

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

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Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #02-02062012

**ORDERED**, that the Interim City Manager be and hereby is authorized to reallocate unused bond proceeds in the amount of \$305,000 to purchase a new pumper and spare truck for the Fire Department.

Tizz Crowley, Ward One  
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Belinda Gerry, At Large  
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Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #03-02062012

**ORDERED**, that the following Mayoral nominations be and hereby are approved:

#### **Transportation**

- Auburn-Lewiston Municipal Airport - Robert Hayes (Ward Two)
- Lewiston Auburn Railroad Corporation –Robert Hayes (Ward Two) *Existing Appointment*
- Lewiston-Auburn Transit Committee - Belinda Gerry (At-Large)

#### **Finance**

- Independent Audit Committee - Tizz Crowley (Ward One)

Robert Hayes (Ward Two)

#### **Arts/Culture/Recreation**

- Recreation Advisory Board - Leroy Walker (Ward Five)

#### **Public Safety:**

- Lewiston-Auburn 911 Committee - Leroy Walker (Ward Five)

Tizz Crowley, Ward One  
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Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER #04-02212012**

ORDERED, that the City Council hereby approves the request for a Food Service Establishment/Class A Restaurant with Liquor license for GPG, LLC, DBA: Mac's Grill located at 1052 Minot Avenue.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



Jonathan LaBonte, Mayor

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

## IN CITY COUNCIL

### ORDER #05-02212012

**ORDERED**, that the Auburn City Council hereby approves the following abatement of the 2009 and 2010 tax years for Map 57 Lot 52-1 in the amount of \$2,700 of assessed value for each year.

These abatements are granted due to assessing error in interpreting the deed acreage for this parcel.

Tizz Crowley, Ward One  
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Belinda Gerry, At Large  
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Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #06-02212012

ORDERED, that the following individuals be and hereby are appointed to the Registration Appeals Board:

NAME	POSITION	TERM EXPIRATION
Nadeen Daniels	Chair	2/28/2016
Mary Roussel	Democratic Member	2/28/2015
Edward Desgrosseilliers	Democratic Alternate	2/28/2015
Georgia Chomas	Republican Member	2/28/2015
Paul Cole	Republican Alternate	2/28/2015

Passage on 2/21/2012, 7-0



Tizz Crowley, Ward One  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

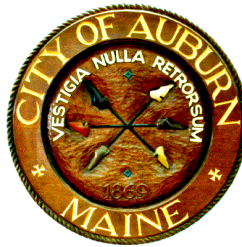
## **IN CITY COUNCIL**

### **ORDER #07-02212012**

ORDERED, that the City Council hereby authorizes the Mayor on behalf of the City to correspond with Maine State Housing Authority concerning the Authority's mandatory 90 year time frame placed on a project to receive Low Income Housing Tax Credits.



Tizz Crowley, Ward One  
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Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #08-02212012

**Order,** Approving a Joint Agency Budget Committee

Whereas, the Cities of Lewiston and Auburn jointly fund a number of agencies including the Lewiston-Auburn Growth Council, LA 911, Great Falls TV, the Auburn-Lewiston Airport, LA Arts, and the Lewiston Auburn Transit Committee; and

Whereas, in the past, the communities have used several alternative methods for reviewing the budgets submitted by these agencies, none of which has been fully satisfactory; and

Whereas, it is essential that these budgets receive detailed review by elected officials and that this review be done in a manner that assists the respective Governing Bodies in coordinating the approval of these budgets; and

Whereas, this joint budget committee is intended to refine the review of interagency budgets, build working relationships between Councilors of both cities, and streamline efforts to review expenditures and work plans for services funded by both Cities;

**Now, therefore, be it Ordered by the City Council of the City of Auburn that**

The City Council supports the creation of a Joint Agency Budget Committee to be composed of two City Councilors from Lewiston and two from Auburn. The purpose of this Committee shall be to undertake the necessary review of budgets and work plans presented by agencies and organizations jointly funded by Lewiston and Auburn and to make a consolidated recommendation to the respective governing bodies. Each City shall provide the necessary staff support to the Committee to allow it to successfully accomplish its purpose. In addition:

- The Committee's meetings shall be held in public, and all elected officials shall be provided notice of the time and place of the meetings as well as its agenda. Notices will also be posted on the City's website.
- All members of the respective governing bodies in attendance at the meetings shall be allowed the privilege of participating in them through asking questions and engaging in discussion, but only the designated members of the Committee shall have a vote on its final recommendations;
- The recommendations of the Committee shall be advisory to the respective governing bodies and each Council shall retain the right to make further budget adjustments and to meet separately with individual agencies to seek additional information regarding their budgets and work plans;
- Subsequent to the completion of this year's budgets, the Committee shall meet to evaluate the effectiveness of this approach to joint agency budgeting and shall make a recommendation to the respective Councils as to whether it should be continued in future years or an alternative approach should be taken;
- One Councilor from the City of Auburn shall be appointed by the Mayor; the second Councilor shall be appointed by the Mayor upon the recommendation of the City Council.

Amended and passed on 2/21/2012, 5-2 (Councilors Young and Walker).

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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Belinda Gerry, At Large  
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Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER #09-02212012**

ORDERED, that Councilor Mary Lafontaine be and hereby is appointed to the Joint Agency Budget Committee.

Passage on 2/21/2012, 5-2 (Councilors Young and Walker).

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



Leroy Walker, Ward Five  
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Joshua Shea, At Large

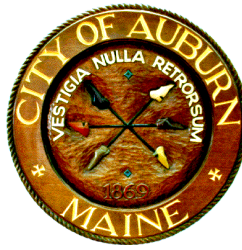
Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 10-02212012

**ORDERED**, that the Acting City Manager be and hereby is authorized to execute an Option Agreement granting Building Solutions, LLC., an option to enter into a purchase and sales agreement for the acquisition of land and buildings at 1 Minot Avenue, known as the former Auburn Police Department building (PID: 240-272).

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER #11-03052012**

ORDERED, that the City Council hereby authorizes the Lewiston and Auburn Transit District to apply for Federal funds (80% Federal and 20% Local) to construct a bus/truck wash to be used by the Transit District and by both Auburn and Lewiston to wash large equipment.

No action was taken on this item.

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 #12-03192012**

ORDERED, that the City Council hereby approves the request for a Special Amusement Permit for MVL, Inc., DBA Tio Juan's Margarita's Mexican Restaurant located at 180 Center Street.

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 #13-03192012

**ORDERED**, that the City Council hereby authorizes the funding for Spring Clean up with funds available in the Public Works 2011/2012 Budget.

Passage on 3/19/2012, 4-2 (Councilors Walker & Gerry, Councilor Hayes was absent).



Tizz Crowley, Ward One  
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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 #14-03192012

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

Thomas J. Ellis

with Firearm

New Hire



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 #15-03192012

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

Erik Rider	without Firearm	Volunteer
Gary Alan Hutchinson	without Firearm	Volunteer
Janice Lare	without Firearm	Volunteer

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #16-03192012

**ORDERED**, that the following individuals be and hereby is appointed to the following committees;

Evan Cyr	Planning Board	Term Expiration: 1/1/2015
Rachel Jalbert-Palian	Planning Board	Term Expiration: 1/1/2015

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
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	

Tizz Crowley, Ward One  
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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

<b>Party</b>	<b>First</b>	<b>Last</b>
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

<b>Party</b>	<b>First</b>	<b>Last</b>
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

Tizz Crowley, Ward One  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #19-04022012

**ORDER**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

**WHEREAS**, both communities have consistently supported consolidation of dispatch services in order to enhance public safety, provide fiscal benefits, and address the current inequity in dispatch funding; and

**WHEREAS**, for the last decade, elected officials, senior administrators, and the heads of public safety agencies within the county have held discussions regarding consolidation of dispatch services; and

**WHEREAS**, the cities of Auburn and Lewiston have advanced options for consolidating the dispatch of virtually all law enforcement, fire, and EMS services in the county and to finance them in a fair and equitable manner while providing for continued and unfragmented services; and

**WHEREAS**, such an alternative cost sharing proposal would mark a major milestone in inter-governmental cooperation in Androscoggin County and would enhance public safety, improve coordination of emergency response, and maximize efficient use of public resources; and

**WHEREAS**, other proposed plans have also come forward that do not achieve the goal of consolidated services and which may or may not eliminate the current subsidy paid by Lewiston and Auburn through the County tax; and

**WHEREAS**, while there is renewed interest on the part of the Commissioners on reaching a decision on the future of County dispatch, they have not yet been able to reach agreement on a plan;

**NOW THEREFORE**, be it ordered by the City Council of the City of Auburn that we call upon the Androscoggin County Commissioners to adopt a dispatch plan that will totally eliminate the subsidies provided by the taxpayers of Lewiston and Auburn for dispatch services that the County is not required by law to provide and which our communities do not receive. We further call upon the Commissioners to seriously consider plans that would fully consolidate Public Safety Answering Point and dispatch services in a single entity, recognizing that county-wide consolidation will allow for the equitable distribution of costs, long-term equipment and technology savings, and a high quality integrated public safety communication system.

