



City Council Meeting and Workshop

April 2, 2012

Agenda

5:30 P.M. Workshop

- A. 2011 Androscoggin County Hazard Mitigation Plan – Joanne Potvin
- B. Community Development Revisions to FY2012/2013 Budget – Reine Mynahan
- C. Warden and Ward Clerk Appointments – Sue Clements-Dallaire
- D. Election Clerk Appointments – Sue Clements-Dallaire
- E. County Dispatch Consolidation update – Phil Crowell
- F. 2012 Business Friendly Community Certification Program – Roland Miller

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** – March 19, 2012 City Council Meeting minutes.

III. Reports

Mayor's Report

Committee Reports

- **Transportation**
 - Androscoggin Transportation Resource Center – Mayor LaBonte
 - Lewiston Auburn Transit – Councilor Gerry
 - Airport, Railroad – Councilor Hayes
- **Housing**
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry
- **Economic Development**
 - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea
- **Education**
 - Auburn School Committee – Councilor Young
 - Auburn Public Library – Councilor LaFontaine
 - Great Falls TV – Councilor Young and Councilor Shea
- **Environmental Services**
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley
 - Mid-Maine Waste Action Corp. – Councilor Walker
- **Recreation**
 - Recreation Advisory Board – Councilor Walker
- **Public Safety**
 - LA 911-Councilor Walker

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City Councilors' Reports

Interim City Manager's Report

IV. Communications, Presentations and Recognitions

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

VII. New Business

1. **Order 17-04022012**

Appointing Wardens and Ward Clerks for the School Budget Validation Referendum Election and the June Primary Election.

2. **Order 18-04022012**

Appointing Election Clerks for the period of May 1, 2012 through April 30, 2014.

3. **Order 19-04022012**

County Dispatch Consolidation.

4. **Resolve 03-04022012**

2012 Business Friendly Community Certification Program.

5. **Executive Session**

Discussion about Labor Contracts, pursuant to 1 M.R.S.A. §405(6)(D).

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

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(6). Those applicable to municipal government are:

- A. Discussion of personnel issues
- B. Discussion or consideration by a school board of suspension of 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

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April 2, 2012

- 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 Workshop Date: April 2, 2012

Item # A

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: 2011 Androscoggin County Hazard Mitigation Plan

Information: The federally-required County-wide Hazard Mitigation Plan is required to be updated every five years. This is the third such update for this document. The revised plan has been almost two years in the making and has received “conditional” approval from the Federal Emergency Management Agency. Final approval is contingent upon receiving the signed and dated Resolution of Adoption by the City Council at a public Council Meeting.

Financial:

Action Requested at this Meeting: Discussion with possible action at a future meeting

Previous Meetings and History: N/A

Attachments:

- Memo
- Letter
- Draft order



FromJoanne G. Potvin, CEM/ME, Director
Androscoggin Emergency Management Agency

MEMO. March 7, 2012

Susan,

Enclosed, please find a copy of correspondence and your copy of the Hazard Mitigation Plan that was sent to Mr. Gerrish with the request to have this item scheduled for an upcoming Council meeting. If you would be so kind as to arrange that, it would be greatly appreciated. The only nights that are not feasible for me are Monday and Tuesday, March 19/20 and Tuesday, April 24 as I am away for training. I look forward to hearing from you with a date for the meeting. The Plan is on the County EMA website: www.androscogginema.org and I will so inform the City Councilors.

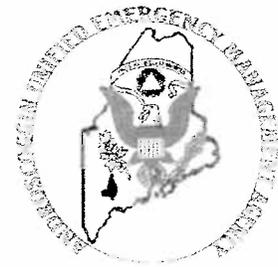
Please give me a call if you have questions or concerns.

Joanne

**ANDROSCOGGIN UNIFIED
EMERGENCY MANAGEMENT AGENCY**

2 COLLEGE STREET
LEWISTON, ME 04240-7101
TEL. (207) 784-0147

24 HR. FAX (207) 795-8938
24 HR. EMERGENCY TEL. (207) 784-3622
WEB SITE - <http://www.androscogginema.org>



Joanne G. Potvin, CEM/ME, Director
e-mail: anem1@roadrunner.com

TO: Donald Gerrish, Interim City Manager

FROM: Joanne G. Potvin, CEM/ME 

SUBJ: ANDROSCOGGIN COUNTY 2011 HAZARD MITIGATION PLAN

DATE: 07 March 2012

During the last two years, your Public Works Department personnel have worked with the State Emergency Management staff, your City's Emergency Management staff and Androscoggin Valley Council of Government to complete revisions/updates to the federally-required County-wide Hazard Mitigation Plan. This recently updated document, which is based on the County Hazard Risk and Vulnerability Analysis, is required in the event that your municipality should decide to apply for Federal Hazard Mitigation Funds or if you already have a project in the works. The document is required to be updated every five years. This is the third such update for this document.

After nearly two years on this project, the revised Plan has received "conditional" approval from the Federal Emergency Management Agency. Final approval is contingent upon receiving your signed and dated Resolution of Adoption. I have enclosed a digital copy of the final Plan along with the City's official adoption signature form. The document must be formally adopted at a regular, public Council meeting and be included on the agenda for that meeting.

