



# City Council Meeting and Workshop

## January 17, 2012

### Agenda

#### 5:30 p.m. Workshop

- A. Lead Hazard Reduction Grant Application (Reine Mynahan)
- B. LAPHC (Phil Nadeau, Dot Meagher)
- C. Registration Appeals Board Ordinance (Linda Cohen, Sue Clements-Dallaire)
- D. Firearms Discharge Report (Phil Crowell)
- E. Social Services Pantry (Dot Meagher)

#### 7:00 p.m. City Council Meeting

*Pledge of Allegiance* - Led by Sergeant Steve Gosselin

**I. Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

**II. Minutes** – The January 9, 2012 City Council Meeting minutes will be available at the February 6, 2012 City Council Meeting.

#### III. Reports

##### Mayor's Report

##### Committee Reports

- Robert Hayes: Planning Bd, Water, Library, and Railroad,
- David Young: School Committee, Cable TV Adv Board
- Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing.
- Joshua Shea: L-A Economic Growth Council

##### Interim City Manager

- January 9, 2012 Open Session Responses – Phil Crowell
- Dog Licensing Renewal – Sue Clements-Dallaire

##### Finance Director, Jill Eastman

- December Financial Report

#### IV. Communications, Presentations and Recognitions

- Swear-In and Badge Pinning Ceremony of Auburn Police Department new hires and recent officer promotions.

**V. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes.

#### VI. Unfinished Business

##### 1. Ordinance 01-01172012

Amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and in Article V-Boards,

# Auburn City Council Meeting & Workshop

## January 17, 2012

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Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership: chair. First reading. This item was postponed on 01/09/2012.

### **VII. New Business**

2. Order 01-011172012

Confirming Chief Crowell's appointment of Constables without firearms for the Auburn Police Department.

3. Resolve 01-011172012

Supporting the proposed Lewiston-Auburn Public Health Committee (LAPHC) By-Law Amendments and Member Nominations for Service.

**VIII. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*

### **IX. Future Agenda/Workshop Items**

### **X. ADJOURNMENT**



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** January 17, 2012

**Item #** A

**Author:** Reine Mynahan, Community Development Director

**Subject:** Lead Hazard Reduction Grant Application

**Information:** Elevated lead levels in young children can cause learning disabilities, hyperactivity, impaired hearing, and brain damage. There are three parts to the battle to reduce lead poisoning: reducing lead paint hazards in residential buildings, childhood screening, and raising awareness of the dangers of lead paint.

The Community Development Departments of the Cities of Auburn and Lewiston are joining forces to apply to the U. S. Department of Housing and Urban Development for approximately \$2,000,000 of lead grant funds. The majority of these funds would be used to eliminate lead hazards in buildings occupied by low income households. The eligible areas will be Census Tract 101, 102, 103, and 105 (see attached map). The new resource will provide a grant for 90% per unit of the construction cost, with a maximum of \$7,500, to eliminate lead hazards. The applicant will either contribute a 10% private match or accept a 15% loan from the Community Development Program. Community Development financing will consist of \$3,000 per unit as an interest-free loan and the remainder at a rate of 4%. The amortization will be up to 20 years. Loans will be approved by the Community Development Loan Committee. The grant would also provide funding for Healthy Androscoggin to educate tenants about the dangers of lead paint and other home health hazards, and to increase lead screening. Furthermore, the grant would provide support for 50% of the Community Development Department's Administrative Assistant.

The City of Lewiston will be the lead agency in this grant request. Construction funds will be split 50/50 with \$750,000 coming to Auburn. This resource will improve 100 units, and will help in retaining jobs of local abatement contractors.

The grant requires a 15% local match. Match funds would come from the Community Development Program at a level of approximately \$37,500 per year.

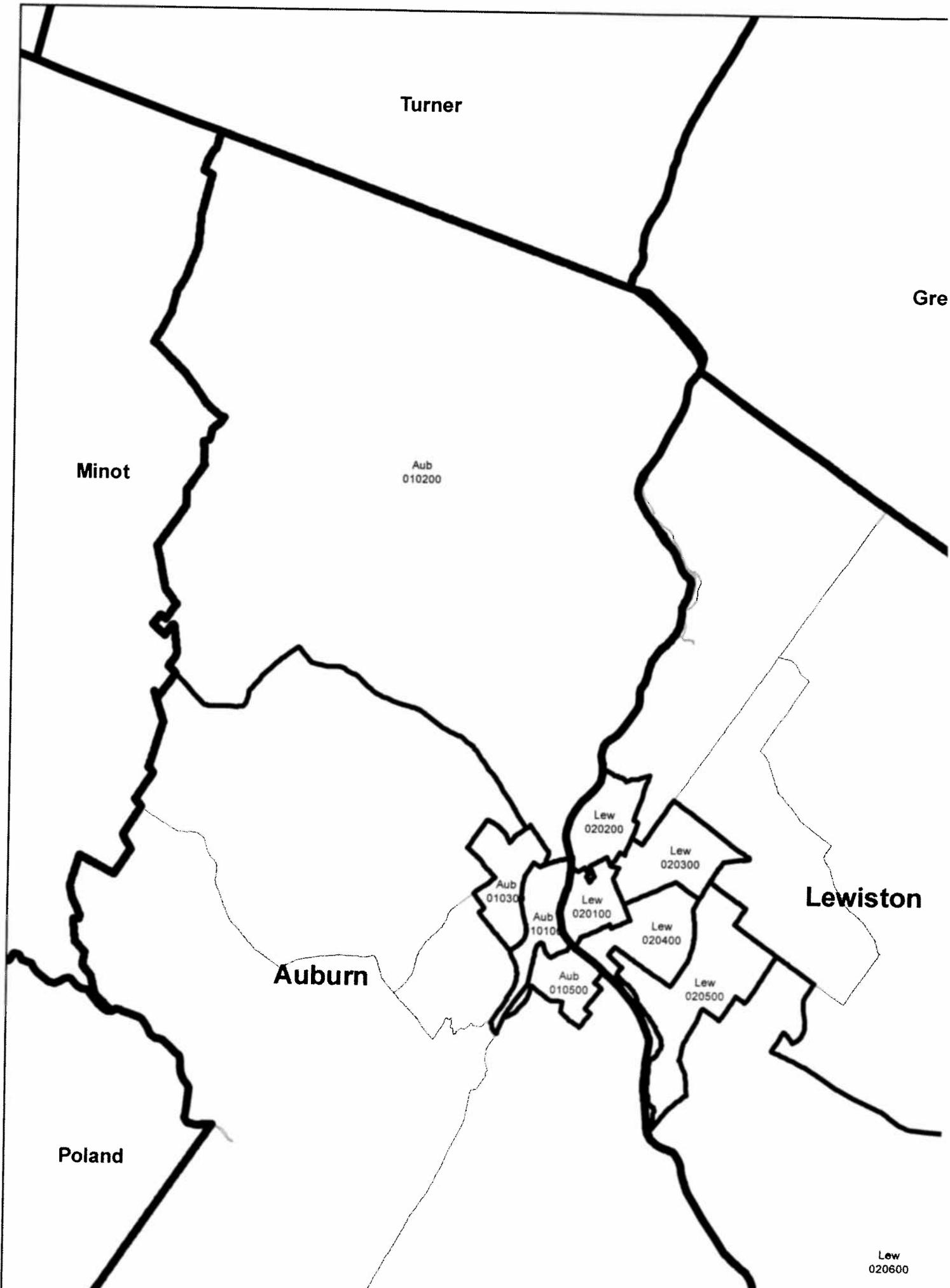
**Financial:** \$112,500 over three years

**Action Requested at this Meeting:** None

**Previous Meetings and History:** The Cities of Auburn and Lewiston have operated successful lead grant programs in the past. Three-year grants were awarded in 2002 when the City of Auburn was the lead agency and in 2009 with the City of Lewiston as the lead. Time and money are about to run out for the 2009 grant. The previous grants improved 200 units, but there remain many more rentals with peeling paint problems.

Not only do tenants have a healthier place to live through this effort, but local landlords also receive a tremendous benefit. The construction improvements are typically to replace doors and windows which help the landlord by reducing energy consumption, and often porches and interior trim are improved. The program is another tool we use to maintain the quality of Auburn's housing stock.

**Attachments:** *Map*



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## City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: 01/17/2012

Item # B

Author: Dot Meagher

**Subject:** Lewiston Auburn Public Health Committee (LAPHC) by-law amendments and member nominations for service

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**Information:** The LAPHC is seeking support from the Auburn City Council of the amended changes made to the LAPHC bi-laws and member nomination for service.

**Mission:** Create public health partnerships that promote physical and mental health and prevent disease, injury and disability, based on the Essential Public Health Services, see attachment.

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**Financial:** None

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**Action Requested at this Meeting:** Support from Council on the proposed Lewiston-Auburn Public Health Committee (LAPHC) By-Law Amendments and Member Nominations for Service.

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**Previous Meetings and History:** 01/09/2012 workshop requested more information.

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**Attachments:** The essential of the LAPHC.

<http://www.lewistonauburnpublichealth.org/>

*Essentials of the  
Lewiston-Auburn Public Health Committee (LAPHC)*



1. **Monitor** health status to identify health problems; this is done by committee members sharing what they are "*hearing and seeing*" within their own respective professional entity.
2. **Inform, educate,** and empower people about health issues; this is done by providing factual health-focused data to members of the community, i.e., preventative information about H1N1; the school hand washing campaign; and the outreach event in Kennedy Park.
3. **Mobilize** community partnerships and action to identify and address health problems; this is done by collaboratively working with fellow LAPHC committee members and other community entities to collaboratively recognize a public health problem and work together to most effectively respond to it.
4. **Develop policies and initiatives** that support individual and community health efforts; this is done through utilizing the committee's collective strength and expertise in building capacity and exercising follow-through when addressing a health concern, i.e., tobacco policy regarding Lewiston recreational areas.
5. **Link** people to needed personal health services; this is done by informing community members about health resources available to them, i.e., locations of flu shot clinics and accessibility to stop smoking assistance.
6. **Evaluate population-based health services;** this is done by discussing what health services are available and whether they are adequate and effective, while at the same time recognizing that there are many ways such services could be evaluated.
7. **Research and report** on new insights and innovative solutions to health problems; this is done by LAPHC members discussing current issues in local public health.
8. **Advocate for public health care;** this is done by collectively utilizing LAPHC voices to promote the availability and accessibility of needed health care.
9. **Build capacity;** this is done by continuing to bring knowledge and expertise "*to the table*" in an effort to address health care concerns.



The Office of  
Deputy City Administrator  
Phil Nadeau  
27 Pine Street • Lewiston, Maine • 04240  
Tel. 207-513-3121, Ext. 3201 • Fax 207-795-5069  
Email: pnadeau@lewistonmaine.gov



## MEMORANDUM

<b>TO:</b>	<b>City of Auburn Mayor and City Council</b>
<b>FROM:</b>	Phil Nadeau, Deputy City Administrator
<b>DATE:</b>	January 16, 2012
<b>RE:</b>	<b>Auburn City Council - aw Amendments</b>

### 1. BACKGROUND

At the Auburn City Council workshop on January 9<sup>th</sup>, a number of questions were raised about the L-A Public Health Committee's interlocal agreement amendment with the two cities and its mission, organization and strategic planning process. Given the limited amount of time I had to research some of the questions raised and the time I have to prepare a fully developed report, the following is offered in the hopes of providing information on the more substantive questions that were raised Monday evening.