**BE IT FURTHER ORDERED THAT**, beginning January 1, 2013, the City of Auburn shall take the necessary steps required to eliminate the current subsidy provided by Auburn to the County for PSAP and dispatching services provided to other communities within Androscoggin County.

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

**AMENDMENT REPLACES ORDER #19-04022012**

## **IN CITY COUNCIL**

### **RESOLVE #04-04022012**

**RESOLVE**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

**WHEREAS**, both communities have consistently supported consolidation of dispatch services in order to enhance public safety, provide fiscal benefits, and address the current inequity in dispatch funding; and

**WHEREAS**, for the last decade, elected officials, senior administrators, and the heads of public safety agencies within the county have held discussions regarding consolidation of dispatch services; and

**WHEREAS**, the cities of Auburn and Lewiston have advanced options for consolidating the dispatch of virtually all law enforcement, fire, and EMS services in the county and to finance them in a fair and equitable manner while providing for continued and unfragmented services; and

**WHEREAS**, such an alternative cost sharing proposal would mark a major milestone in inter-governmental cooperation in Androscoggin County and would enhance public safety, improve coordination of emergency response, and maximize efficient use of public resources; and

**WHEREAS**, other proposed plans have also come forward that do not achieve the goal of consolidated services and which may or may not eliminate the current subsidy paid by Lewiston and Auburn through the County tax; and

**WHEREAS**, while there is renewed interest on the part of the Commissioners on reaching a decision on the future of County dispatch, they have not yet been able to reach agreement on a plan;

**NOW THEREFORE**, be it resolved by the City Council of the City of Auburn that we call upon the Androscoggin County Commissioners to adopt a dispatch plan that will totally eliminate the subsidies provided by the taxpayers of Lewiston and Auburn for dispatch services that the County is not required by law to provide and which our communities do not receive. We further call upon the Commissioners to seriously consider plans that would fully consolidate Public Safety Answering Point and dispatch services in a single entity, recognizing that county-wide consolidation will allow for the equitable distribution of costs, long-term equipment and technology savings, and a high quality integrated public safety communication system.

**BE IT FURTHER RESOLVED THAT**, beginning January 1, 2013, the City of Auburn shall take the necessary steps required to eliminate the current subsidy provided by Auburn to the County for PSAP and dispatching services provided to other communities within Androscoggin County.



Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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Leroy Walker, Ward Five  
Belinda Gerry, At Large  
Joshua Shea, At Large

Jonathan LaBonte, Mayor

**IN CITY COUNCIL**

**ORDER #20-04022012**

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, be it ordered that the Auburn City Council hereby adopts the 2011 Androscoggin County Hazard Mitigation Plan.

Authorizing Signatures: City of Auburn

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**Signature: Tizz Crowley, Councilor-Ward 1** **Date**

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**Signature: Robert Hayes, Councilor-Ward 2** **Date**

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**Signature: Mary LaFontaine, Councilor-Ward 3** **Date**

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**Signature: David Young, Councilor-Ward 4** **Date**

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**Signature: Leroy Walker, Councilor-Ward 5** **Date**

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**Signature: Belinda Gerry, Councilor-At-Large** **Date**

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**Signature: Joshua Shea, Councilor-At-Large** **Date**

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**Signature: Joanne G. Potvin, Auburn EMA Director** **Date**

Passage on 4/5/2012, 6-1 (Councilor Crowley).

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #21-04022012

ORDERED, that the Kora Shrine Circus Committee may place temporary signs for its 2012 circus to be held on April 13 and April 14, 2012 at the locations listed below as long as their placement does not affect sight distance for streets or adjacent driveways.

Court and Minot Ave – 2 signs  
Center St and N. River Road – 1 sign, northbound  
Center St and Mall – K Mart entrance - 2 signs, north and south  
Turner Street Entrance to Walmart – 1 sign  
Turner St and Mount Auburn Ave – 3 signs  
Court St and Park Ave - 1 (two sided) sign  
Minot Ave and Poland Rd out – 1 sign  
Minot Ave and Hotel Rd intown – 1 sign  
Washington St at Turnpike – 1 sign  
Washington St at Rotary northbound – 1 sign  
Broad St going across bridge - 1 (two sided) sign  
Broad St – So Main - 1 (two sided) sign  
Upper Cook St and So. Main – 1 sign  
Riverside Dr – 1 sign

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 #22-04172012**

ORDERED, that the City Council hereby sets the date of May 8, 2012 for the School Budget Validation Referendum to be held at Auburn Hall. Polls shall open at 7:00 A.M. and close at 8:00 P.M.

Postponed on 4/17/2012.  
Passage on 4/23/2012 (Councilors Crowley and Gerry).



Tizz E. H. 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 #23-04172012**

Ordered, that the 2012 Action Plan be adopted by the Auburn City Council as recommended by Community Development staff.



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 #24-04172012

ORDERED, that Safe Voices (formerly the Abused Women's Advocacy Project) may place temporary signs for its 2012 Walk to End Domestic Violence to be held on Saturday June 2, 2012 at the locations listed below as long as their placement does not affect sight distance for streets or adjacent driveways.

- Corner of Minot Ave. and Hotel Rd.
- Corner of Court St. and Minot Ave.
- Corner of Academy and Main St.
- Corner of Court St. and Union St.
- Corner of Court St. and Mount Auburn Ave.
- Corner of Turner St. and Mount Auburn Ave.
- Corner of Turner St. and Center St.
- Overpass entrance and exit from Center St.
- Auburn Turnpike exit onto Washington Ave.
- Rotary Way (Island)

Tizz Crowley, Ward One  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER #25-04232012

Ordered that the Auburn City Council hereby adopts and approves the following School Budget articles for Fiscal Year 2012/2013.

1. That \$13,980,372.00 be authorized to be expended for Regular Instruction;
2. That \$7,205,337.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$730,839.00 be authorized to be expended for Other Instruction;
5. That \$4,169,008.00 be authorized to be expended for Student and Staff Support;
6. That \$818,349.00 be authorized to be expended for System Administration;
7. That \$1,206,097.00 be authorized to be expended for School Administration;
8. That \$1,414,714.00 be authorized to be expended for Transportation and Buses;
9. That \$3,479,410.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,483,582.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$415,374.00 be authorized to be expended for All Other Expenditures;
12. That \$35,903,082.00 be authorized as Total Expenditures.



Tizz E. H. 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 25-05072012

ORDERED, that the Auburn City Council hereby authorizes the Interim City Manager, or his designee, to continue to pursue grants from the Federal Transit Administration's (FTA) New Freedom Access Grant Program.



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 #26-04232012**

Ordered that the City Council hereby authorizes the City Manager to execute an Option Agreement Addendum, which adds thirty (30) days to the initial option period in paragraph 2 the Option Agreement entered into between the City of Auburn and Building Solutions, LLC on February 21, 2012.

Tizz Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

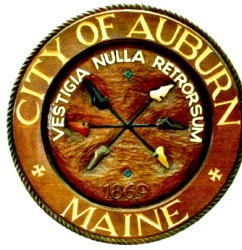
### **ORDER #26-05072012**

ORDERED, that Park Avenue Elementary School may place temporary signs for its May Fair and Auction to be held on Saturday May 19, 2012 at the locations listed (see attached) below as long as their placement does not affect sight distance for streets or adjacent driveways.