With this in mind, I will do a follow-up with the City Clerk in order to secure a date/time at which the document will be formally accepted/signed. As the Federal grant for this project requires a 25% soft (in-kind) match, I will attend the meeting at the appointed date/time. The City Council's time, as well as that of other City officials in attendance and me, will be added to that match. I will bring along a separate "sign-in" sheet that will become part of the match documentation package that will be forwarded to the Federal Emergency Management agency along with your Resolution of Adoption.

I look forward to meeting with the City Council in the near future. It is my hope to be able to wrap up this project within one of the next two council meetings. As I previously indicated, I will work out the date with your Acting City Clerk. Please feel free to contact me if you have questions or concerns or save them for the meeting if you wish. Thank you, in advance, for your time and effort in this endeavor.

Enclosure as listed

Cc w/enclosure: Susan Clements Dallaire, Acting City Clerk

Cc w/o enclosure: Mayor Jonathan LaBonté, City Councilors, Phil Crowell, Acting Asst City Manager

RESOLUTION OF ADOPTION

Whereas, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property and lives in **Androscoggin County**.

And whereas the creation of a Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy;

And whereas, the 2 **cities**, and 12 **towns**, and **Androscoggin County** are committed to the mitigation goals and measures as presented in this plan;

Therefore, the Androscoggin County Commissioners, and the Boards of Selectmen or City Councilors of the 14 municipalities hereby adopt the 2011 Androscoggin County Hazard Mitigation Plan.

AUTHORIZING SIGNATURES: City of Auburn

<u>TIZZ CROWLEY</u>	_____	_____
	Councilor – Ward 1	Date
<u>ROBERT HAYES</u>	_____	_____
	Councilor – Ward 2	Date
<u>MARY LAFONTAINE</u>	_____	_____
	Councilor – Ward 3	Date
<u>DAVID YOUNG</u>	_____	_____
	Councilor – Ward 4	Date
<u>LEROY WALKER</u>	_____	_____
	Councilor – Ward 5	Date
<u>BELINDA GERRY</u>	_____	_____
	Councilor – At-Large	Date
<u>JOSHUA SHEA</u>	_____	_____
	Councilor – At-Large	Date
<u>JOANNE G. POTVIN</u>	_____	_____
	Auburn EMA Director	Date



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: April 2, 2012

Item # B

Author: Reine Mynahan, Community Development Director

Subject: Revisions to FY2012 Budget

Information: The budget of the Community Development Program will be adopted on April 17th. The April 2nd meeting is an opportunity to review the activities for the coming year prior to adoption.

Financial: Changes to certain line items in the FY2012 budget are being proposed.

Action Requested at this Meeting: Please review and advise.

Previous Meetings and History: On February 27, 2012 the City Council requested a number of changes to the Community Development budget. These included deletions to Commercial Loan Program, Down Payment Assistance Program, Pettengill Park playground, Boys & Girls Club, and additions of a micro-loan program, Androscoggin Head Start & Child Care, recreation scholarships, and Catholic Charities. I was also asked to investigate the possibility of funding improvements to the municipal beach and Tot Lot. The City Council may also be interested in a change in scope of work for the Boys & Girls Club. Last, there is also a change of funding source for the Auburn Housing Authority/Roak Block project to the HOME Investment partnerships Program and the addition of a Community Little Theater project from Urban Development Action Grant funds.

All of these changes are more fully defined in my memo dated March 27th.

Attachments:

- March 27, 2012 memo
- Community Development Block Grant budget sheet
- Home Investment Partnership Program budget sheet
- Urban Development Action Grant budget sheet

City of Auburn, Maine
"Maine's City of Opportunity"
Community Development Program



TO: Donald Gerrish, Interim City Manager
FROM: Reine Mynahan, Community Development Director 
RE: Revisions to FY2012 Community Development Budget
DATE: March 27, 2012

I have made a number of changes to the Community Development budget since the February 27th City Council workshop. Attached are three spreadsheets with the February budgets and the revised budgets.

Community Development

The City Council requested a number of changes at the February 27th meeting:

- Reduction of \$90,430 to the Commercial Loan Program;
- Creation of a micro-loan program for small businesses capitalized at a \$40,000 level;
- Elimination of the budget for the Down Payment Assistance Program (\$31,000);
- Elimination of the budget for Pettengill Park playground (\$10,000);
- Elimination of the budget for Boys & Girls Club masonry improvements (\$20,000);
- Consideration of improvements at the Auburn Municipal Beach and Tot Lot;
- Inclusion of Androscoggin Head Start for \$8,500;
- Increase recreation scholarships by \$10,000;
- Inclusion of Catholic Charities/Residential Substance Abuse for \$3,500; and

Other Grants

- Allocation of \$25,000 from UDAG funds to the new micro-loan program.

Since the February 27th meeting, there is new information that I want to bring to your attention.

Municipal Beach and Tot Lot: I have investigated the possibility of funding these two projects and find they are located in Census Tract 102 where 54% of the households are low income. This makes these two areas eligible for Community Development funding.