### 2. REQUESTED INFORMATION

#### A. Interlocal agreement amendments

- a) Quorum reduction: Given the diversity of positions, the difficulty in picking a day and time each month that satisfies all schedules, the fact that this committee is advisory only and carries no budgeting or policy setting authority, and the difficulties associated with not meeting a quorum and having to hold over or conduct email voting as an alternative (both of these options result in the same 30 day delays on any actionable item), we are requesting that the council approve our request. A future consideration for increasing the quorum requirement can certainly be reported out to the Councils once we can assess the effectiveness of the proposed proxy and member replacement language.
- b) Recommended list of committee appointments: First and foremost, this is a recommended list only and it is understood that both Councils have the final say on who may be appointed. However, given the difficulties in finding people to fill the positions, the fact that the Lewiston City Council has already approved the recommended list, and given that this list has been vetted with many of the organizations that have a strong position in the healthcare industry in L-A, we feel confident in the list we have offered. It should be noted that four positions remain vacant (one of them being the Auburn Mayor/Council) and we continue to ask for volunteers.
- c) Size of the committee: This committee took almost a year of work to assemble as part of the original interlocal agreement. Our group of healthcare representatives

believe that the list represents this community's best effort to represent all areas of public health in L-A and also provides the necessary level of community and political representation for both cities. Not to overemphasize the point, the size of the group also provides for enough capacity to get work done by those who can be physically present and those who may not frequent the meetings but have demonstrated that they can provide input and resources when needed.

## **B. Strategic Planning and Mission**

Our mission is stated in the interlocal agreement: "To create public health partnerships that promote physical and mental health and prevent disease, injury, and disability." A January 2008 report was developed by the steering committee which led to the approval of the interlocal agreement in September of 2008. In that report, the following was stated as it relates to the short and long term goals of the committee:

"The steering committee agreed that the new public health committee would be confronted with a number of public health concerns and recommends to both city councils that the new public health committee focus on the following priorities:

- Short-term: The establishment of three goals to be achieved within the first year of the committee's first public meeting. The specific goals would be defined by the public health committee. Examples that have been discussed include:
  - a. The establishment of a fully coordinated , comprehensive pandemic flu preparedness plan for the cities of Lewiston and Auburn
  - b. The development of a fully coordinated flu shot program in an effort to achieve 100% access for all residents
  - c. The creation of a youth mental health screening program for all school based health systems in L-A public schools
- Long-term: Building a core relationship-based healthcare infrastructure (based on networking versus capital assets) to link city/county/state government, public schools, local healthcare organizations, and the general public in a way that would help identify program/service deficiencies, improve on existing strengths, and focus on long-term goals. The main objective would be to complement existing or planned local public healthcare initiatives."

In short, though our zero budget, limited resources and staff have not provided for the type of support needed to fully develop and implement a strategic plan for public health in L-A, our initial 2008 short-term objectives, a reflection of our adopted essential public health priorities (**See Appendix A**) were all accomplished : A successful coordination effort with local agencies, MEMA, and the MeCDC around the H1N1 outbreak(short term goal 1); a fully developed vaccination program coordinated by both area hospitals with the goal of provided access for all residents(short term goal 2); and the development of a mental health screening process which has become part of the service programming within the school based health system in both cities.

The success in achieving some of our long term goals of building core relationships within the healthcare industries is most evident in our commitment to provide a regular, monthly forum for professionals representing the full spectrum of public health to discuss a range of health topics and concerns specific to Lewiston and Auburn.

Lastly, our long term goal and priority setting exercises (**see Appenix B and C**) have helped to focus on those areas in which we could develop a consensus on what, we believe, the LAPHC

can be most effective. The results of that activity, with public awareness having been identified as the number one priority of the committee, led to the development of the Bed Bug Forum in 2011 and Bath Salts Forum which will be held at CMMC on January 27<sup>th</sup>.

The committee remains strongly interested in developing a fully developed strategic plan and to engage in a public discussion with both cities on to best implement such a plan. It is encouraging to see that there is strong interest within the Mayor's Office and Auburn City Council to pursue such a plan.

### **C. Outside Agency Coordination**

The LAPHC has representation from every major healthcare institution and agency in the area and from the areas of state government which exert the greatest degree of influence over public health funding, service and policy.

Our interactions with organizations like St. Mary's, CMMC, Healthy Androscoggin, the Maine CDC, and the Maine Health Access Foundation have all resulted in providing improved web access (web site currently supported by Healthy Androscoggin and with a link to the page now featured prominently on the new Lewiston web site home page), funding for our two featured forums, and the support for materials used in our school-based handwashing campaign in 2009.

Again, we applaud the Mayor and Council for their inquiries as to how we might improve public health service delivery in our two cities by analyzing the dizzying array of public health initiatives, foundations, grants, state and federal funds to answer the question "are we delivering public health in L-A in the most effective and efficient way possible?" The task in tackling this questions, however, is significant and will require significantly more analysis and research effort than what the LAPHC or either city staff is capable of delivering at this juncture.

### **3. RECOMMENDED ACTION**

Though our modest effort to support public health in our community has not produced the kind of higher-level organizational results desired by some members of our LAPHC organization and some elected officials, I can say, with a very high degree of certainty, that our committee is very unified in its opinion of how the LAPHC has positively impacted the public's awareness and access to public health services, issues and programs in L-A. I believe that our committee sees these successes as a wonderful platform to pursue other public health initiatives in the near future.

In order to provide the continuity needed for our Committee's ongoing work, and given the Lewiston City Council's support of the existing amendments and its endorsement of the recommended list of appointments, the LAPHC is seeking your approval of the enclosed LAPHC by-law amendments and recommended LAPHC nominees list as submitted.

I also propose that the LAPHC undertake the task of revisiting its current organizational structure with the full participation of both Mayors and City Councils sometime in FY 2013. At that time, the LAPHC members and our elected officials can reassess the structure of the L-A Public Health Committee and its mission in supporting the public health goals for our communities. We believe that this will present a very exciting opportunity to both the LAPHC and our local elected officials to explore what more can be done to enhance public health services to all the residents of our community.

## **APPENDIX A**

### **The Ten Essentials of Public Health Services**

1. Monitor health status to identify health problems. This is done by LAPHC members sharing what they are hearing and seeing within their own respective professional entities.  
Example: local data on the obesity epidemic, lead poisoning, mental/behavioral health, reproductive health, healthy aging, food quality and food insecurity, asthma, and safety/violence prevention.
2. Inform, educate and empower people about health issues. This is done by providing factual, health-focused information to members of our communities.  
Example: preventive information to the community about H1N1, an LAPHC school hand washing campaign, and an outreach event in Kennedy Park.
3. Mobilize community partnerships and action to identify and address health problems. This is done by collaboratively working with fellow LAPHC committee members and other community entities to recognize a public health problem and work together to most effectively respond to it.  
Example: Efforts to increase membership/ participation on LAPHC and presentations from other health and public health organizations.
4. Develop policies and initiatives that support individual and community health efforts; this is done through utilizing the committee's collective strength and expertise in building capacity and exercising follow-through when addressing a health concern.  
Example: Work on tobacco policies regarding Lewiston recreational areas; response to city council request for public health information regarding the keeping of domestic chickens.
5. Link people to needed personal health services. This is accomplished by informing community members about health resources available to them.  
Example: locations of flu shot clinics on LAPHC website and accessibility to stop smoking help.
6. Evaluate population-based health services. This is done by LAPHC members discussing what health services are available and whether they are adequate and effective. LAPHC will also evaluate the impact of any LAPHC- initiated projects.
7. Research and report on new insights and innovative solutions to health problems. While LAPHC does not conduct research, LAPHC members stay current and discuss new issues in public health.
8. Advocate for public health care. This is done by collectively utilizing LAPHC voices to promote the availability, accessibility of care; and identifying gaps that need to be addressed.
9. Build capacity. This is done by continuing to bring knowledge and expertise to the table in an effort to address health care concerns.  
Example: possible nutrition needs and elder health needs.
10. Enforce laws and regulations that protect health and ensure safety. This service is done by other city agencies and is not part of LAPHC work.

**Updated 5/10/2010**

## **APPENDIX B**

### GOAL: 12.1.08

Identify 2 – 3 projects for the LAPHC that would be “quick” successes and provide “visibility” and cause for “celebration”

Process:

1. Identify top 5 public health priorities from the committee members
  - a. Additional items
2. Compile the list into “groupings”
  - a. Clarify groupings
  - b. Name groupings
3. Reduce the list by half
  - a. Review list chosen
  - b. Should there be anything kept from previous list?
4. Repeat step 3
5. Repeat step 3
6. Identify activities under each priority
  - a. **S** = Specific
  - b. **M** = Measurable
  - c. **A** = Attainable
  - d. **R** = Realistic
  - e. **T** = Timely or (Time limited)

## **APPENDIX C**

Public Health Groupings from list 12.1.08

Working from the compiled list the group was asked to name or identify broad categories. They then voted on their priorities

Resulting Priorities were:

Public Awareness	14
Obesity/Nutrition	11
Child/Adolescent Health	10
Safety/Violence Prevention	10
Chronic Disease	9
Mental Health	8

Disaster Planning	7
Oral Health	7
Cultural Competency	6
Alcohol/Substance Abuse	5
Infectious Disease	5
Housing & Related Issues	3
Reproductive Health	2
Affordable & Accessible Health	0
Transportation	0

They then took the top 8, explained that activity and how it fit into the priorities as listed. (one activity per person)

The members were then asked to vote on their top three priorities that would then become the topic areas for the next meeting to start to focus on activities within those areas.

Results:

Public Awareness	13
Chronic Disease	11
Child/Adolescent Health	8
Disaster Planning	6
Safety/Violence Prevention	3
Obesity/Nutrition	1
Mental Health	0
Oral Health	0

#### TOP THREE PRIORITIES

Public Awareness	13
Chronic Disease	11
Child/Adolescent Health	8

Group then was asked as assignment before next meeting to compile a list of possible activities that could be done focusing on the three categories.

Potential Activities generated at the 12/1/2008 session

- ✓ Policy Inventory
- ✓ Immunization of kids
- ✓ Disaster Planning/Coordination
- ✓ Public Health on Public Radio
- ✓ Public Awareness Campaign thru kids and their relationships with adults
- ✓ Sponsor a series of events each month i.e. May = Mental Health Month
- ✓ Public Awareness on Obesity
- ✓ Public Awareness – Create website and use for community education
- ✓ Involve Center for the Prevention of Haste Violence to reduce violence and prejudice
- ✓ Domestic Violence

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- ✓ Vitamin D Education and Awareness
  - ✓ Screening for Depression
  - ✓ Chronic Disease Screening and awareness programs
  - ✓ Hand washing (Hand Hygiene) awareness
  - ✓ Health Dashboard – Know your numbers campaign



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** 01/17/2012

**Item #** C

**Author:** Susan Clements-Dallaire, Acting City Clerk

**Subject:** First reading amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and deleting Article V-Boards, Commissions and Committees, Board of Voter Registration Appeals.

**Information:** Title 21-A: Elections, Chapter 3: Voter Registration, Subchapter 1: Registrar of Voters §103 - 1 States "The municipal clerk may not serve as a member or alternate member of the registration appeals board" however in the City Code of Ordinances, Chapter 2, Article III, Division 4 Section 2-180 (6) states the "Clerk shall serve as chair of the registration appeals board ...".

**Financial:** N/A

**Action Requested at this Meeting:** Recommend amendment of ordinance and passage of first reading.

**Previous Meetings and History:** Postponed at the 1/09/2012 City Council Meeting

**Attachments:**

- ✓ Copy of Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 in the Code of Ordinances
- ✓ Copy of Chapter 2-Administration, Article V-Boards, Commissions and Committees, Division 2-Registration Voter Appeals Board, Section 2-406-Membership; chair in the Code of Ordinances.
- ✓ Copy of the State Statute in Title 21-A: Elections, Chapter 3: Voter Registration, Subchapter 1: Registrar of Voters §103 - 1
- ✓ History of Registration Appeals Board
- ✓ Ordinance # 01-01172012



Auburn, Maine, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 2 - ADMINISTRATION >> ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES >> DIVISION 2. - REGISTRATION VOTER APPEALS BOARD >>

**DIVISION 2. - REGISTRATION VOTER APPEALS BOARD** [15]

Sec. 2-406. - Membership; chair.

Sec. 2-407. - Deputies.

Sec. 2-408. - Staff assistants.

Secs. 2-409—2-429. - Reserved.

**Sec. 2-406. - Membership; chair.**

The registration voter appeals board shall consist of three members as provided by state law. The city clerk shall appoint himself as chair of the board.