Street 1	and	Street 2	50	description	type of property
Washington Ave		Turn Pike Exit Rd	1	under Rt. 100 sign	municipal
Washington Ave	and	Beech Hill Rd	1	median strip by blinking light	municipal
Manley Rd	and	Hotel Rd	1	between 288 & 290 Manley Rd	private prop
Hotel Ave	and	Minot Ave	1	by Tim Horton's plants (Minot Ave side)	business
Minot Ave	and	Court St	1	Androscoggin Bank "hill" by the oval tree	business
Manley Rd	and	Rodman Rd	1	on AVCOG prop, by stop sign	municipal?
Court St	and	Falcon Dr	1	on Court , in front of wooden fence	private prop
Park Ave	and	Court St	1	near sidewalk by turn lane	municipal?
Park Ave		Park Ave Elem. School, south of entrance	1	Park Ave Elem. School, south of entrance	municipal
Park Ave		Park Ave Elem. School, north of entrance	1	Park Ave Elem. School, north of entrance	municipal
Park Ave	and	Lake St	1	by United Methodist sign on lawn	private prop
Minot Ave	and	Elm St	1	under Rt. 100 sign	municipal
Lake St	and	Davis Ave	1	Carter family lawn	private prop
Forest Ave	and	Court St	1	on Robyn Holman's sidewalk lawn strip	private prop
Court St	and	Lake St	1	brick house	private prop
Court St	and	Granite St	1	at corner of Grey apartment bldg.	private prop
Western Ave	and	Auburn Heights	1	by telephone pole and street sign	private prop
Turner St	and	Union Bypass	1	median strip	municipal
High St	and	Minot Ave	1	under Rt. 100 sign	municipal
Academy St	and	High St	1	in gravel next to temp. stones in GF parking lot	municipal
Academy St	and	Main St	1	by steps in GF park	municipal
S. Main St	and	Mill St	1	on Rolly's lawn	business
Cedar St		Just before green bridge	1	by memorial plaque	municipal
Great Falls Plaza Rd	and	Court St	1	median strip on Great Falls Plaza Rd	municipal
Spring St		Hannaford entrance	1	plant/gravel strip of Hannaford's by north entrance	business
Spring St	and	Court St	1	Library corner	municipal
Center St	and	Hampshire St	1	Auburn Housing parking lot corner	municipal?
Railroad St	and	Hannaford entrance	1	sidewalk grass in front of Bank of America	business
Union Bypass	and	Court St	1	CVS garden	business

Union Bypass	and	Court St	1	Denny's grass corner	business
Union Bypass	and	Hampshire St	1	laundry corner grass	business
Center St	and	N. River Rd	1	gas station corner	business
Center St	and	Lake Auburn Ave	1	grassy triangle	municipal
Center St		N north bound before Vet. Mem. Bridge	1	by yellow diamond in median strip	municipal
Center St		South bound before Vet. Mem. Bridge	1	by hospital sign on right	municipal
Turner St		CMMC	1	in front of brick wall	business
Turner St		by Shaw's entrance	1	lawn of Gracelawn opp. Entrance	business
Center St	and	TJ Maxx entrance	1	in middle median of entrance	business
Turner St	and	Gracelawn Ave	1	corner by stop sign	business
Auburn Mall	and	Shaw Entrance Rd	1	grassy triangle in JCP parking lot	business
Turner St Circle - North side		by Lamey Wellehan	1	north side in circle	municipal
Turner St Circle - South side		by Lamey Wellehan	1	south side in circle	municipal
Park Ave		East Auburn Church entrance	1	in planted median of entrance road	business
Mt. Auburn Ave		at Wal-Mart Entrance	1	grassy median strip	municipal
Mt. Auburn Ave	and	Turner St	1	on hill by Starbucks and fence	municipal
Mt. Auburn Ave	and	Park Ave	1	Lutheran Church corner	business
Dennison St	and	Turner St	1	on white house corner	private prop
Gamage Ave	and	Dennison St	1	under cliff by telephone pole	private prop

Tizz E. H. 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 #27-05072012

**ORDERED**, that the Interim City Manager be and hereby is authorized to execute the sale of Marshall's Popcorn Truck to George Schott for \$3,000.00.

A motion was made by Councilor LaFontaine and seconded by Councilor Shea to remove this item from the agenda.  
Passage 7-0.

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

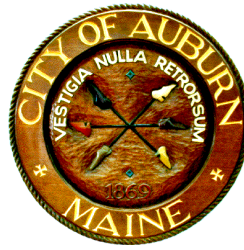
## **IN CITY COUNCIL**

### **ORDER #28-05072012**

ORDERED, that the City Council hereby appoints Beverly Ouellette as Ward Clerk in Ward 2, Auburn Middle School, for the June Primary Election.



Tizz E. H. 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 29-05212012

ORDERED, that Clinton E. Deschene be and hereby is appointed by the Auburn City Council as City Manager of Auburn and that Mayor Jonathan LaBonte is hereby authorized to execute an employment contract with Mr. Deschene.

Tizz E.H. 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 #30-05212012**

ORDERED, that the City Council hereby sets the time for opening the polls at 7:00 A.M. for the June 12, 2012 Primary Election.

Passage on 5/21/2012, 7-0.





Tizz E. H. 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

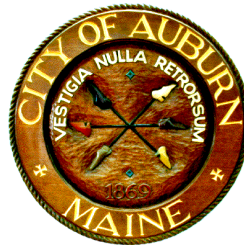
## IN CITY COUNCIL

### ORDER 31-05212012

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5824(3) & 5826(6) to the transfer of Defendant(s) in Rem (Carleton Dixon), or any portion thereof (\$5,000.00 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Carleton Dixon), or any portion thereof (\$5,000.00 U.S. Currency), pursuant to 15 M.R.S.A. by vote of the Auburn municipal legislative body on or about May 21, 2012.

Tizz E. H. 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

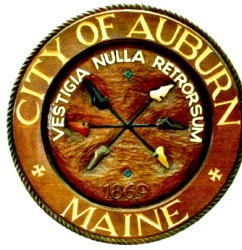
## IN CITY COUNCIL

### ORDER 32-05212012

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5824(3) & 5826(6) to the transfer of Defendant(s) in Rem (Nicholas Weekes), or any portion thereof (\$1,250.00 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Nicholas Weekes), or any portion thereof (\$1,250.00 U.S. Currency), pursuant to 15 M.R.S.A. §5826(6) by vote of the Auburn municipal legislative body on or about May 21, 2012.

Tizz E. H. 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

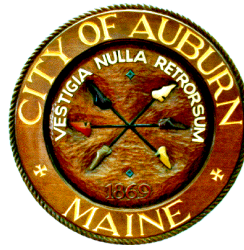
## IN CITY COUNCIL

### ORDER 33-05212012

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5824(3) & 5826(6) to the transfer of Defendant(s) in Rem (Thomas Tardif), or any portion thereof (one .45 Springfield automatic pistol, Serial #MG503259) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Thomas Tardif), or any portion thereof (one .45 Springfield automatic pistol, Serial #MG503259), pursuant to 15 M.R.S.A. by vote of the Auburn municipal legislative body on May 21, 2012.

Tizz E. H. 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 34-05212012

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5824(3) & 5826(6) to the transfer of Defendant(s) in Rem (Calvin Tidswell), or any portion thereof (\$712.50 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Calvin Tidswell), or any portion thereof (\$712.50 U.S. Currency), pursuant to 15 M.R.S.A. §5826(6) by vote of the Auburn municipal legislative body on or about May 21, 2012.



Tizz E. H. 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 35-05212012

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5826(6) to the transfer of Defendant(s) in Rem (Nicholas Morrissette), or any portion thereof (\$86,764.00 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Nicholas Morrissette), or any portion thereof (\$86,764.00 U.S. Currency), pursuant to 15 M.R.S.A. by vote of the Auburn municipal legislative body on or about May 21, 2012.

Tizz E. H. 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 #36-05212012**

**ORDERED** that the City of Auburn hereby accepts the offer of \$17,101 from Westfield, Inc., for the sale of a portion of a tax-acquired parcel (PID# 207-079) on Minot Avenue, and be it further ordered that the City Manager is hereby authorized to execute any documents necessary to complete the sale and transfer of this property to Westfield, Inc.

Tizz E. H. 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 #36-06042012

**Ordered** that the match requirement under the Residential Rehabilitation Program of 25% be reduced to 12.5% to provide a \$21,875 loan as approved by the Community Development Loan Committee for the property located at 90 Whitney Street.

Tizz E. H. 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 #37-05212012**

**ORDERED** that the City Manager is hereby authorized to execute a Second Addendum to the City of Auburn's Option Agreement with Building Solutions, dated February 21, 2012 (Order 10-02212012).

Tizz E. H. 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 37-06042012**

**ORDERED** that the City Manager is hereby authorized to execute any and all documents necessary to complete the transfer and acquisition of land to and from R&K Properties, LLC.



Tizz E. H. 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

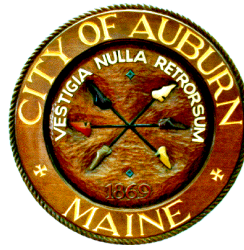
## **IN CITY COUNCIL**

### **ORDER 38-05212012**

Be it hereby Ordered by the Auburn City Council that the City Manager be authorized to sign the Settlement Agreement & Consent Order as presented by Municipal Counsel in Executive Session in the matter of Michael Farrell v. City of Auburn, Superior Court Civil Action Docket NOS AP-07-015 & AP-08-107 as attached.

**Passage on 5/21/2012, 7-0.**

Tizz E. H. 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 38-06042012

ORDERED, that nominations be accepted in the City Clerk's Office for the naming of a City owned parcel of land located behind 87 Mill Street until close of business on July 5, 2012.