Ravi Sharma and I met with Councilor Walker at the municipal beach. We identified a number of improvements to upgrade and enhance the use of this area. Since the proposed improvements, which may cost in excess of \$100,000, cover the entire lot and involve changes that are sensitive to the operating budget of Parks & Recreation, raise questions of liability, and concerns of the City's ability to obtain permits, I am recommending that we conduct a master planning effort instead of initiating improvements. We would seek the services of a professional site planner/landscape architect who would help guide the process. I envision this will involve meetings with the Recreation Advisory Board and a citizen participation effort to identify what people want. The final product of this planning work would be a report that includes recommendations for improvements, an estimate of the costs for various components, identification of operational issues, and an implementation plan. I have included \$25,000 in the budget for this activity. Any remaining funds after the master planning effort can be used as a set-aside for improvements to be undertaken next year. We did not look at the needs of the Tot Lot property.

Boys & Girls Club: I had stated that masonry improvements were needed at the Boys & Girls Club property in my February budget presentation. However, the grant for FY2011 already covers the 4th year masonry wall. The improvements sought by the Boys & Girls Club for FY2012 are interior waterproofing and energy improvements. Water regularly seeps in through the back wall of the building. Dan Goyette, City Engineer, conducted an inspection, and recommends that an under drain system be installed along the rear of the building. This drainage system will catch and divert the water coming from the Third Street property. I spoke with the program director, Andi Hannon. She tells me this has been a chronic and recurring problem for the club. I have taken the liberty to place this back in the budget at the level recommended by Dan Goyette for the drainage, \$10,000. The energy improvements can be delayed another year.

Auburn Housing Authority/Roak Block Replacement Windows: The FY2011 budget included a commitment of UDAG funds to replace windows at the Roak Block. Since we expected to initiate this project prior to the end of this year, I did not show this in my FY2012 budget. Upon reconsidering the various 2012 budget projects, I felt it would be more appropriate to allocate funds for this project from the HOME Program since this is a HOME eligible activity. HOME funds are much more restrictive than UDAG funds. I have, therefore, reduced the Homebuyer Program by \$40,000 and Homeowner Rehab Program by \$100,000 to include this rental project. This change in funding sources leaves \$136,268 of UDAG funds available for other projects.

Community Little Theater: The scope of work for demolition of Great Falls Schools did not include filling the hole created by the demolition of the building. Community Little Theater received an offer of \$38,600 from St. Laurent & Son Inc., the demolition contractor, to provide fill, aggregate base and a 3" layer of asphalt reclaim to create a parking lot over the entire area. Community Little Theater has asked for a \$40,000 loan to accomplish this work. I have included this in the UDAG budget. The loan would be repaid over a two year period from their fundraising efforts. I am suggesting that we channel the approval of this special project through the Community Development Loan Committee. I propose an interest rate of 2%.

There would be \$96,268 remaining from the UDAG funds for a future project. Once a project is identified, I will present a program amendment to the City Council.

City of Auburn FY 2012 Budget
Community Development

<u>ACTIVITIES</u>	INITIAL BUDGET PROPOSAL <u>FY2012</u>	REVISED BUDGET PROPOSAL <u>FY2012</u>
PLANNING AND ADMINISTRATION		
PROGRAM ADMINISTRATION	\$117,000	\$117,000
HOUSING ADMINISTRATION	\$80,000	\$80,000
GOODS AND SERVICES	\$32,700	\$32,700
ECONOMIC DEVELOPMENT		
COMMERCIAL LOAN PROGRAM		
MICRO LOAN PROGRAM		\$40,000
AFFORDABLE HOUSING		
REHABILITATION LOAN PROGRAM	\$300,000	\$300,000
LEAD MATCH	\$37,500	\$37,500
LEAD TESTING/CLEARANCE/TRAINING	5000	\$5,000
COMMUNITY CONCEPTS, INC./WEATHERIZATION	62250	\$62,250
REBUILDING TOGETHER	2000	\$2,000
DOWNPAYMENT ASSISTANCE PROGRAM	31000	
CURB APPEAL PROGRAM	\$50,000	\$50,000
PUBLIC IMPROVEMENTS		
SIDEWALK IMPROVEMENTS	\$167,113	\$131,113
WASHBURN SCHOOL PLAYGROUND PHASE 2	\$11,040	\$11,040
PETTENGILL PARK PLAYGROUND	\$10,000	\$0
BOYS & GIRLS CLUB/DRAINAGE IMPROVEMENTS	\$20,000	\$10,000
MUNICIPAL BEACH MASTER PLAN/PHASE I IMPROVEMENTS		\$25,000
PUBLIC SERVICES		
ANDROSCOGGIN HEAD START	0	\$8,500
AUBURN RECREATION SCHOLARSHIPS	18000	\$28,000
LITERACY VOLUNTEERS	8500	\$8,500
SAFE VOICES	8000	\$8,000
HEATING ASSISTANCE LOANS	25000	\$25,000
TEDFORD HOUSING	3000	\$3,000
CATHOLIC CHARITIES/SEARCH	2500	\$2,500
CATHOLIC CHARITIES/RESIDENTIAL PROGRAM	0	\$3,500
TOTAL EXPENDITURES	\$990,603	\$990,603