*(Code 1967, § 2-3.1)*

**Sec. 2-407. - Deputies.**

The registration voter appeals board shall appoint two deputies, who shall be nominated by the chair. The deputies shall be employees of the city. The political party affiliation and duties of the deputies shall be as established by state law. The deputies' performance of their job duties shall be under the direction of the chair of the board.

*(Code 1967, § 2-3.2)*

**Sec. 2-408. - Staff assistants.**

If there are one or more vacancies in the position of deputy to the registration voter appeals board, the chair may appoint one or more assistants to provide temporary staff assistance to the board until the vacancy can be filled. The staff assistants shall be supervised by the chair of the board.

*(Code 1967, § 2-3.3)*

**Secs. 2-409—2-429. - Reserved.**

**FOOTNOTE(S):**

<sup>(15)</sup> *State Law reference—Municipal registration appeals board, 21-A M.R.S.A. § 103. (Back)*

# Maine Revised Statutes

- §103 PDF
- §103 WORD/RTF
- STATUTE SEARCH
- CH. 3 CONTENTS
- TITLE 21-A CONTENTS
- LIST OF TITLES
- DISCLAIMER
- MAINE LAW
- REVISOR'S OFFICE
- MAINE LEGISLATURE

§102

Title 21-

§104

## A: ELECTIONS

### Chapter 3: VOTER REGISTRATION

#### Subchapter 1: REGISTRAR OF VOTERS

#### HEADING: PL 1997, C. 436, §12 (AMD)

### §103. Registration appeals board

In a city or town that has a population of 5,000 or more, if a person is aggrieved by the decision of the registrar of voters to cancel that person's registration in the central voter registration system or to reject that person's voter registration application, that person may appeal in writing to the registration appeals board. [2005, c. 453, §9 (AMD).]

**1. Population of 5,000 or over.** The registration appeals board consists of 3 members who must be appointed as follows: The municipal committee of each of the major political parties shall nominate one member, who must be enrolled in the party of the municipal committee that nominates the member, and the municipal officers shall appoint the persons nominated by the municipal committees and the 3rd member must be nominated by the clerk of the municipality and appointed by the municipal officers. The clerk of the municipality may give the municipal committees of the political parties a list of qualifications necessary for a person to fulfill the duties of the registration appeals board, and the municipal committees shall take those qualifications into consideration when nominating members to the board. The 2 members of the board nominated by the municipal committees of the major political parties may be members of the municipal committee nominating them and of the county or state committees of the political party that nominates them and may be members of a state or county delegation to a political convention. When a municipal committee nominates a member to the registration appeals board, it shall also nominate an alternate board member, who serves if the member nominated by the municipal committee is or becomes unable to serve. The municipal clerk may not serve as a member or alternate member of the registration appeals board.

[ 1997, c. 436, §19 (AMD) .]

**2. Population of 4,000 to 5,000.**

[ 1999, c. 426, §4 (RP) .]

**3. Term of office.** Each member nominated by the municipal committees of the major political parties and appointed to the board shall serve for 3 years and until the member's successor is appointed and sworn. The member nominated by the clerk of the municipality and appointed to the board shall serve for 4 years and until that member's successor is appointed and sworn.

[ 1995, c. 459, §8 (AMD) .]

**4. Chairman of the board.** The member nominated by the clerk of the municipality is chairman of the board.

[ 1985, c. 161, §6 (NEW) .]

**5. Vacancy.** When there is a vacancy on the board, the alternate board member nominated by the municipal committee of the political party of the former incumbent shall serve. If an alternate is not available, the municipal officers shall appoint a qualified person nominated by the municipal committee of the party of the former incumbent to fill the vacancy. If the vacancy is in the office of the chair of the board, the municipal officers shall appoint a qualified person nominated by the clerk of the municipality to fill the vacancy. Vacancies must be filled for the remainder of the term of office.

[ 1991, c. 466, §2 (AMD) .]

**6. Appeal hearing.** Upon receipt of a complaint by a person aggrieved by the decision of the registrar, the chair of the registration appeals board shall immediately fix a time and place for the board to meet for a prompt hearing. The voter must be given written notice of the hearing at least 20 days in advance and must have the opportunity to testify and to present witnesses and other evidence at the hearing. The hearing is de novo. After hearing, the board may affirm, modify or reverse the decision of the registrar of voters. The board shall issue the decision to the voter in writing and shall provide information on how the voter may appeal the decision. The aggrieved person may appeal the decision of the board to the Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

[ 2009, c. 253, §9 (AMD) .]

**7. Actions of the registration appeals board.** A

registration appeals board may only act by unanimous or majority action.

[ 1995, c. 459, §10 (RPR) .]

**8. Removal from office.** A member of the board may be removed from office at any time during the member's term by the appointing authority if the appropriate nominating authority nominates a replacement. Any replacement member shall serve out the remainder of the replaced member's term.

[ 1995, c. 459, §11 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 614, §4 (AMD). 1991, c. 466, §§2,3 (AMD). 1991, c. 862, §§1,2 (AMD). 1995, c. 56, §§1,2 (AMD). 1995, c. 56, §3 (AFF). 1995, c. 459, §§4-11 (AMD). 1997, c. 436, §19 (AMD). 1999, c. 426, §§4,5 (AMD). 2005, c. 453, §9 (AMD). 2007, c. 455, §4 (AMD). 2009, c. 253, §9 (AMD).

*Data for this page extracted on 10/27/2011 10:05:53.*

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.**

**If you need legal advice, please consult a qualified attorney.**

**Office of the Revisor of Statutes**

**7 State House Station**

**State House Room 108**

**Augusta, Maine 04333-0007**

Prior to 1995, municipalities with populations greater than four or five thousand had a Board of Registration. The smaller municipalities had a Registrar of Voters. The Board of Registration consisted of a Chair, nominated by the Clerk, and a Democrat and Republican, nominated by their municipal party. All were appointed by the Municipal Officers. The Board was supposed to vote on whether or not a voter could be added to or deleted from the voter list. In actuality, the Chair usually did all the work alone. Usually, the Board appointed the Municipal Clerk as a Deputy so he/she could register voters when the Board was not in session. Town and City Clerks tried once and failed, but finally, were successful in getting the Legislature to repeal the Board of Registration and allow all municipalities, regardless of size, to have a Registrar of Voters. As a compromise, the Legislature wanted voters to have a board to which a voter could appeal the decision of the Registrar. The Registration Appeals Board was created. To my knowledge, these boards have never met. Registrars must follow State and Federal law when adding and deleting names to the list.

Members of the new board come to their positions basically the same way as they did in the past, but now the political parties must also nominate an Alternate, and the Clerk is prohibited by State law from being on the Board, since State law requires that the Clerk be a Deputy Registrar if he/she is not the Registrar. There are no deputies to the Board. The Registrar appoints deputies, usually the employees in the office, and some to be at the polls as required by State law.

Since the requirements for this Board are set out in State law, and municipalities cannot override them, we are recommending the repeal of the entire ordinance section in Chapter Two, particularly because several parts of it are contrary to the law. In a future meeting, we will be bringing forward the appointment of the five members of the Registration Appeals Board, but this ordinance language must be repealed before the Chair of the Board can be appointed.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE #01-01172011

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

#### **Article III Divison 4 City Clerk**

Sec. 2-180. - Duties.

Secs. 2-181—2-198. - Reserved.

#### **Sec. 2-180. - Duties.**

The city clerk shall perform all duties prescribed by ordinance, the Charter and state statute, which shall include, but shall not be limited to, the following:

- (1) Serve as clerk of the city council and perform such other duties for the city council as it may require, and transmit to the city council all papers requiring its consideration. The clerk shall certify and be responsible for the filing, indexing and safekeeping of all tapes, minutes and related documents the city council has acted upon.
- (2) Perform all duties in regard to elections required by the Charter and 21-A M.R.S.A. § 1 et seq., and secure and maintain all election records and have custody of all property used in connection with elections.
- (3) Publish legal notices as required by city ordinance, the Charter and/or state statutes.
- (4) Be responsible for the issuance of commercial licenses for the city as prescribed in city ordinances and state statutes.
- (5) Be responsible for indexing and maintaining all vital statistic records relating to births, marriages and deaths.
- (6) ~~Serve as chair of the registration appeals board and ensure that the registration data is current and accurate.~~

~~(7)(6)~~

Be the custodian of the official city seal.

*(Code 1967, § 17-1.1)*

**~~Article V Division 2 Registration Voter Appeals Board~~**

**~~Sec. 2-406. — Membership; chair.~~**

~~The registration voter appeals board shall consist of three members as provided by state law. The city clerk shall appoint himself as chair of the board.~~

*(Code 1967, § 2-3.1)*

**~~Sec. 2-407. — Deputies.~~**

~~The registration voter appeals board shall appoint two deputies, who shall be nominated by the chair. The deputies shall be employees of the city. The political party affiliation and duties of the deputies shall be as established by state law. The deputies' performance of their job duties shall be under the direction of the chair of the board.~~

*(Code 1967, § 2-3.2)*

**~~Sec. 2-408. — Staff assistants.~~**

~~If there are one or more vacancies in the position of deputy to the registration voter appeals board, the chair may appoint one or more assistants to provide temporary staff assistance to the board until the vacancy can be filled. The staff assistants shall be supervised by the chair of the board.~~

*(Code 1967, § 2-3.3)*

**~~Sees. 2-409 — 2-429. — Reserved.~~**

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**FOOTNOTE(S):**

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<sup>415)</sup> *State Law reference — Municipal registration appeals board, 21-A.M.R.S.A. § 103. (Back)*

Language to be deleted is ~~stricken~~; additions are underlined



# City Council Workshop Information Sheet

City of Auburn

**Council Workshop Date:** January 17, 2012

**Item #** D

**Author:** Phillip L. Crowell, Jr. Chief of Police

**Subject:** FIREARMS DISCHARGE COMMITTEE

**Information:** Chief Crowell will report on the discussion and recommendation(s) of the Firearms Discharge Committee from the meeting which was held on Wednesday, January 11<sup>th</sup>.

**Financial:** n/a

**Action Requested at this Meeting:** Discussion

### Previous Meetings and History:

July 17, 2006	Mayor Guay appoints Firearms Discharge Committee.
August 7, 2006	Report to City Council re: first organizational Firearms Discharge Committee 8/2/06.
October 26, 2007	Letter to 47 property abutters re: public hearing to be held on November 5, 2007.
November 5, 2007	Council Resolve passed amending the firearms discharge zone.
November 6, 2007	City Clerk notifies Dept. of Inland Fisheries and Wildlife of amendment.
January 1, 2008	Amendment goes into effect.
February 14, 2011	George Bussiere and Milton McCabe request a waiver from City Council to hunt on their property.
May 16, 2011	Workshop discussion regarding the Bussiere & McCabe waiver request. Following Workshop, at the City Council meeting, a motion was made to waive the firearm discharge restriction during hunting season on the properties in question and motion was passed. A motion was made to have the committee consider the rights of property owners in similar situations.

### Attachments: *(in order of appearance in packet)*

1. Chronology of Firearms Discharge Committee
2. July 17, 2006 City Council Meeting Minutes (1 page)
3. August 7, 2006 City Council Meeting Minutes (2 pages)
4. November 5, 2007 City Council Meeting Minutes (1 page)
5. City Ordinance – Section 32-6 – Discharge of firearms
6. 30-A§3000. Specific Ordinance Provisions
7. Firearms Discharge Zone
8. February 14, 2011 Letter from George Bussiere and Milton McCabe requesting waiver
9. May 16, 2011 City Council Meeting and Workshop Agenda (2 pages)
10. May 16, 2011 City Council Workshop Information Sheet
11. City Council Meeting Minutes (1 page)

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Police Department

January 11, 2012

### Reference: Firearm Discharge Zone

This memo includes the timeline of the process for establishing the firearms discharge committee, amendment, waivers and supporting documents.