Passage on 6/4/2012, 5-0 (Councilor LaFontaine absent, Councilor Shea abstaining).



Tizz E. H. 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 39-06182012

**ORDERED**, that Capital Purchases (CIP) Bond Projects for FY 2013 in the amount of \$5,600,000 Acquisition of the following capital equipment and the design, construction, renovation, and rehabilitation of the following capital improvements, all constituting part of the City's FY13 Capital Improvement Program:

<b>Department</b>	<b>FY13 Projects Only (See CIP for full description)</b>	<b>Proposed Financing</b>	<b>CIP</b>	<b>FY 2013 CIP Bond</b>
School	Building and Equipment Improvements	Bond	CIP	\$1,675,000
City Clerk	Fireproof Storage	Bond	CIP	\$44,000
Engineering	Major Drainage	Bond	CIP	\$60,000
Engineering	MDOT Match	Bond	CIP	\$125,000
Engineering	Reclaim/Resurface	Bond	CIP	\$1,500,000
Engineering	Reconstruction	Bond	CIP	\$1,000,000
Engineering	Sidewalk Program	Bond	CIP	\$100,000
LATC	Bus Replacement	Bond	CIP	\$40,000
Parking Facilities	Drainage Mechanics Row Garage	Bond	CIP	\$25,000
Planning	Main Street Electrical Service	Bond	CIP	\$36,000
Public Works	Boiler Conversion	Bond	CIP	\$200,000
Public Works	Building and Ground Improvements	Bond	CIP	\$200,000
Public Works	Heavy Equipment	Bond	CIP	\$550,000
Contingency	Retained earnings for bid variances			\$45,000
<b>TOTALS</b>				<b>\$5,600,000</b>

Passage on 6/18/2012, 6-1 (Councilor Gerry).



Tizz E. H. 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

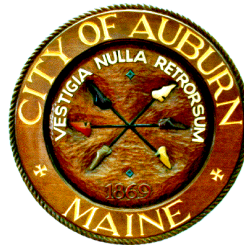
IN CITY COUNCIL

ORDER 40-06182012

ORDERED, that Capital Purchases (CIP2) Other Funding for FY 2013 in the amount of \$1,063,977 are hereby approved as listed:

Department	FY13 Projects Only (See CIP for full description)	Proposed Financing	CIP 2	FY 2013 CIP Bond
Engineering	Vehicle Replacements	Unallocated Bonds	CIP 2	\$30,000
Engineering	Pavement Management Software Data Collection	Unallocated Bonds	CIP 2	\$67,500
Fire	Fire Hose	Unallocated Bonds	CIP 2	\$17,000
Fire	Building Improvements	Unallocated Bonds	CIP 2	\$80,000
Fire	South Main St Boiler Replacement	Unallocated Bonds	CIP 2	\$15,000
ICT	Aerial Photography updates for GIS	Unallocated Bonds	CIP 2	\$60,500
Parking Facilities	Parking Garage Maintenance	Unallocated Bonds	CIP 2	\$75,000
Parks & Rec	Mowers	Unallocated /Cemetery Fund	CIP 2	\$21,500
Parks & Rec	Hasty Heating System Repair and Conversion	Unallocated Bonds	CIP 2	\$30,000
Parks & Rec	Aerial Work Platform	Unallocated /Arena Fund	CIP 2	\$8,600
Police	Police Vehicles	Unallocated Bonds	CIP 2	\$146,500
Police	Payoff Current Lease of Prior Year Vehicles	Unallocated Bonds	CIP 2	\$79,180
Police	Mobile Data Terminal Replacements	Unallocated Bonds	CIP 2	\$75,000
Police	Mobile Camera System Replacements	Unallocated Bonds	CIP 2	\$103,000
Police	Heating System @ PAL Center	Unallocated Bonds	CIP 2	\$20,000
Property	City Hall Roof	Unallocated Bonds	CIP 2	\$61,100
Property	Copier for Police Department	Unallocated Bonds	CIP 2	\$13,000
Police	Foster Road Demolition	Unallocated Bonds	CIP 2	\$12,000
Public Library	Building Improvements	Unallocated Bonds	CIP 2	\$12,022
Public Library	Computer Replacements	Unallocated Bonds	CIP 2	\$22,075
Public Works	Vehicle Replacements	Unallocated Bonds	CIP 2	\$40,000
Public Works	Fleet GPS Tracking System	Unallocated Bonds	CIP 2	\$32,000
Public Works	Security Camera System	Unallocated Bonds	CIP 2	\$18,000
Public Works	Trackless Attachments	Unallocated Bonds	CIP 2	\$35,000
<b>TOTALS</b>				<b>\$1,073,977</b>

Tizz E. H. 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 41-06182012

**ORDERED**, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds in the amount of \$5,600,000, the proceeds of which are hereby appropriated to fund the costs of the following Capital Improvements (including costs of issuance, capitalized interest, and any other costs related or ancillary thereto):

Acquisition of the following capital equipment and the design, construction, renovation and rehabilitation of the following capital improvements, all constituting part of the City's FY13 Capital Improvement Program:

<b>Department</b>	<b>FY13 Projects Only (See CIP for full description)</b>	<b>Proposed Financing</b>	<b>CIP</b>	<b>FY 2013 CIP Bond</b>
School	Building and Equipment Improvements	Bond	CIP	\$1,675,000
City Clerk	Fireproof Storage	Bond	CIP	\$44,000
Engineering	Major Drainage	Bond	CIP	\$60,000
Engineering	MDOT Match	Bond	CIP	\$125,000
Engineering	Reclaim/Resurface	Bond	CIP	\$1,500,000
Engineering	Reconstruction	Bond	CIP	\$1,000,000
Engineering	Sidewalk Program	Bond	CIP	\$100,000
LATC	Bus Replacement	Bond	CIP	\$40,000
Parking Facilities	Drainage Mechanics Row Garage	Bond	CIP	\$25,000
Planning	Main Street Electrical Service	Bond	CIP	\$36,000
Public Works	Boiler Conversion	Bond	CIP	\$200,000
Public Works	Building and Ground Improvements	Bond	CIP	\$200,000
Public Works	Heavy Equipment	Bond	CIP	\$550,000
Contingency	Retained earnings for bid variances			\$45,000
<b>TOTALS</b>				<b>\$5,600,000</b>

THAT the bonds, which term shall be deemed to include any Bond Anticipation Notes (BAN's) as described below, shall be issued as authorized hereunder and shall be signed by the Finance Director and City Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the Finance Director and City Treasurer.

THAT the bonds authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT in order to finance temporarily the projects described above, the Finance Director is authorized to expend up to \$5,600,000 either from available funds of the City or from the proceeds of BAN's which would be reimbursed or refinanced from bond proceeds.

THAT the authority and discretion to designate the bond or notes, or a portion thereof, as qualified tax-exempt obligations under section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published the same on June 4, 2012, in the Lewiston Sun-Journal, a daily newspaper published in Androscoggin County, and posted on the City's website.

**First reading on 6/18/2012, 6-1 (Councilor Gerry).  
Passage of second and final reading on 7/2/2012, 6-1  
(Councilor Gerry).**

Tizz E. H. 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 42-06182012

ORDERED, that fifty percent (50%) of all real estate taxes assessed as in the annual commitment, committed to the Tax Collector, shall be due proportionately from each tax payer on September 15, 2012 and the remaining fifty percent (50%) shall be due on March 15, 2013.

Except as may be provided by resolve regarding payments in accordance with an installment payment plan, any real estate taxes remaining uncollected on September 16, 2012 and March 16, 2013 respectively shall bear interest at a rate of 7% per annum from and after such dates.

Personal property taxes shall be due and payable on or before September 15, 2012. Any personal property taxes remaining unpaid on September 16, 2012 shall bear an interest rate of 7% per annum from and after such date. Interest on all delinquent taxes shall be computed on a daily basis and shall be collected by the Tax Collector. The Tax Collector is authorized to accept tax prepayments.

Tizz E. H. 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 43-06182012

**Ordered** that the city-owned parcel at 8 S. Main Street (PID: 221-074) is designated as a Public Easement (as defined by 23 M.R.S.A. § 3021); and that the City Manager is authorized to execute any documents necessary to complete this designation.

Passage on 6/18/2012, 7-0.

Tizz E. H. 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 44-06252012

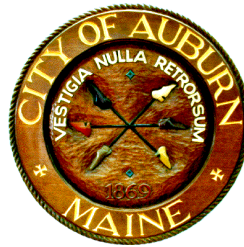
**Ordered** that Liberty Festival 2012 be and hereby is granted a mass gathering permit for July 4, 2012 (rain date July 5, 2012) for the locations shown on the attached site map.

Be it further ordered that the City hereby waives all license fees for non-profit vendors and City employee overtime costs associated with the event.