3/27/2012

City of Auburn FY 2012 Budget Home Investment Partnerships Program

ACTIVITIES	INITIAL BUDGET PROPOSAL <u>FY2012</u>	REVISED <u>FY2012</u>
SALARIES		
PROGRAM ADMINISTRATION	26,500	26,500
HOUSING PROJECTS/ADMINISTRATION	40,000	40,000
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING	5,000	5,000
GOODS AND SERVICES	3,500	3,500
 AFFORDABLE HOUSING		
HOME BUYER ASSISTANCE	155,815	115,815
HOMEOWNER REHABILITATION	266,159	166,159
RENTAL HOUSING/ROAK BLOCK WINDOWS	0	140,000
SECURITY DEPOSIT	19,573	19,573
 TOTAL BUDGET	 516,547	 \$516,547

City of Auburn FY 2012 Budget Other Grants

	INITIAL BUDGET PROPOSAL <u>FY2012</u>	REVISED <u>FY2012</u>
URBAN DEVELOPMENT ACTION GRANT	25,000	
MICRO LOAN PROGRAM		25,000
COMMUNITY LITTLE THEATER/PARKING LOT LOAN		40,000
FUTURE PROJECT/NOT YET IDENTIFIED		96,268
LEAD HAZARD CONTROL GRANT	5500	5500
NSP-1	5000	5000
NSP-3	6800	6800
TOTAL	42,300	178,568



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: April 2, 2012

Item # C

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointing Wardens and Ward Clerks for the School Budget Validation Referendum election and the June Primary.

Information: The City Clerk nominates Wardens and Ward Clerks to be appointed by the City Council. One Warden and one Ward Clerk are to be appointed for each polling place.

Daniel Curtis	Warden	Ward 1	Washburn School
Jeanne Varney	Ward Clerk	Ward 1	
Connie Bilodeau	Warden	Ward 2	Auburn Middle School
Louise Reynolds	Ward Clerk	Ward 2	
Sonja Nielsen	Warden	Ward 3 May and June	Auburn Hall
Sherry Flaherty	Ward Clerk	Ward 3 May and June	
Warren Galway	Warden	Ward 4	Fairview School
Sheila Desgrosseilliers	Ward Clerk	Ward 4	
Donna Martin	Warden	Ward 5	Sherwood Heights School
Robert Sevigny	Ward Clerk	Ward 5	

Financial: N/A

Action Requested at this Meeting: Recommend passage

Previous Meetings and History: N/A

Attachments: Under Agenda item # 1, (tab #1 in notebooks).

- City Charter, Article V, Nominations and Elections
- Title 21-A §501
- Order



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: April 2, 2012

Item # D

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Election Clerks for the period of May 1, 2012 through April 30, 2014.

Information: The municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open.

Financial: N/A

Action Requested at this Meeting: Recommend passage

Previous Meetings and History: N/A

Attachments: Under Agenda item # 2, (tab #2 in notebooks).

- Title 21-A §503
- Order 18-04022012
- List of nominated Election Clerks



**City Council
Workshop Information Sheet**

City of Auburn

Council Workshop Date: April 2, 2012

Item # E

Author: Phillip Crowell, Jr., Chief of Police

Subject: County Dispatch Consolidation

Information: Update on consolidation efforts

Financial:

Action Requested at this Meeting: Possible council action regarding inter-local agreement.

Previous Meetings and History: Discussion at the 3/19/2012 City Council Meeting.

Attachments: No attachments



City Council Workshop Information Sheet

City of Auburn

Council Workshop Date: April 2, 2012

Item # F

Author: Roland Miller, Economic Development Director

Subject: 2012 Business Friendly Community Certification Program

Information: Governor LePage announced a new initiative called the 2012 Certified Business Friendly Community Program. Applications can be made by communities, chambers of commerce, regional development authorities, trade organizations, businesses or individuals to become certified, by the State of Maine, as a Business Friendly Community. If certified, by the scoring panel, as a Business Friendly Community an award will be given by the Governor and recognition will be made on the State of Maine DECD website.

Financial: None

Action Requested at this Meeting: Resolve supporting the submission of the application.

Previous Meetings and History: None

Attachments: Under Agenda item #4, (tab #4 in notebooks).

- Draft Resolve

IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 17

Mayor LaBonte called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall. The Girl Scouts Troop #2013 of Auburn led the assembly in the salute to the flag. Councilor Hayes was absent.

I. Consent Items – None

II. Minutes of March 5, 2012 Council Meeting

Motion was made by Councilor LaFontaine and seconded by Councilor Gerry to approve the March 5, 2012 Council Meeting Minutes. Passage 6-0.

