

City of Biddeford, Maine  
Policy Committee Meeting  
Monday December 12, 2016

Minutes

**1. Roll Call** – Meeting was called to order at 6:30 p.m. by Interim Policy Committee Chair councilor Rick Laverriere. Other Policy Committee members present were: councilor Laura Seaver along with members Nathan Bean and Renee O’Neil. Excused was Councilor Michael Ready.

**2. Pledge of Allegiance** – The American flag was honored through the Pledge of Allegiance.

**3. Adjustments to the Agenda** – There were no adjustments

**4. Acceptance of Minutes:** *Motion by SEAVER seconded by ONEIL to accept the minutes of the November 14, 2016 meeting as printed. Vote unanimous.*

**5. Discussion/Review:** *Remove from Table:* Various Amendments to Chapter 46, Parks and Recreation; and Chapter 2, Administration/Amendments: City of Biddeford Parks Ordinance.

*Motion by SEAVER and seconded by BEAN to remove these items from table. Vote unanimous.*

*Motion by SEAVER and seconded by BEAN to approve the proposed language changes as presented, posted, and included in the Committee Agenda and to forward these Orders to the City Council with a recommendation for adoption. Vote: unanimous.*

**6. Discussion/Review:** Police Advisory Committee and Fire Advisory Committee.

The Committee considered the following amendments to the City Code of Ordinances:

**2016. IN BOARD OF CITY COUNCIL...**

**BE IT ORDAINED**, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, ADMINISTRATION, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 11, BIDDEFORD FIRE ADVISORY COMMITTEE (BFAC), is amended by adding new Sections to read as follows:

**Sec. 2-326. Establishment.**

There is hereby created and established the Biddeford Fire Advisory Committee, herein after BFAC, comprised of five (5) members and a member of the Biddeford Fire Department to serve as an ex-officio member. All members shall be citizens and reside within the corporate limits of the City of Biddeford, with the exception of the ex-officio member who may reside outside of the City. In appointing members to the BFAC, the

Mayor and City Council shall seek to appoint members from a cross-section of all citizens. The BFAC is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council

**Sec. 2-327. Purpose.**

The purpose of the committee is to provide and organized forum for two-way communication between the Biddeford Fire Department and the community. Responsibilities shall include:

(1) Where appropriate, make recommendations to the city council and Fire department on substantive issues, with the goal of improved Fire services. For the purpose of this article, "substantive" issues are defined as matters of major or practical importance to all concerned. It shall not include personnel issues involving individual members or officers of the Fire department, or daily Fire operations and implementation.

(2) Assist in identifying potential Fire department community partnerships to address public safety related issues within the community.

(3) Identify community resources and support for public safety activities (such as parking, and traffic); and give input to the city council and the Fire department regarding perceived effectiveness.

(4) Receive information and comments from citizens at the Committee's open and public meeting forum regarding public safety issues.

(5) Make reports to the City Council at such times as may be requested by the City Council or as the BFAC determines is necessary.

**Sec. 2-328. Membership.**

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered three-year terms. All subsequent appointments, except to fill a vacancy, shall be for three-year terms. A vacancy is created upon the death or written resignation to the BFAC Chair, or upon the vote of the City Council to remove a member. Members of the committee shall serve without pay and at the discretion of the City Council. The Biddeford Fire Chief, or his designee, shall serve as the administrator, advisor and ex-officio member, and shall provide assistance to the BFAC.

**Sec. 2-329. Organization of the Fire Advisory Committee.**

The Mayor shall appoint a Chair and a Vice Chair. The Chair shall serve a two-year term. A quorum shall consist of three (3) members. The Chair shall be counted in determining a quorum and shall have one (1) vote.

The Vice Chair shall serve a two-year term. The Vice Chair shall serve as Chair upon the death or resignation of the Chair, or upon the office of the Chair becoming vacant. The Vice Chair shall discharge the powers of the office of the Chair at any meeting at

which the Chair is absent. The Vice Chair shall be counted in determining a quorum and shall have one (1) vote.

The ex-officio member of the BFAC is a nonvoting member and shall serve in an advisory capacity.

The duties of a secretary responsible for recording meeting minutes shall be rotated sequentially among the Committee's membership for each meeting. The Chair shall be excluded from this responsibility. A roster for secretarial duties shall be established by the Committee.

A quorum consisting of three (3) members shall be necessary to take any BFAC action authorized or required by this article. An issue shall carry by a majority of those voting.

Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate and the City Council shall confirm all appointments to fill expired terms and/or vacancies. The City Council may remove any member for misconduct or nonperformance of duty.

The BFAC may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provisions of this article.

#### **Sec. 2-330. Meetings.**

Meetings of the Biddeford Fire Advisory Committee shall be established by the BFAC. Meetings shall be held at the Biddeford City Hall or at a suitable municipal public location. Prior notice of any change in meeting date, time or place shall be provided to all members, the public, and the administrative staff forty-eight (48) hours in advance of said meeting.