- **July 17, 2006** - Mayor Normand Guay appointed the Firearms Discharge Committee. Members included Councilor Eric Samson, William Locke, Scott Davis, Harvey Gagne, Michael Jordan, Steve Damien, Susan Weiss, Barbara Trafton and William Skelton.
- **August 7, 2006** – Councilor Samson reported the first Firearms Discharge Committee organizational meeting was held on August 2, 2006.
- **August 2006 to October 2007** – Periodic meetings were held by the committee to consider an amendment. In accordance with MRSA 30-A 3007, consultation was held with the Department of Inland Fisheries and Wildlife as well as discussions with residents and community groups that use Whitman Spring Road.
- **October 26, 2007** – A letter was mailed to 47 property abutters to Whitman Spring Road advising property owners of a public hearing on November 5, 2007.
- **November 5, 2007** – City Council Resolve was passed amending the firearms discharge zone to include the abutting land on Whitman Spring Road.
- **November 6, 2007** – Notification by City Council was made in accordance with MRSA 30-A 3007 to the Department of Inland Fisheries and Wildlife.
- **January 1, 2008** – Amendment takes effect.
- **February 14, 2011** – George Bussiere and Milton McCabe request an opportunity to seek a waiver from the City Council to hunt on their property which is within the amended restricted zone which became effective January 1, 2008.
- **May 16, 2011** – Workshop discussion regarding the Bussiere & McCabe waiver request. Following the workshop, at the City Council meeting, a motion was made to waive the firearm discharge restriction during hunting season on the properties in question was passed. The motion was amended to have the committee consider the rights of property owners in similar situations.
- **No further action was taken.**

**CITY OF AUBURN  
JULY 17, 2006  
CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 43 people in the audience.

Mayor Guay called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag. Mayor Guay called for a moment of silence for two former City Councilors who passed away last week, Everett Trask and Alvin Gilbert.

**CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 6 Yeas with Councilor Gerry voting Nay.

**\*MINUTES OF JULY 10, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**APPOINTMENT OF FIREARMS DISCHARGE COMMITTEE**

Mayor Guay appointed the following to serve on the Firearms Discharge Committee: Councilor Eric Samson, Chair, William Locke, Scott Davis, Harvey Gagne, Michael Jordan, Steve Damien, Susan Weiss, Barbara Trafton and William Skelton.

**REPORTS OF CITY COUNCILORS**

Councilor Rowell reminded Councilors that the City Manager's Performance Evaluation should be completed soon.

**REPORTS OF THE CITY MANAGER**

Pat Finnigan, City Manager, talked about the events taking place a Festival Plaza – Movies, L-A Arts, and Community Band concerts.

**COMMUNICATIONS AND RECOGNITIONS**

None

**OPEN SESSION**

The following people spoke during open session: Brian Franck, 20 Pearl Street; Ed Desgrosseilliers, 121 Hatch Road; Francis Bussiere, 9 Winter Street; Brian Demers, 1085 Riverside Drive; Dan Herrick, 470 Hatch Road; Ron Potvin, 82 Northern Avenue; and Timothy Goss, 175 Valview Drive.

**CITY OF AUBURN  
AUGUST 7, 2006  
CITY COUNCIL MEETING**

**PRESENT**

Mayor Normand W. Guay, Councilors Bethel B. Shields, Robert P. Hayes, Eric G. Samson, Donna L. Rowell, Belinda A. Gerry, Robert C. Mennealy, and M. Kelly Matzen, City Manager Pat Finnigan, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 100+ people in the audience.

Mayor Guay called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn Hall with a salute to the flag.

**CONSENT AGENDA**

Councilor Shields moved to accept, approve and place on file the following item listed with an asterisk. Seconded by Councilor Rowell. Vote: 7 Yeas.

**\*MINUTES OF JULY 17, 2006**

Approved under consent agenda.

**REPORTS OF THE MAYOR**

**RECOGNITION OF DAVID WEBSTER**

Mayor Guay recognized David Webster, a Para transit driver at Western Maine Transportation. For three consecutive years, Mr. Webster has earned the first-play trophy at the Annual Maine State Bus & Van Roadeo. In June of this year, he participated in Orlando, Florida competition and brought home the National Community Transportation Association's Bus Division Title.

Mayor Guay also noted that the filing deadline for candidates for the Municipal Election is August 24<sup>th</sup>. To date only three residents have taken out nomination papers for seven School Committee openings.

**REPORTS OF CITY COUNCILORS**

Councilor Rowell noted that she recently attended a function at the Franco Heritage Center, where a 13 year old male performed on the piano recently donated to the center; she also worked (serving hot dogs) at National Night Out and thanked all the City personnel who helped make it a successful event.

Councilor Mennealy reminded the Mayor and Councilors that the Performance Evaluation of the City Manager should be completed soon.

Councilor Samson noted that the Firearms Discharge Committee had their organizational meeting on August 2<sup>nd</sup>. The Committee has requested that the Acting Police Chief gather material for their consideration before their next meeting. Councilor Gerry suggested

that the notification for the committees' dates and times of meetings be published on the City website.

**REPORTS OF THE CITY MANAGER**

**NATIONAL NIGHT OUT**

Acting Police Chief Crowell noted the success of National Night Out which took place on August 1<sup>st</sup>; over 300 people attended and the Police Department announced their goal for the next year – Neighborhood Watch Groups.

**UNIFORM CRIME REPORT**

Acting Chief Crowell presented the Uniform Crime Report published annually by the Federal Bureau of Investigation. In 2005 Auburn's clearance rate of crimes was 47%.

**COMMUNICATIONS AND RECOGNITIONS**

**COMMUNICATION FROM ROBERT PONTBRIAND RE: RESIGNATION  
FROM SEWER DISTRICT**

Approved under consent agenda

**COMMUNICATION FROM ACTING POLICE CHIEF CROWELL RE:  
CONSTABLE**

Approved under consent agenda

**TAKE AGENDA ITEM #3 OUT OF ORDER**

Councilor Samson moved that item #3 be taken out of order. Seconded by Councilor Shields. Vote: 7 Yeas.

**3. RESOLVE – AUTHORIZING CITY MANAGER TO EXECUTE  
CONTRACT WITH POLICE COMMAND UNIT**

Councilor Matzen moved for passage of the resolve. Seconded by Councilor Samson.

Laurie Smith, Assistant City Manager, gave an overview of the negotiations and the contract.

Vote: 7 Yeas.

**OPEN SESSION**

The following people spoke during open session: Stanley Hines, 13 Hutchins Street; and Roma Girardin, 667 Court Street.

**7. PUBLIC HEARING – LIQUOR LICENSE APPLICATION – JOKERS THREE INC.  
D/B/A JOKERS FAMILY FUN & GAMES, 550 CENTER  
STREET**

Mayor Jenkins opened the public hearing. James Gratelo spoke in favor of the above application and answered Councilors questions. Mayor Jenkins closed the public hearing.

Councilor Berube moved to approve the application contingent upon the appropriate departments approval. Seconded by Councilor Hayes. Vote: 5 Yeas, No Nays.

**8. RESOLVE – AMENDMENT TO FIREARMS DISCHARGE MAP**

Councilor Peters moved for passage of the resolve. Seconded by Councilor Samson.

Police Chief Crowell explained the above resolve and answered Councilors questions.

Councilor Peters moved to amend the resolve by adding “This amendment shall not take effect until January 1, 2008.” Seconded by Councilor Samson.

Vote on the amendment: 5 Yeas, No Nays.

Vote on passage of the resolve as amended: 5 Yeas, No Nays.

**9. RESOLVE – AUTHORIZE ACTING CITY MANAGER TO EXECUTE CONTRACT  
WITH MAINE ASSOCIATION OF POLICE – AUBURN PATROL UNIT  
AND CITY OF AUBURN**

Councilor Samson moved that this item be removed from the agenda. Seconded by Councilor Peters. Vote: 5 Yeas, No Nays.

**OPEN SESSION**

The following people spoke during open session: Larry Morrissette, 46 High Street; Dan Herrick, 470 Hatch Road; Jackie Conway; and Mike Scott, 549 South Witham Road.

**EXECUTIVE SESSION**

Councilor Bickford moved to go into Executive Session for the purpose of discussing Economic Development. Seconded by Councilor Hayes. Vote: 5 Yeas, No Nays.

**ADJOURNMENT – 9:10 P.M.**

Councilor Samson moved to adjourn. Seconded by Councilor Bickford. Vote: 5 Yeas, No Nays.

**A TRUE RECORD**

**ATTEST:** \_\_\_\_\_  
**CITY CLERK**

**Sec. 32-6. - Discharge of firearms.**

- (a) *Purpose and intent.* The purpose of this section is to regulate the discharge of firearms within the city in order to promote and enhance the safety and welfare of its inhabitants. It is intended to protect the rights of landowners and the interests of persons who use firearms in work and recreation.
- (b) *Discharge prohibited in certain areas.* No person shall fire or discharge any gun, revolver, pistol, air-operated or gas-operated gun or firearm of any description within the area as designated by the map attached to the ordinance from which this section is derived, except in cases where such act is expressly permitted by state law. A copy of such map is on file in the city clerk's office.
- (c) *Exceptions.* The provisions of this section shall not apply to officers charged with the enforcement of law; to persons discharging firearms in the defense of person or property; to the discharge of firearms in duly authorized rifle ranges, pistol ranges, target ranges or shooting galleries; to the discharge of firearms during military exercises; to the discharge of firearms by members of veterans' organizations and other similar organizations in connection with public ceremonies; or to the discharge of blank cartridges for theatrical purposes or for signal purposes in athletic contests or sporting events.
- (d) *Enforcement.* Police officers of the city shall have the authority to enforce this section.
- (e) *Shooting nuisance dogs or wild animals.* Except in emergency circumstances under which a property owner is permitted by state law to kill dogs or wild animals found in the act of attacking or worrying that person's domestic animals or destroying that person's property, no person shall discharge firearms within the city limits for the purpose of shooting such nuisance dogs or wild animals without first notifying the police department of his/her intention to do so and of the approximate time and place where the shooting is to occur. In the emergency circumstances described in this subsection (e), any person shooting a dog or wild animal shall notify the police department immediately following such shooting.

(Code 1967, § 27-1.13)

**State law reference**— Requirement for adoption of municipal ordinances regarding discharge of firearms and bows and arrows, 30-A M.R.S.A. § 3007.

### 30-A §3007. SPECIFIC ORDINANCE PROVISIONS

#### 30-A §3007. SPECIFIC ORDINANCE PROVISIONS

The power to enact ordinances under section 3001 is subject to the following provisions. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**5. Firearms and bows and arrows.** A municipality shall consult with the Department of Inland Fisheries and Wildlife during the process of the consideration of the adoption or amendment of a firearm discharge ordinance. The area in which the discharge of firearms is prohibited by a firearm discharge ordinance must be described in the ordinance using clearly defined physical boundaries as points of reference. For purposes of this subsection, the term "clearly defined physical boundaries" includes but is not limited to roads, waterways and utility corridors. After January 1, 2000, a municipality that adopts or amends a firearm discharge ordinance shall provide the Commissioner of Inland Fisheries and Wildlife with a copy of the new or amended firearm discharge ordinance and a copy of any maps that show the areas in the municipality affected by the new or amended ordinance within 30 days from the date that the ordinance is enacted or amended. A municipality may not include bows and arrows in any firearms discharge ordinance.

[ 2003, c. 332, §1 (AMD) .]

# Firearms Discharge Zone



## Legend

-  Firearms Discharge Zone
-  Parcel Lines

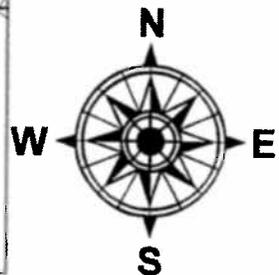
City of Auburn, Maine Ordinance,  
Chapter 27 Use of Streets & Public  
Place - Section 113 Firearms  
Discharge

(b) No person shall fire or discharge any gun, revolver, pistol, air or gas operated gun or firearm of any description within the area as designated by this map, except in cases where the same is expressly permitted by state law



## DISCLAIMER

The City of Auburn offers no warranties or gaurantees as to the accuracy or fitness of purpose of this data. Use at your own risk.