III. Reports

Mayor's Report

- Proclamation Presentation to the Girl Scouts of America, celebrating their 100th Anniversary

Committee Reports

- Transportation
 - Androscoggin Transportation Resource Center – Mayor LaBonte
 - Lewiston Auburn Transit – Councilor Gerry reported
 - Airport, Railroad – Councilor Hayes (absent)
- Housing
 - Community Development Block Grant, Neighborhood Stabilization Program, Auburn Housing Authority – Councilor Gerry, no report
- Economic Development
 - L-A Economic Growth Council, Auburn Business Development Corp. – Councilor Shea reported
- Education
 - Auburn School Committee – Councilor Young reported
 - Auburn Public Library – Councilor LaFontaine no report
 - Great Falls TV – Councilor Young and Councilor Shea. Councilor Young reported
- Environmental Services
 - Auburn Water District, Auburn Sewerage District – Councilor Crowley reported
 - Mid-Maine Waste Action Corp. – Councilor Walker reported
- Recreation
 - Recreation Advisory Board – Councilor Walker reported

IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 18

Councilor Reports

- Tizz Crowley reported
- Leroy Walker reported
- Joshua Shea reported

Interim City Manager, Don Gerrish

- Manager Search update
- FY 2012/2013 City Budget Presentation
- Update on County Dispatch Consolidation – Chief Crowell

Finance Director, Jill Eastman

Motion was made by Councilor Gerry and seconded by Councilor Young to accept the February 2012 Finance Report. Passage 6-0.

IV. Communications, Presentations and Recognitions

V. Open Session – No public comment.

VI. Unfinished Business – None

VII. New Business

1. Ordinance 02-03052012 - Approving the Code of Ordinances Chapter 24 Section 24-8 “Definitions” regarding Food Service License Classifications. Second Reading.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage. Passage 4-2 (Councilors Walker and Gerry).

2. Order 12-03192012 – Approving a Special Amusement Permit Application for MVL, Inc., DBA, Tio Juan’s Margarita’s Mexican Restaurant located at 180 Center Street.

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage. Passage 6-0.

3. Order 13-03192012 - Approving funds for Spring Clean up.

Motion was made by Councilor LaFontaine and seconded by Councilor Young for passage. Passage 4-2 (Councilors Walker and Gerry).

IN COUNCIL REGULAR MEETING MARCH 19, 2012 VOL 33 PAGE 19

4. Resolve 02-03192012 - Supporting the concept of The Lewiston-Auburn Bike-Ped committee.

Motion was made by Councilor Shea and seconded by Councilor Young for passage.

Passage 6-0.

5. Order 14-03192012 - Confirming Chief Crowell's appointment of Thomas J. Ellis as a Constable with Firearms for the Auburn Police Department.

Motion was made by Councilor Shea and seconded by Councilor Gerry for passage.

Passage 6-0.

6. Order 15-03192012 - Confirming Chief Crowell's appointment of Erik Rider, Gary Alan Hutchinson, and Janice Lare as a Constable without Firearms for the Auburn Police Department.

Motion was made by Councilor Shea and seconded by Councilor LaFontaine for passage.

Passage 6-0.

7. Order 16-03192012 - Appointing Board & Committee Members.

Motion was made by Councilor Shea and seconded by Councilor Crowley for passage.

Passage 6-0.

VIII. Open Session

Larry Pelletier, Auburn

IX. Future Agenda/Workshop Items

- Councilor Gerry would like to discuss lighting at Sherwood Heights School during Elections.

X. Adjournment

Motion was made by Councilor Shea and seconded by Councilor LaFontaine to adjourn the meeting. Passage 6-0, 9:05 P.M.

A TRUE COPY.

ATTEST 
Susan Clements-Dallaire, Acting City Clerk



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: April 2, 2012

Order # 17-04022012

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointing Wardens and Ward Clerks for the School Budget Validation Referendum election and the June Primary.

Information: The City Clerk nominates Wardens and Ward Clerks to be appointed by the City Council. One Warden and one Ward Clerk are to be appointed for each polling place.

Daniel Curtis	Warden	Ward 1	Washburn School
Jeanne Varney	Ward Clerk	Ward 1	
Connie Bilodeau	Warden	Ward 2	Auburn Middle School
Louise Reynolds	Ward Clerk	Ward 2	
Sonja Nielsen	Warden	Ward 3 May and June	Auburn Hall
Sherri Flaherty	Ward Clerk	Ward 3 May and June	
Warren Galway	Warden	Ward 4	Fairview School
Sheila Desgrosseilliers	Ward Clerk	Ward 4	
Donna Martin	Warden	Ward 5	Sherwood Heights School
Robert Sevigny	Ward Clerk	Ward 5	

Financial: N/A

Action Requested at this Meeting: Recommend Passage

Previous Meetings and History: N/A

Attachments:

- City Charter, Article V, Nominations and Elections
- Title 21-A §501
- Order

Auburn, Maine, Code of Ordinances >> PART I - CHARTER >> ARTICLE V. - NOMINATIONS AND ELECTIONS >>

ARTICLE V. - NOMINATIONS AND ELECTIONS

Sec. 5.1. - Date of elections and procedures.

Sec. 5.2. - Wardens and ward clerks.

Sec. 5.3. - Nominations for elective offices.

Sec. 5.4. - Nomination petition.

Sec. 5.5. - List of candidates.

Sec. 5.6. - Ballots.

Sec. 5.1. - Date of elections and procedures.