Be it further ordered that the City of Auburn hereby donates \$8,750 toward the cost of fireworks for the event.



Tizz E. H. 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 45-06252012

Ordered by the Auburn City Council, following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds in the principal amount of \$1,057,323, and notes in anticipation thereof (the "Bonds"), the proceeds of which, including any investment earnings thereon, are hereby appropriated to fund the costs of the following capital equipment for and capital improvements to City schools, including costs of issuance, capitalized interest, and any other costs related or ancillary thereto (the "Project"):

The Project include acquisition of the following capital equipment for, and the design, construction, renovation, and rehabilitation of the following capital improvements to, City Schools:

<u>Project Element</u>	<u>Estimated Cost</u>
<u>Walton Elementary School</u> New shingled roof and exterior parking lot security lights	\$195,720
<u>Auburn Middle School</u> Skylight replacement.	\$30,030
<u>Edward Little High School</u> New boilers, domestic hot water, and natural gas conversion. Remove and dispose of existing asphalt of tennis courts, install new gravel and asphalt, paint and stripe court, reinstall fence and posts.	\$596,898
<u>Franklin Alternative High School</u> New HVAC system.	\$234,675
<b>Total:</b>	<b>\$1,057,323</b>

THAT under and pursuant to sections 54A and 54E of the Internal Revenue Code of 1986, as amended (the "Code") and regulations promulgated thereunder, the Bonds be issued and designated as a qualified zone academy bonds;

THAT pursuant to section 6431 of the Code, as amended by the Hiring Incentives to Restore Employment Act (Pub. L. No. 111-147), an irrevocable election be and is hereby made to have Section 6431(f) of the Code apply to the Bonds, and to receive subsidy payments from the Department of the Treasury in lieu of allowing a taxpayer that owns the Bonds to qualify for credits against that taxpayer's federal income tax liability to the extent otherwise allowable under the Code;

THAT a segregated project fund is established and shall be maintained for proceeds of the Bonds, including all investment proceeds, pending expenditure pursuant to this Order, and that to the extent required by the purchasers of the Bonds the Finance Director is authorized to establish an escrow account for proceeds of the Bonds pending disbursement, and to execute and deliver an escrow agreement and such other documents and instruments as may be required to establish and to disburse funds from such escrow account upon requisitions of the school department for the Project;

THAT the Bonds shall be issued as authorized hereunder and shall be executed and delivered by the Finance Director, and attested by the City Clerk under the seal of the City;

THAT a tax levy is hereby provided for each fiscal year that the Bonds authorized hereunder remain outstanding to meet the installments of principal of the Bonds and such interest as may accrue in each respective year;

THAT the Bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix the issue date, maturities, denominations, interest rates, place of payment, form and other details of said Bonds, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof, is hereby delegated to the Finance Director; and that the retention of McLiney & Company as the City's agent for the sale of the Bonds is hereby ratified and approved.

THAT without limitation of the foregoing, the Finance Director is authorized to accept a proposal for the purchase of the Bonds, and that pursuant to Section 54A of the Code, and regulations thereunder, said written acceptance shall constitute a binding written contract for the sale of the Bonds for purposes of establishing the applicable federal credit rate and maximum term of the Bonds;

THAT without limitation of the foregoing, the Bonds may be issued as one or more term bonds payable as to principal on or before the date that is not later than ten (10) years from the date of issue, provided, however, that such term bond(s) shall be subject to mandatory annual redemption of substantially equal principal installments, with interest payable semi-annually.

THAT the Bonds authorized hereunder may otherwise be made subject to call for redemption, either with or without premium, on such terms not inconsistent herewith as may be determined by the Finance Director.

THAT the Finance Director is authorized to covenant on behalf of the City that no part of the proceeds of the Bonds shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and to covenant on behalf of the City to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds;

THAT the Finance Director establish written procedures with respect to the Bonds for the purpose of ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and monitoring the City's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder; and that the Finance Director is designated to implement and follow these written procedures;

THAT the Finance Director is authorized to covenant, certify and agree, on behalf of the City, for the benefit of the holders of Bonds, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, to the extent applicable, are met;

That the Finance Director is authorized to execute and deliver such tax certificates, arbitrage and use of proceeds certificates and other documents and certificates as may, in the Finance Director's opinion, be

necessary or convenient to effect the transactions herein authorized, to be in such form not inconsistent with this Order as the Finance Director may approve;

THAT the Finance Director is authorized to enter into an agreement with UMB Bank, N.A. or other financial institution for transfer agent, registration agent, and/or paying agent services, which may include, among other things, services related to the completion and periodic filing of IRS Form 8038-CP or such other forms and submissions as may be required for the City to receive direct federal subsidy of the interest payments under the Bonds;

THAT the Finance Director and other appropriate officials of the City, acting singly, be authorized to execute and deliver on behalf of the City such other documents and certificates and to take such other actions as they may deem necessary to effect to the issuance, sale and delivery of the Bonds in accordance herewith and otherwise for the Bonds to comply with all requirements for qualified zone academy bonds within the meaning of Sections 54A and 54E of the Code, and any such prior action by them is hereby ratified and confirmed;

That if the Finance Director, Clerk or any other City officer or official is for any reason unavailable to, as applicable, approve, execute or attest the Bonds or any related documents or certificates, the person or persons acting in any such capacity, whether as an assistant, a deputy or otherwise, is authorized to act for such official with the same force and effect as if such official had herself/himself performed such act;

That if any of the officers or officials of the City who have signed or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or official; and also any such Bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds, shall be the proper officers and officials of the City, although at the nominal date of such Bonds any such person shall not have been such officer or official;

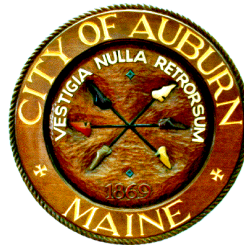
THAT in order to finance temporarily the Project, the Finance Director is authorized to expend up to \$1,057,323 from the general fund of the City and to reimburse said expenditures from proceeds of the Bonds; and

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on June 11, 2012 in the *Lewiston Sun-Journal*, a daily newspaper published in Androscoggin County.



Tizz E. H. 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 #46-06252012

**ORDERED** that the City Council authorizes staff to conduct due diligence and pursue site control for the land at 985 Turner Street owned by George Schott/Auburn Plaza, Inc., for the purpose of building a double-sheet ice arena at that location.

Tizz E. H. 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 #47-06252012

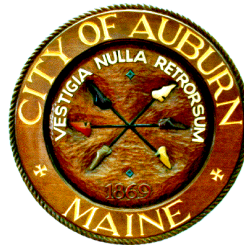
**ORDERED** that the City Council authorizes the City Manager to negotiate and execute an agreement under which the City of Auburn will be responsible for a portion of certain planning, permitting and site preparation costs associated with the construction of a double-sheet ice arena incurred by the developer in the event that the city decides ultimately not to pursue the ice arena project.

Tizz E. H. 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

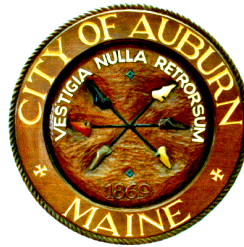
Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 48-07022012

**ORDERED** that the City Council hereby waives the 2012 on premise licensing fee for the High Street Congregational Church.

Tizz E. H. 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 49-07022012

**ORDERED** that the City Council hereby waives the 2012 licensing fee for Saint Dominic Academy.

Postponed on 7/2/12  
Passage 7/16/12 5-1 (Hayes opposed;  
Young absent)



Tizz E. H. 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 #50-07022012

**ORDERED** that the City Council authorizes the City Manager to execute the Memorandum of Understanding which details the duties and responsibilities of the City of Auburn and George Schott related to the design, permitting and construction of a double-sheet ice arena at 985 Turner Street in Auburn.



Tizz E. H. 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

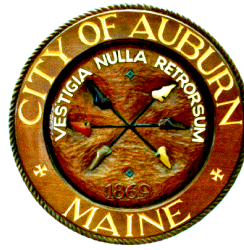
Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 51-07162012**

**Ordered** that the City Council hereby elects Rosemary Kulow and appoints Clint Deschene as the Maine Municipal Association's Legislative Policy Committee members for the 2012-2014 term.

Tizz E. H. 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 52-07162012

**ORDERED**, that the following individuals be and hereby are appointed to the Planning Board:

Name	Position	Term Expiration
Robert Gagnon, Ward 1	Full Member	7/1/2014
Daniel Philbrick, Ward 3	Full Member	1/1/2015
Marc Tardif, Ward 2	Full Member	1/1/2014
Mia Poliquin Pross, Ward 2	Associate Member	7/1/2014

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 53-08062012

ORDERED, that Mitchel B. Morse be named a Constable with a firearm for the Auburn Police Department

AND BE IT ALSO ORDERED, that Kristal A. Parshall be named a Constable without a firearm for the Auburn Police Department.