February 14, 2011

Chief Phil Crowell  
Assistant City Manager  
60 Court Street  
Auburn, Maine 04210

Dear Chief Crowell,

It was explained to us that there may be an opportunity to hunt on our property with firearm in a recently changed no-firearm zone.

Both my friend and I do not have the equipment or physical strength to use a bow & arrow which appears to be the only form of hunting allowed between the North Auburn Road and the Whitman Spring Road trail.

Please consider helping us achieve a waiver to hunt with shotgun as this would be a compromise in range safety during the regular hunting season on property that has been traditionally hunted near our homes. This is a deer wintering area and it is currently hunted by individuals that do not live in this area, by permission of the land owners. They take the weak and the old deer which helps the herd, but we would like this same opportunity as property owners and tax payers of this community.

We would be available to attend a City Council workshop or meeting to answer any questions the Council might have and THANK YOU for your time, it is appreciated!

Auburn City Resident's

George Bussiere, 207A North Auburn Road

*George Bussiere*

Milton McCabe, 255 North Auburn Road

*Milton V. McCabe*



# City Council Meeting and Workshop

## May 16, 2011

### Agenda

#### 5:30 p.m. Workshop

- A. Discussion of 9-1-1 Communications. (Councilor Berube – 15 min)
- B. Discussion of the County Budget. (Councilor Berube – 15 min)
- C. Unexpended bond money for football helmets. (Ravi Shama – 10 min)
- D. Firearm Discharge Zone Waiver. (Phil Crowell – 10 min)
- E. General Budget discussion continued. (Glenn Aho – 40 min)

#### 7:00 p.m. City Council Meeting

##### *Pledge of Allegiance*

**I. Consent Items** – All items listed with an asterisk (\*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

**II. Minutes** – \* April 19<sup>th</sup>, 2011; April 25<sup>th</sup>, 2011; May 2<sup>nd</sup>, 2011 and May 9<sup>th</sup>, 2011.

#### III. Reports

##### Mayor

##### City Councilors

- Michael Farrell: Rec. Adv Bd, Audit, Lake Aub. Watershed Protection Comm,
- Robert Hayes: Planning Bd, Water, Library, and Railroad,
- Daniel Herrick: MMWAC,
- David Young: School Committee, Cable TV Adv Board
- Raymond Berube: Lewiston-Auburn Economic Growth Council, Sewer, Audit, Airport
- Belinda Gerry: LA Transit, Neighborhood Stabilization Program, Auburn Housing,
- Eric Samson: 9-1-1, Auburn Business Development Corp, Andros Valley Council of Gov

##### City Manager

#### IV. Communications, Presentations and Recognitions - none

**V. Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*. Time limit for open sessions, by ordinance, is 45 minutes. Councilor's Concerns (if time allows)

#### VI. Unfinished Business

05092011-03 Resolve adopting the 2011-2012 Annual Appropriation and Revenue Resolve (First Reading). **Tabled from May 9, 2011**

#### VII. New Business

05162011-01 Discussion of wood chipper bid for Public Works.

05162011-02 Resolve accepting a portion of Carrier Court.

05162011-03 Resolve reallocating unexpended bond funds for football helmets.

# Auburn City Council Meeting & Workshop

May 16, 2011

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05162011-04 Discussion of Firearms Discharge Zone Waiver.

05162011-05 Executive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation continued.

**VIII. Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*

## IX. Future Agenda/Workshop Items

## X. ADJOURNMENT

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*Executive Session:* On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405. Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension or expulsion
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



**City Council  
Workshop Information Sheet**

**City of Auburn**

**Council Meeting Date:** May 16, 2011

**Item #** D

**Author:** Phillip L. Crowell, Jr., Chief of Police

**Subject: Firearm Discharge Zone Waiver**

**Information:** Mr. George Bussiere of 207A North Auburn Road and Mr. Milton McCabe of 255 North Auburn Road are requesting the council to waive the firearm discharge restriction on their property during regular hunting season. Please review the attached letter.

**Financial:** None

**Action Requested at this Meeting:  
Why?**

**Previous Meetings and History:** None

**Attachments:** *(in order of appearance in packet)*

- Letter from Mr. George Bussiere requesting firearm discharge zone waiver.

**Auburn City Council Meeting & Workshop**  
Minutes of May 16, 2011

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**05162011-02 Resolve accepting a portion of Carrier Court.**

Councilor Berube, seconded by Councilor Hayes, moved order #55-05162011-02 to accept a portion of Carrier Court as a City Street.

Vote: 7 Yea's - 0 Nay's

Motion carried 7-0.

**05162011-03 Resolve reallocating unexpended bond funds for football helmets.**

Councilor Farrell, seconded by Councilor Gerry, moved order #56-05162011-03 Be it ordered that the City of Auburn City Council hereby authorizes the reallocation of \$2,206.89 of unexpended bond funds (GL Account #30003065 650000-04300) for the purchase of new football helmets.

Vote: 7 Yea's - 0 Nay's

Motion carried 7-0.

**05162011-04 Discussion of Firearms Discharge Zone Waiver.**

Councilor Farrell, seconded by Councilor Berube, moved to support the request by Mr. Bussiere and Mr. McCabe to waive the firearm discharge restrictions on their property during regular hunting season.

Councilor Hayes, seconded by Councilor Gerry, moved to amend to refer to the question back to the committee to consider the right of property owners in similar situations.

Vote on amendment: 5 Yea's - 2 Nay's - Councilors Herrick and Berube.

Amendment carried 5-2.

Main motion vote: 4 Yea's - 3 Nay's - Councilors Hayes, Herrick and Samson. Motion carried 4-3.

**05162011-05 Executive session in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation continued.**

Councilor Gerry, seconded by Councilor Herrick, moved to enter executive session at 9:40 p.m. in accordance with Title 1, Section 405, subsection 6A, to discuss personnel; City Manager evaluation continued.

Vote: 6 Yea's - 1 Nay's - Councilor Farrell

Motion carried 6-1.

Councilor Berube left the meeting at 10:14pm

Councilor Herrick returned to the Council Chambers at 10:27pm.

Councilor Hayes, seconded by Councilor Farrell, moved to leave executive session at 10:41 p.m.

Vote: 5 Yea's - 0 Nay's

Motion carried 5-0.

**VIII. Open Session**

Larry Morrisette PO Box 3036 Auburn stated that he represents the people that the government isn't representing. If you are not going to consider our needs, I am not going to give you my money anymore.

Councilor Samson returned to the Council Chambers at 10:44pm.



**City Council  
Workshop Information Sheet**

**City of Auburn**

**Council Workshop Date:** January 17, 2012

**Item #** E

**Author:** Susan Clements-Dallaire, Acting City Clerk

**Subject:** Social Services Pantry

**Information:** The Social Services Pantry was brought up in discussion at the 1/9/2012 City Council Meeting and it was decided by the Mayor and Council to add this as a future workshop item.

**Financial:**

**Action Requested at this Meeting:** Informational

**Previous Meetings and History:** Brief discussion at the January 9, 2012 City Council Meeting

**Attachments:** Memo

# Memo

**To:** Don Gerrish, Interim City Manager  
**From:** Dot Meagher, Director  
**CC:** Mayor LaBonte and Councilors  
**Date:** 1/11/2012  
**Re:** **Social Service Pantry**

I'm writing this memo to thank you for your interest in the Social Service pantry located at Auburn Hall. This office has maintained emergency food and personal items in our pantry for over a decade. I am very grateful to the Auburn employees who have been very generous with bringing me some food and supplies when I ask them. Individuals and families have been helped on a short term emergency basis with items such as diapers, toilet paper, tooth paste, shampoo and some cleaning supplies. The intent of the pantry is not to replace our established food pantries in the community but to help people until they can get to the bigger pantry.

My budget for non food items for last year was in excess of \$3500. Many of the clients who come to my office have food stamps which provide assistance with food items. However when I expect them to seek employment and attend educational activities to help them secure a job, they need to look and feel good about themselves. This includes basic hygiene which we all take so often for granted.

According to my report for December, my office saw 74 unduplicated households, out of those households 38 households had no cash income at all and relied on this office for all their support. They all get food supplement from the State but often times that is not enough. This is especially true if they are a household of one in which case the allowed amount is \$200 a month. If they plan it right that would be \$46.51 a week for food. State Statute does not allow the General Assistance office to count state food supplement as income.

In the pantry I try to keep a few basic everyday needs such as tooth brushes, tooth paste, soap, shampoo, diapers, trash bags, toilet paper, and detergent for clothing and dishes as well as shaving cream and razor blades and feminine hygiene products.

For food items, we need non-perishable items such as peanut butter, crackers, hot and cold cereals, food high in protein such as tuna fish and canned meats, soups, breakfast bars. In addition we can always use the following: hot cocoa, instant coffee, juices, non-refrigerated milk, and instant meals. We have to be mindful of who may be using this as often they have no skills to cook or even sadder do not have t everyday household items with which to prepare meals. .

I am always grateful for any donations we receive and make sure everything is utilized. Thank you for your interest.

City of Auburn, Maine  
"Maine's City of Opportunity"

Financial Services

**TO:** Don Gerrish, Interim City Manager  
**FROM:** Jill Eastman, Finance Director  
**REF:** December 2011 Financials  
**DATE:** January 6, 2012

The City has completed its sixth month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 50% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

**Revenues**

Revenues collected through December 31<sup>st</sup> were \$36,171,567, or 51.4%, of the budget, which is less than the same period last year by 3.4%. The accounts listed below are noteworthy.

- A. Excise tax for the month of December is at 55.21%. Excise remains slightly above budget due to the City budgeting conservatively. This is a \$27,641 increase from last December. However, our excise revenues for FY12 are 5.21% above projections as of December 31, 2011.
- B. State Revenue Sharing for the month of December is 52.42% or \$1,258,152. The city received \$185,368 this month compared to \$194,430 FY11, \$238,298 FY10. This is 4.7% decrease from this December to last December.
- C. The City received the BETE Personal Property Reimbursement on December 29<sup>th</sup> which \$1,082,177.

**CITY OF AUBURN**  
**FINANCIALS -DECEMBER 2011**

**Expenditures**

Expenditures through December 31<sup>st</sup> were \$41,029,273, or 58.24%, of the budget. Noteworthy variances are:

- A. Legal Services: Legal services are at 63.75% of the current budget.
- B. Public Works: The department is 11.6% below budget. This is attributed to the mild winter we have had so far. Overtime for winter road maintenance is currently at 16.59% or \$19,581.
- C. Education: Education is at \$18,900,948 (54.46%) as compared to last year's \$14,654,387(42.89%). This is primarily due to the posting of their payroll, which is due to timing.

**Investments**

This section contains an investment schedule as of December 31<sup>st</sup> as well as a comparison of the investments between December 31<sup>st</sup> and the prior month. Currently the City's funds are earning an average interest rate of .22%.