All regularly scheduled and special meetings shall have an agenda approved by the Chair.

Sections 2-331 to 2-340 reserved.

#### **2016. IN BOARD OF CITY COUNCIL...**

**BE IT ORDAINED**, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, ADMINISTRATION, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 12, BIDDEFORD POLICE ADVISORY COMMITTEE (BFAC), is amended by adding new Sections to read as follows:

#### **Sec. 2-341. Establishment.**

There is hereby created and established the Biddeford Police Advisory Committee, herein after BPAC, comprised of five (5) members and a member of the Biddeford Police Department to serve as an ex-officio member. All members shall be citizens and reside within the corporate limits of the City of Biddeford, with the exception of the ex-officio

member who may reside outside of the City. In appointing members to the BPAC, the Mayor and City Council shall seek to appoint members from a cross-section of all citizens. The BPAC is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council

#### **Sec. 2-342. Purpose.**

The purpose of the committee is to provide and organized forum for two-way communication between the Biddeford Police Department and the community. Responsibilities shall include:

- (1) Where appropriate, make recommendations to the city council and police department on substantive issues, with the goal of improved police services. For the purpose of this article, "substantive" issues are defined as matters of major or practical importance to all concerned. It shall not include personnel issues involving individual members or officers of the police department, or daily police operational enforcement and implementation.
- (2) Assist in identifying potential police department community partnerships to address public safety related issues within the community.
- (3) Identify community resources and support for public safety activities (such as parking, and traffic); and give input to the city council and the police department regarding perceived effectiveness.
- (4) Receive information and comments from citizens at the Committee's open and public meeting forum regarding public safety issues.
- (5) Make reports to the City Council at such times as may be requested by the City Council or as the BPAC determines is necessary.

#### **Sec. 2-343. Membership.**

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered three-year terms. All subsequent appointments, except to fill a vacancy, shall be for three-year terms. A vacancy is created upon the death or written resignation to the BPAC Chair, or upon the vote of the City Council to remove a member. Members of the committee shall serve without pay and at the discretion of the City Council. The Biddeford Police Chief, or his designee, shall serve as the administrator, advisor and ex-officio member, and shall provide assistance to the BPAC.

#### **Sec. 2-344. Organization of the police advisory committee.**

The Mayor shall appoint a Chair and a Vice Chair. The Chair shall serve a two-year term. A quorum shall consist of three (3) members. The Chair shall be counted in determining a quorum and shall have one (1) vote.

The Vice Chair shall serve a two-year term. The Vice Chair shall serve as Chair upon the death or resignation of the Chair, or upon the office of the Chair becoming vacant. The Vice Chair shall discharge the powers of the office of the Chair at any meeting at which the Chair is absent. The Vice Chair shall be counted in determining a quorum and shall have one (1) vote.

The ex-officio member of the BPAC is a nonvoting member and shall serve in an advisory capacity.

The duties of a secretary responsible for recording meeting minutes shall be rotated sequentially among the Committee's membership for each meeting. The Chair shall be excluded from this responsibility. A roster for secretarial duties shall be established by the Committee.

A quorum consisting of three (3) members shall be necessary to take any BPAC action authorized or required by this article. An issue shall carry by a majority of those voting.

Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate and the City Council shall confirm all appointments to fill expired terms and/or vacancies. The City Council may remove any member for misconduct or nonperformance of duty.

The BPAC may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provisions of this article.

#### **Sec. 2-345. Meetings.**

Meetings of the Biddeford Police Advisory Committee shall be established by the BPAC. Meetings shall be held at the Biddeford City Hall or at a suitable municipal public location. Prior notice of any change in meeting date, time or place shall be provided to all members, the public, and the administrative staff forty-eight (48) hours in advance of said meeting.

All regularly scheduled and special meetings shall have an agenda approved by the Chair.

Sections 2-346 to 2-350 reserved.

*Motion by SEAYER and seconded by ONEIL to approve the proposed language changes as presented, posted, and amended, and to forward these Orders to the City Council with a recommendation for adoption. Vote: unanimous.*

#### **7. Discussion/Review: Handbills/Newspaper Ordinance Language.**

City Manager James Bennett addressed the Policy Committee to garner feedback on the proposed Ordinance outline, the purpose of which is to regulate the process of delivery to those who do not wish to receive newspapers and to develop a mechanism for their

removal. The Committee discussed concept of licensing, the clarity as to what constitutes a violation, and consideration as to what constitutes frequency of violations.

The City Manager stated that the City of Saco has expressed a desire and willingness to work with Biddeford officials to develop and draft an ordinance that effectively and legally addresses the ongoing problem of discarded newspapers.

**8. Adjourn** – *Motion by SEAYER and seconded by BEAN to adjourn at 7:06 p.m. Vote unanimous.*