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 54-08062012\*

ORDERED, that the municipality of Auburn, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. 5824(3) & 5826(6) to the transfer of Defendant(s) in Rem (Wilson Martinez), or any portion thereof (\$975.60 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Wilson Martinez), or any portion thereof (\$975.60 U.S. Currency), pursuant to 15 M.R.S.A. §5826(6) by vote of the Auburn municipal legislative body on or about August 6, 2012.

Tizz E. H. 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 55-08062012\***

**ORDERED**, that Renee Lachapelle be and hereby is appointed as Tax Assessor for the period of March 15, 2011 to March 14, 2012.

Passage on 8/6/2012, 7-0.

Tizz E. H. 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 56-08062012\*

**ORDERED**, that Renee Lachapelle be and hereby is appointed as Tax Assessor for the period of March 15, 2012 to March 14, 2014.

Passage on 8/6/2012, 7-0.



Tizz E. H. 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

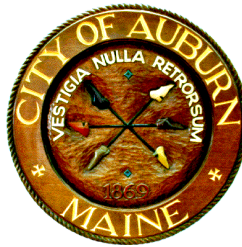
Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 57-08062012**

ORDERED, that the City Council hereby approves the request for a Food Service Establishment-Class I Restaurant (with Liquor) license for Zhen Long, Inc., D/B/A: Panda Garden Restaurant located at 245 Center Street.

Tizz E. H. 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 58-08062012

**Ordered** that Great Falls Balloon Festival, Inc be and hereby is granted services and permissions (as amended below) from the City of Auburn for the 20<sup>th</sup> Annual Great Falls Balloon Festival to take place August 17th, 18th, and 19th, 2012.

1. Under the licenses paragraph, strike waiving fees for vendors,
2. If a vendor is currently licensed, they would be exempt from the restrictions in this letter and would be allowed to continue operating,
3. Under the Sanitary Facilities paragraph, add that more units will be added if deemed necessary by the City Manager or his designee,
4. All city costs will be documented by city staff with a follow up report,
5. Make changes to the section under **Friday, August 17, 5:00pm – Sunday, August 19, 8:00pm** as follows; Permission for the Great Falls Balloon Festival, Inc. to control all food and product vendors, but for those licensed as of 8/6/2012, as well as other non approved activities in the Great Falls Plaza area and in city owned property and parking lots referenced above (public areas, green spaces and parking lots in the downtown Main Street area including Festival Plaza, Miller parking lot, Mechanics Row Parking lot between Main and Mechanic's Row, and the Riverwalk) and striking everything else.



Tizz E. H. 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 59-08062012

**ORDERED** that the Auburn City Council hereby approves the following:

**WHEREAS:** the City of Auburn has previously issued the following series of its general obligation bonds in furtherance of various municipal purposes (the "Prior Bonds"):

- 2003 \$3,315,000 General Obligation Bonds (Taxable) issued on or about September 10, 2003
- 2004 \$8,180,000 General Obligation Bonds issued on or about September 23, 2004
- 2005 \$15,281,000 General Obligation Bonds issued on or about November 1, 2005.

**WHEREAS:** due to the drop in available interest rates, the City desires to refund and refinance the callable portions of the Prior Bonds through issuance of its general obligation refunding bonds;

**Now therefore,**

**Be It Ordered by the Auburn City Council,** following a public hearing duly called and held as required by Article 8, Section 8.13 of the Auburn City Charter, that there be and hereby is authorized the issuance and sale of the City's general obligation bonds on either a taxable or a tax-exempt basis in the amount of \$9,180,000, the proceeds of which, including premium, if any, and investment earnings thereon, are hereby appropriated for the following purpose (including costs of issuance, redemption premium interest to the redemption date, and any other costs related or ancillary thereto):

<u>Amount</u>	<u>Category</u>
<b>\$9,180,000</b>	<b>Advance Refund the Prior Bonds described above</b>

THAT the bonds shall be issued as authorized hereunder and shall be signed by the City's Finance Director and its Treasurer, attested by the City Clerk under the seal of the City. A tax levy is hereby provided for each fiscal year that the bonds authorized hereunder remain outstanding to meet the annual installments of principal and interest as may accrue in each respective year. The bonds may be issued at one time or from time to time, either singly or in series, and the authority and discretion to fix method of sale, issue date, maturities, denominations, interest rate, place of payment, form and other details of said bonds and notes, and to take all other actions and to sign and deliver all other documents, certificates and agreements in order to provide for the sale thereof is hereby delegated to the City's Finance Director.

THAT the bonds authorized hereunder may be made subject to call for redemption, either with or without premium, on such terms as may be determined by the Finance Director.

THAT the authority and discretion to designate the bond or notes, or a portion thereof, as qualified tax-exempt obligations under Section 265 of the Internal Revenue Code of 1986, as amended, is hereby delegated to the Finance Director.

THAT the City's Finance Director, Treasurer, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, refunding escrow agreements, contracts, agreements, certificates,

and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the refunding of the Prior Bonds, as may be necessary or desirable.

THAT if the Finance Director, Treasurer, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT this order is a declaration of official intent pursuant to Treas. Reg. § 1.150-2 and shall be kept available for public inspection during reasonable business hours at the office of the City Clerk.

A Public Notice describing the general purpose of the borrowing and the terms thereof was published on or before August 6, 2012, in the Lewiston Sun-Journal, a daily newspaper published in the City of Auburn and in Androscoggin County.

A public hearing was held on August 20, 2012.

Passage of first reading on 8-6-2012, 7-0.  
Public Hearing and passage of second and final reading on  
8-20-2012, 6-0 (Councilor LaFontaine was absent).

Tizz E. H. 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 61-08202012**

**ORDERED** that the Auburn City Council hereby approves Veterinary Support Services request to construct a 9,441 square foot building and operate an animal cremation service at 171 Kittyhawk Avenue (PID#131-002).

**Passage on 8/20/2012, 6-0 (Councilor LaFontaine was absent).**

Tizz E. H. 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 62-0820212

**ORDERED**, that the following individuals be and hereby are appointed to the following Boards or Committees:

<b>Name</b>	<b>Position</b>	<b>Term Expiration</b>
Heidi McCarthy	Sewer District Board of Trustees	3/1/2016
Bruce Rioux	Water District Board of Trustees	3/1/2013
James Wilkins	Water District Board of Trustees	3/1/2014
Lee Upton	Water District Board of Trustees	3/1/2016
Matt Carter	CDBG Loan Committee	9/1/2014
Open	CDBG Loan Committee	5/1/2015
Susan Krongold	CDBG Loan Committee	2/1/2015
Open	CDBG Loan Committee	2/1/2015
Traverse Fournier	CDBG Loan Committee	2/1/2014
John Cleveland	CDBG Loan Committee	9/1/2013

Tizz E. H. 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 63-08202012

**ORDERED** that the City Manager be and hereby is authorized to sign the requested easements to the Sewer District and to Rivershore Place Housing, LP on behalf of the City.

Passage on 8/20/2012, 6-0 (Councilor LaFontaine was absent).



Tizz E. H. 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 64-09042012**

**Ordered** that the City Council hereby authorizes the City Manager to enter into the attached interlocal agreement sharing Health Officer Services for a term of one year through June 30, 2013, at which time the agreement may be renewed for an additional one (1) year term, or such other term as agreed upon between the parties, by the municipal officers of each community.

**INTERLOCAL AGREEMENT  
HEALTH OFFICER**

**WHEREAS**, the expressed purpose of Chapter 115, Title 30-A, as set forth in Section 2201, is to permit municipalities to make the most efficient use of their resources by cooperating with other municipalities to provide municipal services; and

**WHEREAS**, Section 2203 of Title 30-A permits the joint exercise of municipal powers and authority; and

**WHEREAS**, the Androscoggin County Communities of Auburn and Lisbon have determined that the shared administration of Health Officer responsibilities promotes the efficient use of municipal powers and resources; and

**WHEREAS**, the purpose of this Agreement is to determine and set forth the basis upon which the City of Auburn shall provide Health Officer services to the Town of Lisbon on a cooperative basis,

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the Town of Lisbon ("Town") and the City of Auburn ("City") do hereby agree as follows:

1. Purpose: Recognizing that each individual municipality has a responsibility to its citizens to provide statutorily required health services within that municipality, and the proven capacity of the City to provide experienced and cost effective statutorily required health services, it is the purpose of this Agreement to set forth the terms and conditions under which the City's health personnel shall provide all administrative and technical assistance to the Town for all statutorily required health services.

