: And Bill wants to go up there and I want to go up. I've made reservations up there, myself. Maybe we could start the meeting at 9:00 o'clock?

GOVERNOR LEE: Is this Metiki, or what?

MR. GOLDSTEIN: Yes, Metiki. You remember, we were up there last August, last year?

GOVERNOR LEE: I was up there about two weeks ago.

MR. GOLDSTEIN: Yes, sir.

GOVERNOR LEE: They have finished that building and I walked up, what is it, eleven stories?

MR. GOLDSTEIN: It's like a hotel out in the country, I know that.

GOVERNOR LEE: But no elevators.

MR. GOLDSTEIN: Yes, sir.

GOVERNOR LEE: You walk it, straight up.

MR. GOLDSTEIN: Yes. We walked up it last year, you remember, when all they had was a stairway.

GOVERNOR LEE: Yes.

MR. JAMES: It will probably be a long Agenda. I'm just wondering if we couldn't get started a little earlier than usual.

GOVERNOR LEE: Do we have a lunch ordered today and nobody to eat it or what?

MR. GOLDSTEIN: Lunch is here.

MR. JAMES: Well, I'll stay.

GOVERNOR LEE: All right.

MR. GOLDSTEIN: I'll stay.

GOVERNOR LEE: Lunch is available for anybody who wants it.

MR. JAMES: Well, I've asked you the question.

GOVERNOR LEE: What's that?

MR. JAMES: Can we start it at least by 9:30 and, say, maybe have our pre-Board Meeting --

GOVERNOR LEE: On the 4th?

MR. JAMES: Yes.

GOVERNOR LEE: All right. This is so that you can get a head start for your trip.

MR. GOLDSTEIN: Yes.

MR. JAMES: Well, if we could get finished by, say, 3:30 in the afternoon.

MR. GOLDSTEIN: Well, we ought to be finished before that. It's going to take you four hours to get up there.

MR. JAMES: Yes.

GOVERNOR LEE: The October 4th meeting is now scheduled at 9:30 a.m., please, so everybody can get a head start to Garrett County.

(Thereupon, at 11:25 a.m., the hearing in the above-entitled matter was concluded.)

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