Respectfully submitted,



Jill Eastman  
Finance Director

**CITY OF AUBURN, MAINE**  
**BALANCE SHEET - CITY GENERAL FUND, WC AND UNEMPLOYMENT FUND (NOT INCLUDING SCHOOL)**  
**AS OF December 2011, November 2011, and June 2011**

ASSETS	UNAUDITED December 30 2011	UNAUDITED November 30 2011	Increase (Decrease)	AUDITED JUNE 30 2011
CASH	\$ 15,676,565	\$ 15,375,952	\$ 300,613	\$ 13,294,906
RECEIVABLES				
ACCOUNTS RECEIVABLES	617,507	1,728,915	-	
TAXES RECEIVABLE-CURRENT	18,453,936	18,798,859	(1,111,408)	1,059,806
DELINQUENT TAXES	514,959	513,846	(344,923)	114,898
TAX LIENS	833,908	964,841	1,113	440,748
NET DUE TO/FROM OTHER FUNDS	2,487,751	1,339,723	(130,933)	1,264,200
	<u>2,487,751</u>	<u>1,339,723</u>	<u>1,148,028</u>	<u>1,508,634</u>
<b>TOTAL ASSETS</b>	<b>\$ 38,584,627</b>	<b>\$ 38,722,136</b>	<b>\$ (137,509)</b>	<b>\$ 17,683,192</b>
 <b>LIABILITIES &amp; FUND BALANCES</b>				
ACCOUNTS PAYABLE	\$ (1,156,569)	\$ (990,966)	\$ (165,603)	\$ (1,314,860)
PAYROLL LIABILITIES	30,628	(130,778)	161,406	1,365
ACCRUED PAYROLL	10,214	10,214	0	(166,818)
STATE FEES PAYABLE	(31,248)	(17,668)	(13,580)	11,446
ESCROWED AMOUNTS	(64,250)	(64,250)	0	(64,250)
DEFERRED REVENUE	(19,330,680)	(19,821,721)	491,041	(1,598,154)
	<u>(19,330,680)</u>	<u>(19,821,721)</u>	<u>491,041</u>	<u>(1,598,154)</u>
<b>TOTAL LIABILITIES</b>	<b>\$ (20,541,904)</b>	<b>\$ (21,015,169)</b>	<b>\$ 473,265</b>	<b>\$ (3,131,271)</b>
FUND BALANCE - UNASSIGNED	\$ (17,684,516)	\$ (17,348,759)	\$ (335,757)	\$ (14,102,463)
FUND BALANCE - RESTRICTED FOR WORKERS COMP & UNEMPLOYMENT	776,017	776,017	-	684,766
	<u>(1,134,224)</u>	<u>(1,134,224)</u>	<u>-</u>	<u>(1,134,224)</u>
<b>TOTAL FUND BALANCE</b>	<b>\$ (18,042,723)</b>	<b>\$ (17,706,966)</b>	<b>\$ (335,757)</b>	<b>\$ (14,551,921)</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ (38,584,627)</b>	<b>\$ (38,722,135)</b>	<b>\$ 137,508</b>	<b>\$ (17,683,192)</b>

**CITY OF AUBURN, MAINE**  
**REVENUES - GENERAL FUND COMPARATIVE**  
**THROUGH December 31, 2011 VS December 31, 2010**

REVENUE SOURCE	FY 2012 BUDGET	ACTUAL REVENUES THRU DEC 2011	% OF BUDGET	FY 2011 BUDGET	ACTUAL REVENUES THRU DEC 2010	% OF BUDGET	VARIANCE
<b>TAXES</b>							
PROPERTY TAX REVENUE- PRIOR YEAR REVENUE	\$ 41,053,952	\$ 22,455,352	54.70%	\$ 40,447,313	\$ 22,493,738	55.61%	\$ (38,386)
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 488,573	\$ 369,692	75.67%	\$ 480,000	\$ 379,509	79.06%	\$ (9,817)
ALLOWANCE FOR ABATEMENT	\$ -	\$ -		\$ -	\$ -		\$ -
ALLOWANCE FOR UNCOLLECTIBLE TAXES	\$ -	\$ -		\$ -	\$ -		\$ -
EXCISE	\$ 2,719,000	\$ 1,501,245	55.21%	\$ 2,806,000	\$ 1,473,607	52.52%	\$ 27,638
PENALTIES & INTEREST	\$ 140,000	\$ 76,766	54.83%	\$ 220,000	\$ 72,280	32.85%	\$ 4,486
<b>TOTAL TAXES</b>	<b>\$ 44,401,525</b>	<b>\$ 25,118,022</b>	<b>56.57%</b>	<b>\$ 43,953,313</b>	<b>\$ 24,983,939</b>	<b>56.84%</b>	<b>\$ 134,083</b>
<b>LICENSES AND PERMITS</b>							
BUSINESS	\$ 30,000	\$ 30,875	102.92%	\$ 42,800	\$ 17,021	39.77%	\$ 13,854
NON-BUSINESS	\$ 268,400	\$ 139,651	52.03%	\$ 260,300	\$ 168,778	64.84%	\$ (29,127)
<b>TOTAL LICENSES</b>	<b>\$ 298,400</b>	<b>\$ 170,526</b>	<b>57.15%</b>	<b>\$ 303,100</b>	<b>\$ 185,799</b>	<b>61.30%</b>	<b>\$ (15,273)</b>
<b>INTERGOVERNMENTAL ASSISTANCE</b>							
STATE-LOCAL ROAD ASSISTANCE	\$ 378,000	\$ 230,698	61.03%	\$ 378,000	\$ 220,970	58.46%	\$ 9,728
STATE REVENUE SHARING	\$ 2,400,000	\$ 1,258,152	52.42%	\$ 2,421,593	\$ 1,329,396	54.90%	\$ (71,244)
WELFARE REIMBURSEMENT	\$ 44,955	\$ 26,573	59.11%	\$ 44,955	\$ 22,710	50.52%	\$ 3,863
OTHER STATE AID	\$ 20,000	\$ 18,451	92.26%	\$ 19,000	\$ 18,143	95.49%	\$ 308
FEMA REIMBURSEMENT	\$ -	\$ -		\$ -	\$ 19,473		\$ (19,473)
CITY OF LEWISTON	\$ 158,362	\$ (3,698)	-2.34%	\$ 160,235	\$ -	0.00%	\$ (3,698)
<b>TOTAL INTERGOVERNMENTAL ASSISTANCE</b>	<b>\$ 3,001,317</b>	<b>\$ 1,530,176</b>	<b>50.98%</b>	<b>\$ 3,023,783</b>	<b>\$ 1,610,692</b>	<b>0.00%</b>	<b>\$ (80,516)</b>
<b>CHARGE FOR SERVICES</b>							
GENERAL GOVERNMENT	\$ 135,090	\$ 49,742	36.82%	\$ 140,360	\$ 78,259	0.00%	\$ (28,517)
PUBLIC SAFETY	\$ 206,545	\$ 39,777	19.26%	\$ 77,800	\$ 35,485	100.59%	\$ 4,292
EMS TRANSPORT	\$ -	\$ -		\$ 17,000	\$ -	208.74%	\$ -
EMS AGREEMENT	\$ 100,000	\$ 48,000	48.00%	\$ 100,000	\$ 57,800	0.00%	\$ (9,800)
<b>TOTAL CHARGE FOR SERVICES</b>	<b>\$ 441,635</b>	<b>\$ 137,519</b>	<b>31.14%</b>	<b>\$ 335,160</b>	<b>\$ 171,544</b>	<b>17.25%</b>	<b>\$ (34,025)</b>
<b>FINES</b>							
PARKING TICKETS & MISC FINES	\$ 55,000	\$ 14,488	26.34%	\$ 55,000	\$ 18,480	33.60%	\$ (3,992)
<b>MISCELLANEOUS</b>							
INVESTMENT INCOME	\$ 60,000	\$ 20,239	33.73%	\$ 70,000	\$ 30,529	43.61%	\$ (10,290)
INTEREST-BOND PROCEEDS	\$ 2,000	\$ -	0.00%	\$ 15,000	\$ -	0.00%	\$ -
RENTS	\$ 122,000	\$ 121,827	99.86%	\$ 122,000	\$ 122,077	100.06%	\$ (250)
UNCLASSIFIED	\$ 7,340	\$ 5,546	75.55%	\$ 22,947	\$ 13,040	56.83%	\$ (7,494)
SALE OF RECYCLABLES	\$ -	\$ 15,097		\$ -	\$ 28,864		\$ (13,767)
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 32,120		\$ 40,000	\$ 24,500	61.25%	\$ 7,620
SALE OF PROPERTY	\$ 20,000	\$ 2,255	11.28%	\$ 50,000	\$ 383,775	767.55%	\$ (381,520)
RECREATION PROGRAMS/ARENA	\$ 33,275	\$ 393	1.18%	\$ 38,489	\$ -	0.00%	\$ 393
MMWAC HOST FEES	\$ 197,400	\$ 100,104	50.71%	\$ 197,500	\$ 98,348	49.80%	\$ 1,756
9-1-1 DEBT SERVICE REIMBURSEMENT	\$ 98,318	\$ -	0.00%	\$ 161,233	\$ -	0.00%	\$ -
TRANSFER IN: TIF	\$ 324,212	\$ -	0.00%	\$ 407,374	\$ -	0.00%	\$ -
ENERGY EFFICIENCY	\$ 2,600	\$ -	0.00%	\$ 4,000	\$ 1,159	28.98%	\$ (1,159)
CDBG	\$ 8,000	\$ 4,002	50.03%	\$ 8,000	\$ 4,002	50.03%	\$ -
UTILITY REIMBURSEMENT	\$ 37,500	\$ 6,937	18.50%	\$ 28,642	\$ 6,320	22.07%	\$ 617
CITY FUND BALANCE CONTRIBUTION	\$ 1,050,000	\$ -	0.00%	\$ 700,000	\$ -	0.00%	\$ -
<b>TOTAL MISCELLANEOUS</b>	<b>\$ 1,962,645</b>	<b>\$ 308,518</b>	<b>15.72%</b>	<b>\$ 1,865,185</b>	<b>\$ 712,614</b>	<b>38.21%</b>	<b>\$ (404,096)</b>
<b>TOTAL GENERAL FUND REVENUES</b>	<b>\$ 50,160,522</b>	<b>\$ 27,279,249</b>	<b>54.38%</b>	<b>\$ 49,535,541</b>	<b>\$ 27,683,068</b>	<b>55.89%</b>	<b>\$ (403,819)</b>
<b>SCHOOL REVENUES</b>							
EDUCATION SUBSIDY	\$ 17,942,071	\$ 6,940,826	38.68%	\$ 16,213,174	\$ 8,106,587	50.00%	\$ (1,165,761)
EDUCATION	\$ 1,358,724	\$ 1,951,493	143.63%	\$ 3,051,517	\$ 2,009,081	65.84%	\$ (57,588)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 855,251	\$ -	0.00%	\$ 172,103	\$ -	0.00%	\$ -
<b>TOTAL SCHOOL</b>	<b>\$ 20,156,046</b>	<b>\$ 8,892,318</b>	<b>44.12%</b>	<b>\$ 19,436,794</b>	<b>\$ 10,115,668</b>	<b>52.04%</b>	<b>\$ (1,223,350)</b>
<b>GRAND TOTAL REVENUES</b>	<b>\$ 70,316,568</b>	<b>\$ 36,171,567</b>	<b>51.44%</b>	<b>\$ 68,972,335</b>	<b>\$ 37,798,736</b>	<b>54.80%</b>	<b>\$ (1,627,169)</b>