2. Scope of Services: The general scope of services, as stated in the purpose of this Agreement, is for the City to provide specialized health personnel administrative and technical assistance to the Town. The specific scope of services is set forth in "Exhibit A" which is attached hereto and incorporated herein by reference.

3. Term; Renewal: This Agreement shall be for a term of one (1) year commencing July 1, 2012 and running through June 30, 2013. This Agreement may be renewed for an additional one (1) year term, or such other term as agreed upon between the parties, by the municipal officers of each community.

4. Payment: The City shall be paid by the Town, for the term of this Agreement, the sum of Ten Thousand Dollars (\$10,000.00). This shall be paid in monthly payments of Eight Hundred Thirty Three and 33/100 Dollars (\$833.33). This shall include all requisite supplies, testing, or lab work assigned personnel utilized in providing required services hereunder.

5. Administration: There shall be no separate legal or administrative agency created by this Agreement or otherwise to provide separate administration of this Agreement. To the

extent that any joint administration is required, the Town Managers of Lisbon and Auburn shall operate jointly to provide that administration.

6. Records and Record Keeping: All records, computations, tables, reports, computer data or any other form of record generated by the personnel assigned to provide health services for the Town under the terms and conditions of this Agreement shall at all times be the property of the Town and shall be accessible to the Town at all reasonable times and with reasonable notice.

7. Personnel; Independent Contractor Status: Health related services provided to the Town shall be provided by an employee of the City. The services will therefore be provided to the Town on an independent contractor basis, which individual shall be totally and completely independent from the Town and shall not enjoy status as an employee of the Town. As such, the City shall be responsible for payment of all payroll related taxes, including, but not limited to, Federal, State, and local income tax, Social Security tax, and Unemployment Insurance taxes. The personnel assigned to provide health services to the Town will retain sole and absolute discretion in the judgment of the manner and means of carrying out their activities and responsibilities hereunder. This Agreement shall not be construed as creating any joint employment relationship between the personnel assigned to provide health services and the Town of Lisbon, and the Town will not be liable for any obligation incurred by the personnel, including but not limited to unpaid minimum wages and/or overtime premiums.

8. Worker's Compensation: If required by the laws of this State, the City shall maintain in full force and effect a policy of worker's compensation insurance covering the personnel assigned to perform health services during the term of this Agreement.

9. Certification: The personnel assigned to provide health services to the Town shall have received all necessary training and have all appropriate certifications and qualifications. The individual shall maintain all appropriate certification during the term of this Agreement and any renewal term. The individual shall also participate in all necessary and required training to maintain certification status.

10. Professional Responsibility: Nothing in this Agreement shall be construed to interfere with or otherwise affect the rendering of services by the personnel providing health services hereunder in accordance with their independent and professional judgment. The personnel shall perform their services substantially in accordance with generally accepted practices and principles of his/her trade. This Agreement shall be subject to the rules and regulations of any and all organizations and associations to which the Agent may from time to time belong and to the laws and regulations governing the practice of the Agent's trade in this State.

11. Authority: While providing services in a participating municipality, the person or persons acting as the Health Official shall be responsible to that municipality's Council.

12. Termination: Any member community may terminate its participation in this Agreement, on a yearly basis, by giving notice to the other member municipalities on or before March 1<sup>st</sup> preceding the commencement of the July 1<sup>st</sup> fiscal year.

13. General Conditions:

A. Nondiscrimination. The personnel assigned to the Town of Lisbon, in the performance of their assigned tasks under the terms and conditions of this Agreement, shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, ancestry, age, sex or handicap status. The personnel, in the performance of her assigned tasks under the terms and conditions of this Agreement, shall not discriminate in their relationship with, hiring of, or other contract with subconsultants or suppliers, because of race, color, creed, national origin, ancestry, age, sex or handicap status.

B. No Assignment. Neither this Agreement nor any rights, obligations or responsibilities of any party hereunder, may be assigned.

C. Waiver. The failure or waiver, or successive failures or waivers, on the part of either party to this Agreement, and the enforcement of any conditions, covenants, sections or provisions of this Agreement, shall not render the same invalid or impair the right of either party, or their successors, to enforce the same in the event of any subsequent breach thereof.

D. Construction. This Agreement and its performance shall be construed and governed in accordance with the laws of the State of Maine.

E. Succession. This Agreement, together with its various provisions, shall be binding on the successors of the parties thereto.

F. Integration. This Agreement represents the entire and integrated Agreement between the City and the Town and supersedes all prior negotiations, representations or agreements either written or oral. This Agreement may be amended only by written instrument signed by the City and the Town.

G. Notices. All notices, demands and communications hereunder shall be in writing and shall be served or given by registered mail as follows:

Notice to City:

City of Auburn  
c/o City Manager  
60 Court Street  
Auburn, ME 04210

Notice to the Town:

Town of Lisbon  
c/o Town Manager  
300 Lisbon Street  
Lisbon, ME 04250

H. Separability. If any provision of this Agreement or portion thereof, or the application thereof, to any particular person or circumstance, is held to be invalid by a court of competent jurisdiction, the remainder of the Agreement including the remainder of any such provision, and the application thereof, shall not be adversely affected thereby.

This Agreement is executed by the Town and City Councils of the participating municipalities, duly authorized by the Charter of each municipality as follows:

SIGNED, SEALED AND DELIVERED  
IN PRESENCE OF

DATE:

INHABITANTS OF THE  
CITY OF AUBURN

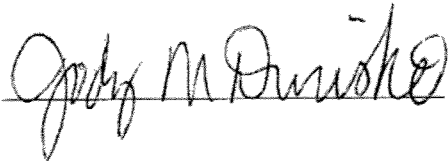
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SIGNED, SEALED AND DELIVERED  
IN PRESENCE OF

DATE: July 18, 2012

INHABITANTS OF THE  
TOWN OF LISBON



  
By

Town Manager  
Title

## EXHIBIT A

### Health Officer Scope of Services

In general, the Health Officer (“Agent”) shall be the Department of Health and Human Services (“DHHS”) delegated authority to conduct all inspections of eating, lodging, campground, youth camp establishments and/or health inspections of any other type of establishment licensed by the DHHS pursuant to statute.

In addition, the Agent shall:

- (1) Administer and enforce all health provisions and regulations of the Town code or State law;
- (2) Conduct such inspections as may be necessary and appropriate to ensure compliance with all health related Town code, regulatory provisions or State law, whether such inspections are a response to inquiries or complaints, or at the initiative of the health officer, or in accordance with a program of systematic inspection and enforcement;
- (3) Issue notices of violation and corrective action where necessary and appropriate and to refer violations for corrective action and/or the imposition of penalties as permitted under Town ordinance, regulation or State law;
- (4) Issue all licenses and collect all fees established by the Town; and
- (5) Perform all other duties required by Town Charter, Town ordinances, State law or as may from time to time be requested by the Town manager and/or Town council.

Tizz E. H. 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 64-09042012

**Ordered** that the City Council hereby authorizes the City Manager to enter into the attached interlocal agreement sharing Health Officer Services for a term of one year through June 30, 2013, at which time the agreement may be renewed for an additional one (1) year term, or such other term as agreed upon between the parties, by the municipal officers of each community.

extent that any joint administration is required, the Town Managers of Lisbon and Auburn shall operate jointly to provide that administration.

6. Records and Record Keeping: All records, computations, tables, reports, computer data or any other form of record generated by the personnel assigned to provide health services for the Town under the terms and conditions of this Agreement shall at all times be the property of the Town and shall be accessible to the Town at all reasonable times and with reasonable notice.

7. Personnel; Independent Contractor Status: Health related services provided to the Town shall be provided by an employee of the City. The services will therefore be provided to the Town on an independent contractor basis, which individual shall be totally and completely independent from the Town and shall not enjoy status as an employee of the Town. As such, the City shall be responsible for payment of all payroll related taxes, including, but not limited to, Federal, State, and local income tax, Social Security tax, and Unemployment Insurance taxes. The personnel assigned to provide health services to the Town will retain sole and absolute discretion in the judgment of the manner and means of carrying out their activities and responsibilities hereunder. This Agreement shall not be construed as creating any joint employment relationship between the personnel assigned to provide health services and the Town of Lisbon, and the Town will not be liable for any obligation incurred by the personnel, including but not limited to unpaid minimum wages and/or overtime premiums.

8. Worker's Compensation: If required by the laws of this State, the City shall maintain in full force and effect a policy of worker's compensation insurance covering the personnel assigned to perform health services during the term of this Agreement.

9. Certification: The personnel assigned to provide health services to the Town shall have received all necessary training and have all appropriate certifications and qualifications. The individual shall maintain all appropriate certification during the term of this Agreement and any renewal term. The individual shall also participate in all necessary and required training to maintain certification status.