On the Tuesday following the first Monday in November in odd-numbered years, registered voters of each ward shall ballot for a mayor, a councilor, and a school committee member from that ward as well as two councilors and two school committee members at-large. The terms of all councilors and school committee members shall begin and end simultaneously. All votes cast for the several officers shall be counted, declared, and recorded in public ward meetings, by causing the names of the persons voted for and the number of votes given for each to be written on the ward record. The city clerk shall, as soon as convenient, examine the copies of the records of the several wards and notify in writing the persons who have been elected mayor, councilor, and school committee members. If no person has been elected to an office, or if the person elected refuses to accept the office, the city clerk shall issue warrants for another election. The city clerk shall declare the person receiving the highest number of votes for an office elected to such office.

Sec. 5.2. - Wardens and ward clerks.

The city clerk shall nominate wardens and ward clerks who shall be confirmed by the city council. Wardens and ward clerks shall be residents of the city and shall hold office for two years from the first Monday in December following the regular municipal election or until a replacement has been confirmed. Wardens and ward clerks shall swear their faithful performance of duties to the city clerk or deputy city clerk.

Sec. 5.3. - Nominations for elective offices.

Nomination of each candidate for elective office shall be by petition, available from the city clerk at least 120 days prior to the election. Petitions for mayor shall be signed by not less than 100 registered voters. Petitions for councilor and school committee shall be signed by at least 25 registered voters of the candidate's ward, except that at-large candidates' petitions may have signatures from registered voters from any ward.

Sec. 5.4. - Nomination petition.

Nomination petitions shall be provided by the city clerk with whom they shall be filed not later than 75 days prior to the election.

Sec. 5.5. - List of candidates.

The city clerk shall, at least 65 days prior to the election, certify and make available to the public, in print and electronically, the names and residences of candidates who have filed nomination petitions.

Sec. 5.6. - Ballots.

The city clerk shall provide specimen ballots and official ballots for use in all city elections. Specimen ballots shall be marked "specimen" and shall be on a paper of a color different from the official ballots. The city clerk shall make specimen ballots available to the public in print and electronically. No ballot shall show party designation.

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Title 21-A: ELECTIONS

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Chapter 7: ELECTION OFFICIALS

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§501. Wardens and ward clerks

1. In a city. In a city, the selection, term of office, compensation and partial duties of wardens and ward clerks are determined by the city charter. Additional duties are prescribed by this Title.

[1987, c. 188, §4 (AMD) .]

2. In a town. In a town, with the approval of the municipal officers, the clerk of the municipality shall appoint a warden and may appoint one or more deputy wardens to assist in the duties on election day. If the clerk appoints another person as warden, the clerk may serve as deputy warden. It does not constitute an incompatibility of office for the clerk to serve as warden or deputy warden. The warden and deputy warden are entitled to a reasonable compensation as determined by the municipal officers.

[1995, c. 459, §32 (AMD) .]

3. Provisions applicable to both towns and cities. A warden, ward clerk or any deputy warden may not be an officer of a municipal committee of a political party. Ward clerks or deputy wardens shall perform the duties of the warden when necessary and may not replace election clerks prescribed by this Title. The warden, ward clerk and deputy wardens must be registered voters of the municipality, except when a nonresident clerk is acting as either warden, ward clerk or deputy warden. When there is a vacancy in the office of warden, ward clerk or deputy warden, a person who is a resident of the county may serve as a replacement on a per election basis until the end of the vacated term. Before assuming the duties of office, the warden is sworn by the municipal clerk, and the ward clerk or deputy warden is sworn by the municipal clerk or by the warden.

[2009, c. 538, §6 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1987, c. 188, §4 (AMD). 1995, c. 459, §32 (AMD). 1997, c. 436, §65 (AMD). 2001, c. 310, §27 (AMD). 2009, c. 538, §6 (AMD).

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Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

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 #17-04022012

ORDERED, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for the School Budget Validation Referendum Election and the June Primary Election:

Daniel Curtis	Warden	Ward 1	Washburn School
Jeanne Varney	Ward Clerk	Ward 1	
Connie Bilodeau	Warden	Ward 2	Auburn Middle School
Louise Reynolds	Ward Clerk	Ward 2	
Sonja Nielsen	Warden	Ward 3 May and June	Auburn Hall
Sherri Flaherty	Ward Clerk	Ward 3 May and June	
Warren Galway	Warden	Ward 4	Fairview School
Sheila Desgrosseilliers	Ward Clerk	Ward 4	
Donna Martin	Warden	Ward 5	Sherwood Heights School
Robert Sevigny	Ward Clerk	Ward 5	



City Council Agenda Information Sheet

City of Auburn

Council Meeting Date: April 2, 2012

Order # 18-04022012

Author: Susan Clements-Dallaire, Acting City Clerk

Subject: Appointing Election Clerks for the period of May 1, 2012 through April 30, 2014.

Information: The municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open.

Financial: N/A

Action Requested at this Meeting: Recommend Passage

Previous Meetings and History: N/A

Attachments:

- Title 21-A §503
- Order 18-04022012
- List of nominated Election Clerks

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§502

**Title 21-A:
ELECTIONS**

§504

Chapter 7: ELECTION OFFICIALS

§503. Election clerks

Election clerks are governed by the following provisions.
[1995, c. 459, §33 (RPR).]