**CITY OF AUBURN, MAINE  
EXPENDITURES - GENERAL FUND COMPARATIVE  
THROUGH DECEMBER 31, 2011 VS DECEMBER 31, 2010**

DEPARTMENT	FY 2012 REVISED BUDGET	ACTUAL EXP THRU DEC 2011	% OF BUDGET	FY 2011 BUDGET	ACTUAL EXP THRU DEC 2010	% OF BUDGET	VARIANCE
<b>ADMINISTRATION</b>							
MAYOR AND COUNCIL	\$ 93,340	\$ 58,620	62.80%	\$ 103,340	\$ 57,281	55.43%	\$ 1,339
CITY MANAGER	\$ 280,915	\$ 134,591	47.91%	\$ 377,931	\$ 180,772	47.83%	\$ (46,181)
ASSESSING SERVICES	\$ 188,906	\$ 82,807	43.84%	\$ 200,113	\$ 81,664	40.81%	\$ 1,143
CITY CLERK	\$ 137,422	\$ 72,940	53.08%	\$ 117,812	\$ 53,485	45.40%	\$ 19,455
FINANCIAL SERVICES	\$ 365,023	\$ 205,707	56.35%	\$ 368,730	\$ 170,073	46.12%	\$ 35,634
HUMAN RESOURCES	\$ 137,363	\$ 63,498	46.23%	\$ 138,602	\$ 62,612	45.17%	\$ 886
LEGAL SERVICES	\$ 84,284	\$ 53,727	63.75%	\$ 73,000	\$ 23,046	31.57%	\$ 30,681
CUSTOMER SERVICE	\$ 2,428	\$ 1,501	61.82%	\$ 2,000	\$ -	0.00%	\$ 1,501
<b>TOTAL ADMINISTRATION</b>	<b>\$ 1,289,681</b>	<b>\$ 673,391</b>	<b>52.21%</b>	<b>\$ 1,381,528</b>	<b>\$ 628,933</b>	<b>45.52%</b>	<b>\$ 44,458</b>
<b>COMMUNITY SERVICES</b>							
COMMUNITY SERVICES (IT/ENG)	\$ 658,510	\$ 395,287	60.03%	\$ 713,412	\$ 312,982	43.87%	\$ 82,305
COMMUNITY PROGRAMS	\$ 12,650	\$ 10,850	85.77%	\$ 12,650	\$ 10,850	85.77%	\$ -
PLANNING & PERMITTING	\$ 727,756	\$ 330,195	45.37%	\$ 709,023	\$ 331,593	46.77%	\$ (1,398)
PARKS AND RECREATION	\$ 620,217	\$ 239,092	38.55%	\$ 606,333	\$ 251,966	41.56%	\$ (12,874)
HEALTH & SOCIAL SERVICES	\$ 153,811	\$ 72,409	47.08%	\$ 152,252	\$ 71,524	46.98%	\$ 885
PUBLIC LIBRARY	\$ 929,407	\$ 464,703	50.00%	\$ 919,407	\$ 459,704	50.00%	\$ 4,999
<b>TOTAL COMMUNITY SERVICES</b>	<b>\$ 3,102,351</b>	<b>\$ 1,512,536</b>	<b>48.75%</b>	<b>\$ 3,113,077</b>	<b>\$ 1,438,619</b>	<b>8.09%</b>	<b>\$ 73,917</b>
<b>FISCAL SERVICES</b>							
DEBT SERVICE	\$ 6,810,550	\$ 6,487,644	95.26%	\$ 6,816,314	\$ 6,167,284	90.48%	\$ 320,360
PROPERTY	\$ 680,137	\$ 428,404	62.99%	\$ 649,206	\$ 437,923	67.46%	\$ (9,519)
WORKERS COMPENSATION	\$ 451,890	\$ 219,256	48.52%	\$ 200,000	\$ -	0.00%	\$ 219,256
WAGES & BENEFITS	\$ 4,209,929	\$ 2,067,332	49.11%	\$ 4,397,054	\$ 2,045,555	46.52%	\$ 21,777
EMERGENCY RESERVE (10108062-670000)	\$ 328,608	\$ -	0.00%	\$ 336,336	\$ -	0.00%	\$ -
<b>TOTAL FISCAL SERVICES</b>	<b>\$ 12,481,114</b>	<b>\$ 9,202,636</b>	<b>73.73%</b>	<b>\$ 12,398,910</b>	<b>\$ 8,650,762</b>	<b>69.77%</b>	<b>\$ 551,874</b>
<b>PUBLIC SAFETY</b>							
EMERGENCY MGMT AGENCY	\$ 2,903	\$ -	0.00%	\$ 6,760	\$ -	0.00%	\$ -
FIRE DEPARTMENT	\$ 3,716,161	\$ 1,757,161	47.28%	\$ 3,549,341	\$ 1,732,291	48.81%	\$ 24,870
POLICE DEPARTMENT	\$ 3,315,380	\$ 1,587,191	47.87%	\$ 3,253,880	\$ 1,491,093	45.83%	\$ 96,098
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 7,034,444</b>	<b>\$ 3,344,352</b>	<b>47.54%</b>	<b>\$ 6,809,981</b>	<b>\$ 3,223,384</b>	<b>47.33%</b>	<b>\$ 120,968</b>
<b>PUBLIC WORKS</b>							
PUBLIC WORKS DEPARTMENT	\$ 4,682,884	\$ 1,796,282	38.36%	\$ 4,458,060	\$ 1,711,730	38.40%	\$ 84,552
WATER AND SEWER	\$ 558,835	\$ 282,963	50.63%	\$ 526,252	\$ 258,313	49.09%	\$ 24,650
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 5,241,719</b>	<b>\$ 2,079,245</b>	<b>39.67%</b>	<b>\$ 4,984,312</b>	<b>\$ 1,970,043</b>	<b>39.52%</b>	<b>\$ 109,202</b>
<b>INTERGOVERNMENTAL PROGRAMS</b>							
AUBURN-LEWISTON AIRPORT	\$ 106,750	\$ 53,375	50.00%	\$ 139,250	\$ 76,938	55.25%	\$ (23,563)
E911 COMMUNICATION CENTER	\$ 968,347	\$ 484,174	50.00%	\$ 927,500	\$ 463,750	50.00%	\$ 20,424
LATC-PUBLIC TRANSIT	\$ 207,779	\$ 103,889	50.00%	\$ 176,362	\$ -	0.00%	\$ 103,889
LAEGC-ECONOMIC COUNCIL	\$ 160,687	\$ 80,343	50.00%	\$ 167,487	\$ 83,744	50.00%	\$ (3,401)
L-A ARTS	\$ 20,160	\$ 10,080	50.00%	\$ 20,161	\$ 10,080	50.00%	\$ -
TAX SHARING	\$ 288,593	\$ 39,602	13.72%	\$ 293,939	\$ 41,070	13.97%	\$ (1,468)
<b>TOTAL INTERGOVERNMENTAL</b>	<b>\$ 1,752,316</b>	<b>\$ 771,463</b>	<b>44.03%</b>	<b>\$ 1,724,699</b>	<b>\$ 675,582</b>	<b>39.17%</b>	<b>\$ 95,881</b>
<b>COUNTY TAX</b>							
TIF (10108058-580000)	\$ 1,925,561	\$ 1,925,560	100.00%	\$ 1,892,352	\$ 1,892,352	100.00%	\$ 33,208
OVERLAY	\$ 2,619,142	\$ 2,619,142	100.00%	\$ 2,500,000	\$ -	0.00%	\$ 2,619,142
	\$ 301,604	\$ -	0.00%	\$ -	\$ -	0.00%	\$ -
<b>TOTAL CITY DEPARTMENTS</b>	<b>\$ 35,747,932</b>	<b>\$ 22,128,325</b>	<b>61.90%</b>	<b>\$ 34,804,859</b>	<b>\$ 18,479,675</b>	<b>53.10%</b>	<b>\$ 3,648,650</b>
<b>EDUCATION DEPARTMENT</b>	\$ 34,705,246	\$ 18,900,948	54.46%	\$ 34,167,476	\$ 14,654,387	42.89%	\$ 4,246,561
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$ 70,453,178</b>	<b>\$ 41,029,273</b>	<b>58.24%</b>	<b>\$ 68,972,335</b>	<b>\$ 33,134,062</b>	<b>48.04%</b>	<b>\$ 7,895,211</b>

**CITY OF AUBURN, MAINE  
INVESTMENT SCHEDULE  
AS OF DECEMBER 31, 2011**

INVESTMENT	FUND	BALANCE	BALANCE NOVEMBER 30, 2011	INTEREST RATE	WEIGHTED AVG YIELD
BANKNORTH MNY MKT	24-1242924 GENERAL FUND	\$ 55,153.09	\$ 55,143.72	0.20%	
BANKNORTH MNY MKT	24-1745910 GF-WORKERS COMP	\$ 49,164.80	\$ 49,160.62	0.10%	
BANKNORTH MNY MKT	24-1745944 GF-UNEMPLOYMENT	\$ 66,661.45	\$ 66,672.41	0.20%	
BANKNORTH CD	7033 GF-UNEMPLOYMENT	\$ 102,404.84	\$ 102,404.84	2.64%	
BANKNORTH MNY MKT	24-1809302 SPECIAL REVENUE	\$ 52,386.61	\$ 52,377.71	0.20%	
BANKNORTH MNY MKT	24-1745902 SR-PERMIT PARKING	\$ 197,348.31	\$ 197,314.79	0.20%	
BANKNORTH MNY MKT	24-1745895 SR-TIF	\$ 54,612.48	\$ 54,603.20	0.20%	
BANKNORTH MNY MKT	24-1746819 CAPITAL PROJECTS	\$ 14,052,070.76	\$ 14,049,674.24	0.20%	
BANKNORTH MNY MKT	24-1746877 SCHOOL	\$ 120,304.90	\$ 120,284.47	0.20%	
BANKNORTH CD	6895 SCHOOL CAPITAL PROJECTS	\$ 33,148.77	\$ 33,148.77	2.96%	
BANKNORTH MNY MKT	242-6181513 SCHOOL	\$ 984,625.81	\$ 984,458.59	0.20%	
BANKNORTH MNY MKT	24-1745928 ICE ARENA	\$ 47,082.57	\$ 47,078.57	0.10%	
<b>GRAND TOTAL</b>		<b>\$ 15,814,964.39</b>	<b>\$ 15,812,321.93</b>		<b>0.22%</b>



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** January 17, 2011

**Presentations**

**Author:** Phillip L. Crowell, Jr., Chief of Police

**Subject:** Swear-In and Badge Pinning Ceremony of Auburn Police Department new hires and recent officer promotions.

**Information:** Due to five retirements and three resignations of police officers, the Auburn Police Department hired eight new officers. Three of the new officers are lateral transfers from other police departments and four graduated from the Maine Criminal Justice Academy on December 16<sup>th</sup>, 2011. One new police officer will not be attending the Swear-In and Badge Pinning Ceremony as she began the academy this morning.

Promotional exams were held this fall to replace the retired officers. We would like to recognize the accomplishments of our officers.

**Financial:** n/a

**Action Requested at this Meeting:** We would ask that Honorable Mayor Jonathan P. LaBonté administer the Oath of Officer for our new and recently promoted officers. Following the Oath, Chief Crowell will officially pin their badges.

**Previous Meetings and History:**

**Attachments:** *(in order of appearance in packet)*

- Memo from Chief Crowell
- Swear-In Ceremony Program



# Auburn Police Department



## Memorandum

Phillip L. Crowell  
Chief of Police

Jason D. Moen  
Deputy Chief

Rita P. Beaudry  
Office Manager

**To:** Honorable Mayor Jonathan P. LaBonté and Members of the City Council

**From:** Phillip L. Crowell, Jr., Chief of Police

**Date:** January 3, 2012

**Re:** Swear-In and Badge Pinning Ceremony

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Due to five retirements and three resignations of police officers, the Auburn Police Department hired eight new officers. Three of the new officers are lateral transfers from other police departments and four graduated from the Maine Criminal Justice Academy on December 16<sup>th</sup>, 2011. One new police officer will not be attending the Swear-In and Badge Pinning Ceremony as she begins the MCJA on Tuesday, January 17<sup>th</sup>.

Promotional exams were held this fall to replace the retired officers. We would like to recognize the accomplishments of those officers.

### New Hires

**Patrol Officer Dennis V. Matthews**

Graduated from the Maine Criminal Justice Academy on May 20, 2011. He received the Emergency Vehicle Operations Course Proficiency Award.

**Patrol Officer Brandon T. Kelly**

Graduated from the Maine Criminal Justice Academy on December 16, 2011

**Patrol Officer Mark A. Lemos**

Graduated from the Maine Criminal Justice Academy on December 16, 2011

**Patrol Officer Justin H. Richardson**

Graduated from the Maine Criminal Justice Academy on

December 16, 2011. While at the academy, Officer Richardson set the 1.5 mile run record with a 7:47 time.

**Patrol Officer Andrew J. Shute**

Graduated from the Maine Criminal Justice Academy on December 16, 2011. While at the academy, Officer Shute tied the one minute timed sit up record with 66.