1. Qualifications; appointment; compensation. Election clerks must be at least 18 years of age, registered to vote and residents of the municipality, except that, if the municipal officers, after providing timely notice to state and local chairs of political parties of the lack of available election clerks, are unable to appoint a sufficient number of election clerks who are residents of the municipality, the municipal clerk may appoint election clerks who are not residents of the municipality but who are residents of the county and are otherwise qualified to fill the vacancies. The municipal officers of each municipality shall appoint election clerks no later than May 1st of each general election year to serve at each voting place during the time the polls are open and as counters after the polls close. A list of the election clerks appointed under this subsection must be posted at each voting place. Election clerks are entitled to a reasonable compensation as determined by the municipal officers.

[2007, c. 422, §1 (AMD) .]

1-A. Student election clerks.

[1995, c. 459, §33 (RP) .]

2. Representation of parties. The municipal officers shall consider the following for appointment as election clerks.

A. The municipal officers shall consider persons nominated by the municipal, county or state committees of the major parties to serve as election clerks. The municipal officers shall appoint at least one election clerk from each of the major parties to serve at each voting place during the time the polls are open. The municipal officers shall also appoint a sufficient number of election clerks to serve as counters after the polls close. The election clerks must be selected so that the number of election clerks from one major party does not exceed the number of election clerks from another major party by more than one.
[2007, c. 422, §2 (AMD).]

B. The municipal officers shall appoint at least one election clerk nominated by the municipal committee of a qualified minor party represented on the last general election ballot for each voting place at the committee's request. [1995, c. 459, §33

(RPR) .]

C. Notwithstanding subsection 1, the municipal officers may also consider persons who are 17 years of age to serve as student election clerks for a specific election. A student election clerk may perform all the functions of an election clerk as prescribed by this Title. [2003, c. 584, §4 (AMD) .]

All nominations for election clerks must be submitted to the municipal officers no later than April 1st of each general election year. If a municipal committee of a major party fails to submit a list of nominees to serve as election clerks, the municipal officers may appoint registered voters enrolled in that party to serve as election clerks.

If the municipal officers are unable to appoint a sufficient number of election clerks as set forth in paragraphs A, B and C, they may appoint any other registered voter, as long as the balance between major political parties is maintained. The municipal clerk shall complete a form provided by the Secretary of State when a registered voter changes party enrollment status in order to be available to serve as an election clerk and to maintain a balance between the major political parties and that election clerk participates in the counting of ballots. The form must be included with all ballots separated into lots in accordance with section 695, subsection 2 when an election clerk who has changed party enrollment status as described in this subsection made the count for that lot of ballots and with tabulation results submitted to the Secretary of State. By January 15th after a general election, the Secretary of State shall report to the joint standing committee of the Legislature having jurisdiction over legal affairs the number of forms required by this subsection that were submitted with tabulation results and whether any election that resulted in a recount included ballots that were counted by an election clerk who changed party enrollment status as described in this subsection.

[2007, c. 422, §2 (AMD) .]

3. Number appointed to serve each voting place. The municipal officers shall appoint at least 2 election clerks as provided by subsection 2, paragraph A to serve at each voting place during the time the polls are open. If required to do so by subsection 2, paragraph B, they shall also appoint one election clerk to serve at each voting place during the time the polls are open. Additional election clerks may be appointed as needed. In the event of a vacancy in the election clerks appointed under this subsection, the municipal officers shall appoint alternate election clerks who may be called into service.

[1995, c. 459, §33 (RPR) .]

4. Number appointed to serve as counters. The municipal officers shall appoint election clerks in the same manner as in subsection 3 to serve as counters after the polls close.

[1995, c. 459, §33 (RPR) .]

5. Vacancies. If a sufficient number of election clerks is not available to serve on election day, the municipal clerk or the warden may appoint the necessary number of election clerks to fill the vacancies. When filling a vacancy, the municipal clerk or the warden shall first draw from the list of alternates appointed under subsection 3 and make every attempt to appoint a person with the same enrollment status as the person who vacated the position.

[1995, c. 459, §33 (RPR) .]

6. Oath of office. Before assuming the duties of office, election clerks are sworn by the municipal clerk or the warden and the oath is recorded.

[1995, c. 459, §33 (RPR) .]

7. Term of office. An election clerk holds office for 2 years from the date of appointment and until a successor is appointed and qualified, except that an election clerk who is appointed to represent a qualified minor party represented on the last general election ballot holds office only for 2 years from the date of appointment.

[1995, c. 459, §33 (RPR) .]

8. Duties. Election clerks shall attend the voting places for which they are appointed at each election during the time the polls are open or during the counting of the ballots after the polls close, as required by the terms of their appointment. They are under the direction of the warden and shall assist the warden as requested.

[1995, c. 459, §33 (RPR) .]

9. Application of city charter. This section does not affect a city charter that provides for the election of 2 persons to assist the warden in receiving, sorting and counting ballots. The persons elected under the authority of the charter are considered to be election clerks and each must represent a different major party.