**Patrol Officer Tyler F. Ham**

Lateral transfer from Penobscot Nation Police Department, Indian Island, Maine

**Patrol Officer Nicholas A. Sparaco**

Lateral transfer from New Jersey

**Patrol Officer Eric M. Ward**

Lateral transfer from Muscatine, Iowa

**Promotions**

**Sergeant – Patrol Supervisor Barry Schmieks**

Promoted from Corporal/Detective to Sergeant – Patrol Supervisor

**Corporal – Matthew Dailey**

Promoted from Patrol Officer to Corporal

**Sergeant – Support Services –Steven Gosselin**

Promoted from Corporal/Detective to Sergeant – Support Services

**Sergeant – Patrol Supervisor - Benjamin Quinnell**

Promoted from Corporal to Sergeant – Patrol Supervisor

**Corporal – Scott Corey**

Promoted from Patrol Officer to Corporal

**Corporal – Terrence McCormick**

Promoted from Patrol Officer to Corporal

**Corporal/Detective – Nathan Westleigh**

Promoted from Patrol Officer to Corporal/Detective

**Law Enforcement  
Oath of Honor**

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On My Honor,  
I Will Never Betray My Badge,  
My Integrity, My Character,  
Or The Public Trust.

I Will Always Have  
The Courage To Hold Myself  
And Others Accountable For Our Actions.

I Will Always Uphold the Constitution,  
My Community And the Agency I Serve.



**Auburn City Council Meeting**

**Police Department Swearing-In  
and Badge Pinning Ceremony**



**January 17, 2012**

## New Hires

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### **Patrol Officer Dennis V. Matthews**

Graduated from the Maine Criminal Justice Academy on May 20, 2011. While at the academy, he received the Emergency Vehicle Operations Course (EVOC) Proficiency Award.

### **Patrol Officer Brandon T. Kelly**

Graduated from the Maine Criminal Justice Academy on December 16, 2011.

### **Patrol Officer Mark A. Lemos**

Graduated from the Maine Criminal Justice Academy on December 16, 2011.

### **Patrol Officer Justin H. Richardson**

Graduated from the Maine Criminal Justice Academy on December 16, 2011. While at the academy, he set the 1.5 mile run record with a 7:47 time.

### **Patrol Officer Andrew J. Shute**

Graduated from the Maine Criminal Justice Academy on December 16, 2011. While at the academy, he tied the one minute timed sit-up record with 66.

### **Patrol Officer Tyler F. Ham**

Lateral transfer from Penobscot Nation Police Department, Indian Island, Maine.

### **Patrol Officer Nicholas A. Sparaco**

Lateral transfer from Seaside Heights Police Department, New Jersey.

### **Patrol Officer Eric M. Ward**

Lateral transfer from Muscatine Police Department, Iowa.

## Promotions

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### **Sergeant – Support Services – Steven Gosselin**

Promoted from Corporal/Detective to Sergeant - Support Services

### **Sergeant – Patrol Supervisor - Benjamin Quinnell**

Promoted from Corporal to Sergeant - Patrol Supervisor

### **Sergeant - Patrol Supervisor Barry Schmieks**

Promoted from Corporal/Detective to Sergeant - Patrol Supervisor

### **Corporal – Scott Corey**

Promoted from Patrol Officer to Corporal

### **Corporal – Matthew Dailey**

Promoted from Patrol Officer to Corporal

### **Corporal – Terrence McCormick**

Promoted from Patrol Officer to Corporal

### **Corporal/Detective – Nathan Westleigh**

Promoted from Patrol Officer to Corporal/Detective

Badges presented by Chief Phillip L. Crowell, Jr. and Oath of Office administered by Mayor Jonathan P. LaBonté



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** January 17, 2012

**Ordinance #01-01092012**

**Author:** Susan Clements-Dallaire, Acting City Clerk

**Subject:** First reading amending the Code of Ordinances, Chapter 2-Administration, Article III-Officers and Employees, Division 4-City Clerk, Section 2-180-Duties, Item #6 and deleting Article V-Boards, Commissions and Committees, Board of Voter Registration Appeals.

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**Information:**

Title 21-A: Elections, Chapter 3: Voter Registration, Subchapter 1: Registrar of Voters §103 - 1 States "The municipal clerk may not serve as a member or alternate member of the registration appeals board" however in the City Code of Ordinances, Chapter 2, Article III, Division 4 Section 2-180 (6) states the "Clerk shall serve as chair of the registration appeals board ...".

**Financial:** N/A

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**Action Requested at this Meeting:** Recommend amendment of ordinance and passage of first reading.

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**Previous Meetings and History:** Postponed at the 1/09/2012 City Council Meeting

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**Attachments:**

See workshop item C

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDINANCE #01-01172011

ORDERED, that the Code of Ordinances be and hereby is amended as follows:

#### **Article III Divison 4 City Clerk**

Sec. 2-180. - Duties.

Secs. 2-181—2-198. - Reserved.

#### **Sec. 2-180. - Duties.**

The city clerk shall perform all duties prescribed by ordinance, the Charter and state statute, which shall include, but shall not be limited to, the following:

- (1) Serve as clerk of the city council and perform such other duties for the city council as it may require, and transmit to the city council all papers requiring its consideration. The clerk shall certify and be responsible for the filing, indexing and safekeeping of all tapes, minutes and related documents the city council has acted upon.
- (2) Perform all duties in regard to elections required by the Charter and 21-A M.R.S.A. § 1 et seq., and secure and maintain all election records and have custody of all property used in connection with elections.
- (3) Publish legal notices as required by city ordinance, the Charter and/or state statutes.
- (4) Be responsible for the issuance of commercial licenses for the city as prescribed in city ordinances and state statutes.
- (5) Be responsible for indexing and maintaining all vital statistic records relating to births, marriages and deaths.
- (6) ~~Serve as chair of the registration appeals board and ensure that the registration data is current and accurate.~~

~~(7)~~(6)

Be the custodian of the official city seal.

*(Code 1967, § 17-1.1)*

**~~Article V Division 2 Registration Voter Appeals Board~~**

**~~Sec. 2-406. Membership; chair.~~**

~~The registration voter appeals board shall consist of three members as provided by state law. The city clerk shall appoint himself as chair of the board.~~

*(Code 1967, § 2-3.1)*

**~~Sec. 2-407. Deputies.~~**

~~The registration voter appeals board shall appoint two deputies, who shall be nominated by the chair. The deputies shall be employees of the city. The political party affiliation and duties of the deputies shall be as established by state law. The deputies' performance of their job duties shall be under the direction of the chair of the board.~~

*(Code 1967, § 2-3.2)*

**~~Sec. 2-408. Staff assistants.~~**

~~If there are one or more vacancies in the position of deputy to the registration voter appeals board, the chair may appoint one or more assistants to provide temporary staff assistance to the board until the vacancy can be filled. The staff assistants shall be supervised by the chair of the board.~~

*(Code 1967, § 2-3.3)*

**~~Secs. 2-409—2-429. Reserved.~~**

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**FOOTNOTE(S):**

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<sup>1137</sup> *State Law reference—Municipal registration appeals board, 21-A M.R.S.A. § 103. (Back)*

Language to be deleted is ~~stricken~~; additions are underlined

**City Council  
Agenda Information Sheet**

**City of Auburn**



**Council Meeting Date:** January 17, 2012

**Order #01-011172012**

**Author:** Phillip L. Crowell, Jr., Chief of Police

**Subject: Confirm Chief Crowell's appointment and re-appointment of Constables without firearms for the Auburn Police Department.**

**Information:** Chief of Police Crowell requests that the Auburn City Council appoint or re-appoint civilians to serve documents on behalf of the Auburn Police Department. These civilians will act as Constables without firearms.

**Financial:** n/a

**Action Requested at this Meeting:** Motion to confirm Chief Crowell's appointment and re-appointment of Constables without firearms for the Auburn Police Department.

**Previous Meetings and History:** Annually, request is made for appointments and re-appointments for the next calendar year.

**Attachments:** *(in order of appearance in packet)*

- Memo from Chief



# Auburn Police Department



## Memorandum

Phillip L. Crowell  
Chief of Police

Jason D. Moen  
Deputy Chief

Rita P. Beaudry  
Office Manager

**To:** Mayor LaBonte and Members of the City Council  
**From:** Phillip L. Crowell, Jr., Chief of Police  
**Date:** December 21, 2011  
**Re:** CONSTABLES

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We request that the following named persons continue to be named Constable for the Auburn Police Department for 2012.

Lucien Asselin	Civil Process Only	Without Firearm	Re-appointment
Steven Chouinard	Civil Process Only	Without Firearm	Re-appointment
Harry Darling	Civil Process Only	Without Firearm	Re-appointment
Harry Gorman	Civil Process Only	Without Firearm	Re-appointment
Claire Barclay	Civil Process Only	Without Firearm	Re-appointment
Matthew Conde	Civil Process Only	Without Firearm	Re-appointment
Carol Desjardins	Civil Process Only	Without Firearm	Re-appointment
Kenneth Edgerly	Civil Process Only	Without Firearm	Re-appointment
Robert Fellner	Civil Process Only	Without Firearm	Re-appointment
Joan Godbout	Civil Process Only	Without Firearm	Re-appointment
Nicholas Kyllonen	Civil Process Only	Without Firearm	Re-appointment
Donald Linscott	Civil Process Only	Without Firearm	Re-appointment
Keegan Moon	Civil Process Only	Without Firearm	Re-appointment
Bruce Tilton	Civil Process Only	Without Firearm	Re-appointment
Jerry Webster	Civil Process Only	Without Firearm	Re-appointment
Ellery Hewey	Civil Process Only	Without Firearm	Appointment

Cynthia MacDonald	Civil Process Only	Without Firearm	Appointment
George Mathews	Civil Process Only	Without Firearm	Appointment
Sheryl Mathews	Civil Process Only	Without Firearm	Appointment

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #01-01172012

ORDERED, that the following be and hereby are appointed Constables without firearms for the Police Department for 2012

Lucien Asselin	Civil Process Only	Without Firearm	Re-appointment
Steven Chouinard	Civil Process Only	Without Firearm	Re-appointment
Harry Darling	Civil Process Only	Without Firearm	Re-appointment
Harry Gorman	Civil Process Only	Without Firearm	Re-appointment
Claire Barclay	Civil Process Only	Without Firearm	Re-appointment
Matthew Conde	Civil Process Only	Without Firearm	Re-appointment
Carol Desjardins	Civil Process Only	Without Firearm	Re-appointment
Kenneth Edgerly	Civil Process Only	Without Firearm	Re-appointment
Robert Fellner	Civil Process Only	Without Firearm	Re-appointment
Joan Godbout	Civil Process Only	Without Firearm	Re-appointment
Nicholas Kyllonen	Civil Process Only	Without Firearm	Re-appointment
Donald Linscott	Civil Process Only	Without Firearm	Re-appointment
Keegan Moon	Civil Process Only	Without Firearm	Re-appointment
Bruce Tilton	Civil Process Only	Without Firearm	Re-appointment
Jerry Webster	Civil Process Only	Without Firearm	Re-appointment
Ellery Hewey	Civil Process Only	Without Firearm	Appointment
Cynthia MacDonald	Civil Process Only	Without Firearm	Appointment
George Mathews	Civil Process Only	Without Firearm	Appointment
Sheryl Mathews	Civil Process Only	Without Firearm	Appointment



# City Council Agenda Information Sheet

City of Auburn

**Council Meeting Date:** 01/17/2012

**Resolve** #01-01172012

**Author:** Dot Meagher, Director of Health & Social Services

**Subject:** Lewiston Auburn Public Health Committee (LAPHC) by-law amendments and member nominations for service

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**Information:** The LAPHC is seeking support from the Auburn City Council of the amended changes made to the LAPHC bi-laws and member nomination for service.

**Mission:** Create public health partnerships that promote physical and mental health and prevent disease, injury and disability, based on the Essential Public Health Services, see attachment.

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**Financial:** None

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**Action Requested at this Meeting:** Support from Council on the proposed Lewiston-Auburn Public Health Committee (LAPHC) By-Law Amendments and Member Nominations for Service.

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**Previous Meetings and History:** Workshop 01/09/12

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**Attachments:** See workshop item B

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
Mary Lafontaine, Ward Three  
David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

IN CITY COUNCIL

RESOLVE 01-01172012

RESOLVED, that the Auburn City Council hereby supports the proposed Lewiston-Auburn Public Health Committee (LAPHC) By-Law Amendments and Member Nominations for Service.