[1995, c. 459, §33 (NEW) .]

10. Training.

[2001, c. 415, §2 (RP); 2001, c. 415, §5 (AFF) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1985, c. 314, (AMD). 1991, c. 399, §2 (AMD). 1991, c. 466, §18 (AMD). 1993, c. 473, §10 (AMD). 1993, c. 473, §46 (AFF). 1995, c. 459, §33 (RPR). 1999, c. 450, §14 (AMD). 2001, c. 310, §28 (AMD). 2001, c. 415, §2 (AMD). 2001, c. 415, §5 (AFF). 2003, c. 584, §4 (AMD). 2007, c. 422, §§1, 2 (AMD).

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§503

Title 21-A: ELECTIONS

§505

Chapter 7: ELECTION OFFICIALS

§504. Persons ineligible to serve

The following may not serve as election officials: [1985, c. 161, §6 (NEW).]

1. Certain employees. An employee of a party or candidate; [1985, c. 161, §6 (NEW) .]

2. Direct pecuniary interest. A person having a direct pecuniary interest in the result of a referendum question; or [1985, c. 161, §6 (NEW) .]

3. Candidate and certain relatives. A candidate or member of his immediate family, in the electoral division from which the candidate seeks election.

A. This subsection does not apply to a candidate for warden or ward clerk or the immediate family of the candidate for warden or ward clerk. [1993, c. 447, §9 (AMD).]

B. This subsection does not apply to municipalities with a population of less than 500. [1985, c. 161, §6 (NEW).]
[1993, c. 447, §9 (AMD) .]

SECTION HISTORY

1985, c. 161, §6 (NEW). 1993, c. 447, §9 (AMD).

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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 #18-04022012

ORDERED, that the following individuals be and hereby are appointed as Election Clerks for the period of May 1, 2012 through April 30, 2014. See attached list.

Election Clerks 2012 - 2014

Party	First	Last
D	Virginia	Adams
D	Marsha	Auster
D	Laurie	Bolduc
D	Robert	Cavanagh
D	Gisela	Clauss
D	Louise	Cooper
D	Cecile	Demers
D	Edward	Desgrosseilliers
D	Ernestine	Gilbert
D	Jolene	Girouard
D	Eleanor	Herrick
D	Pauline	Langelier
D	Richard	Leavitt
D	Joseph	Mailey
D	Robert	Melaragno
D	Sophie	Michaud
D	Priscilla	Miller
D	Gerard	Racine
D	Louise	Reynolds
D	Bonnie	Ross
D	Rhonda	Russell
D	Kyle	Smith
D	Judith	Webber
D	Claire	Young
R	Claire	Amero
R	Claire	Bachand
R	Francois	Bussiere
R	Katherine	Davis
R	Robert	Fellner
R	Esther	Gammon
R	James	Gammon
R	Leonard	Huntington

Party	First	Last
R	Gerald	Langelier
R	Gerald	Martel
R	Diane	Massey
R	Beverly	McCann
R	Beverly	Ouellette
R	Kasey	Poisson
R	Linda	Rossignol
R	Judith	Sargent
R	Danielle	Spiro
R	Kenneth	Winter
U	Bashir	Ahmed
U	Cristy	Bourget
U	Polly	Fontaine
U	Joan	Mahon
U	Claudette	Martel
U	Stephen	Martelli
U	Jeannine	Pelletier



**City Council
Agenda Information Sheet**

City of Auburn

Council Meeting Date: April 2, 2012

Order # 19-04022012

Author: Phillip Crowell, Jr., Chief of Police

Subject: County Dispatch Consolidation

Information: Update on consolidation efforts

Financial:

Action Requested at this Meeting: Possible council action regarding inter-local agreement.

Previous Meetings and History: Discussion at the 3/19/2012 City Council Meeting.

Attachments: No attachments, a copy of the draft Order will be available at the 4/2/2012 meeting.



City Council Agenda Information Sheet

City of Auburn

Council Agenda Date: April 2, 2012

Resolve: 03-04022012

Author: Roland Miller, Economic Development Director

Subject: 2012 Business Friendly Community Certification Program

Information: Governor LePage announced a new initiative called the 2012 Certified Business Friendly Community Program. Applications can be made by communities, chambers of commerce, regional development authorities, trade organizations, businesses or individuals to become certified, by the State of Maine, as a Business Friendly Community. If certified, by the scoring panel, as a Business Friendly Community an award will be given by the Governor and recognition will be made on the State of Maine DECD website.

Financial: None

Action Requested at this Meeting: Resolve supporting the submission of the application.

Previous Meetings and History: None

Attachments: Draft Resolve #03-04022012

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



Jonathan LaBonte, Mayor

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

IN CITY COUNCIL

RESOLVE 03-04022012

RESOLVED, that the Auburn City Council hereby supports and approves the submission of the application to become certified by the State of Maine as a Business Friendly Community.



City Council Information Sheet

City of Auburn

Council Meeting Date: April 2, 2012

Subject: Executive Session

Information: Discussion about Labor Contracts, pursuant to 1 M.R.S.A. §405(6)(D).

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(6). 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.
-