10. Professional Responsibility: Nothing in this Agreement shall be construed to interfere with or otherwise affect the rendering of services by the personnel providing health services hereunder in accordance with their independent and professional judgment. The personnel shall perform their services substantially in accordance with generally accepted practices and principles of his/her trade. This Agreement shall be subject to the rules and regulations of any and all organizations and associations to which the Agent may from time to time belong and to the laws and regulations governing the practice of the Agent's trade in this State.

11. Authority: While providing services in a participating municipality, the person or persons acting as the Health Official shall be responsible to that municipality's Council.



12. Termination: Any member community may terminate its participation in this Agreement, on a yearly basis, by giving notice to the other member municipalities on or before March 1<sup>st</sup> preceding the commencement of the July 1<sup>st</sup> fiscal year.

13. General Conditions:

A. Nondiscrimination. The personnel assigned to the Town of Lisbon, in the performance of their assigned tasks under the terms and conditions of this Agreement, shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, ancestry, age, sex or handicap status. The personnel, in the performance of her assigned tasks under the terms and conditions of this Agreement, shall not discriminate in their relationship with, hiring of, or other contract with subconsultants or suppliers, because of race, color, creed, national origin, ancestry, age, sex or handicap status.

B. No Assignment. Neither this Agreement nor any rights, obligations or responsibilities of any party hereunder, may be assigned.

C. Waiver. The failure or waiver, or successive failures or waivers, on the part of either party to this Agreement, and the enforcement of any conditions, covenants, sections or provisions of this Agreement, shall not render the same invalid or impair the right of either party, or their successors, to enforce the same in the event of any subsequent breach thereof.

D. Construction. This Agreement and its performance shall be construed and governed in accordance with the laws of the State of Maine.

E. Succession. This Agreement, together with its various provisions, shall be binding on the successors of the parties thereto.

F. Integration. This Agreement represents the entire and integrated Agreement between the City and the Town and supersedes all prior negotiations, representations or agreements either written or oral. This Agreement may be amended only by written instrument signed by the City and the Town.

G. Notices. All notices, demands and communications hereunder shall be in writing and shall be served or given by registered mail as follows:

Notice to City:

City of Auburn  
c/o City Manager  
60 Court Street  
Auburn, ME 04210

**INTERLOCAL AGREEMENT  
HEALTH OFFICER**

**WHEREAS**, the expressed purpose of Chapter 115, Title 30-A, as set forth in Section 2201, is to permit municipalities to make the most efficient use of their resources by cooperating with other municipalities to provide municipal services; and

**WHEREAS**, Section 2203 of Title 30-A permits the joint exercise of municipal powers and authority; and

**WHEREAS**, the Androscoggin County Communities of Auburn and Lisbon have determined that the shared administration of Health Officer responsibilities promotes the efficient use of municipal powers and resources; and

**WHEREAS**, the purpose of this Agreement is to determine and set forth the basis upon which the City of Auburn shall provide Health Officer services to the Town of Lisbon on a cooperative basis,

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the Town of Lisbon ("Town") and the City of Auburn ("City") do hereby agree as follows:

1. Purpose: Recognizing that each individual municipality has a responsibility to its citizens to provide statutorily required health services within that municipality, and the proven capacity of the City to provide experienced and cost effective statutorily required health services, it is the purpose of this Agreement to set forth the terms and conditions under which the City's health personnel shall provide all administrative and technical assistance to the Town for all statutorily required health services.

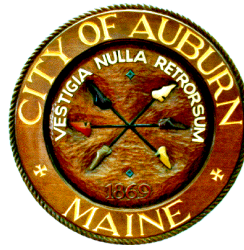
2. Scope of Services: The general scope of services, as stated in the purpose of this Agreement, is for the City to provide specialized health personnel administrative and technical assistance to the Town. The specific scope of services is set forth in "Exhibit A" which is attached hereto and incorporated herein by reference.

3. Term; Renewal: This Agreement shall be for a term of one (1) year commencing July 1, 2012 and running through June 30, 2013. This Agreement may be renewed for an additional one (1) year term, or such other term as agreed upon between the parties, by the municipal officers of each community.

4. Payment: The City shall be paid by the Town, for the term of this Agreement, the sum of Ten Thousand Dollars (\$10,000.00). This shall be paid in monthly payments of Eight Hundred Thirty Three and 33/100 Dollars (\$833.33). This shall include all requisite supplies, testing, or lab work assigned personnel utilized in providing required services hereunder.

5. Administration: There shall be no separate legal or administrative agency created by this Agreement or otherwise to provide separate administration of this Agreement. To the

Tizz E. H. 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**

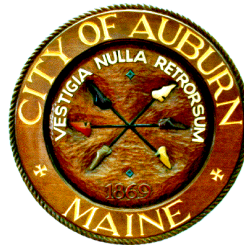
### **ORDER 65-09042012**

**ORDERED** that the City Council authorizes the City Manager to execute the lease agreement by and between George Schott or his assignee and the City of Auburn for a double-sheet ice arena to be constructed at 985 Turner Street.

Passage on 9/17/2012, 6-1 (Councilor Gerry opposed).



Tizz E. H. 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 66-09172012**

**ORDERED**, that John D. Chamberlain be and hereby is appointed a Constable with a firearm for the Auburn Police Department.

Tizz E. H. 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

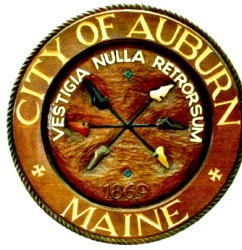
## IN CITY COUNCIL

### ORDER 67-09172012

**ORDERED**, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5826(6) to the transfer of Defendant(s) in Rem (Fausto Abreau), or any portion thereof (\$656.00 U.S. Currency) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

**WHEREFORE**, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (Fausto Abreau), or any portion thereof (\$656.00 U.S. Currency), pursuant to 15 M.R.S.A. by vote of the Auburn municipal legislative body on or about September 17, 2012.

Tizz E. H. 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 68-09172012

**ORDERED**, that the municipality of Auburn, Maine, by and through its municipal officers, does hereby grant approval pursuant to 15 M.R.S.A. 5826(6) to the transfer of Defendant(s) in Rem (Glenn Stoodley), or any portion thereof \$525.00 U.S. Currency; one .45 high point pistol serial # X4173571; and one 12 gauge NEF shot gun serial # NA241124) on the grounds that the Auburn Police Department did make a substantial contribution to the investigation of this or a related criminal case.

**WHEREFORE**, the municipality of Auburn, Maine does hereby approve of the transfer of the Defendant(s) in Rem (NAME), or any portion thereof \$525.00 U.S. Currency; one .45 high point pistol serial # X4173571; and one 12 gauge NEF shot gun serial # NA241124), pursuant to 15 M.R.S.A. by vote of the Auburn municipal legislative body on or about September 17, 2012.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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

Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 69-09172012

**ORDERED** that the Auburn City Council hereby authorizes the sale of Lot 9 at the Auburn-Lewiston Municipal Airport to Paul Cutter (Cutter, LLC) and gives authorization to the Chairman of the Auburn-Lewiston Municipal Airport Board of Directors to sign all necessary documents for the completion of this transaction on behalf of the City of Auburn.



Tizz E. H. 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 70-09172012**

**ORDERED**, that the following individuals be and hereby are appointed to the following Boards or Committees:

<b>Name</b>	<b>Position</b>	<b>Term Expiration</b>
Kenneth Sonagere	Zoning Appeals Board	1/1/2015
Lane Feldman	Zoning Appeals Board	4/1/2015
Elizabeth Shardlow	Zoning Appeals Board	4/1/2015
	Zoning Appeals Board	8/1/2014
	Board of Assessment Review	4/1/2017
	Board of Assessment Review	1/1/2016
	Board of Assessment Review	9/1/2017
	911 Committee	9/1/2015

Passage on 10/15/2012, 5-1 (Gerry opposed; Shea absent).

Tizz E. H. 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

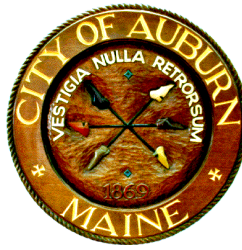
### ORDER 71-09242012

**ORDERED** that the City Council authorizes the City Manager to prepare and execute documents necessary to complete a transfer of city-owned property at 127 Howe Street (PID: 227-105) to abutting property owners in accordance with the terms of the agreement reached between the abutting property owners and the city.

Passage on 9/24/2012, 6-0 (Councilor Young absent).



Tizz E. H. 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 72-09242012**

**ORDERED** that the City Council hereby approves that the parcel of land located at 8 South Main Street shall be named Sullivan Square.

Passage on 9/24/2012, 4-3 (Councilors Hayes, LaFontaine, and Shea opposed).

Tizz E.H. Crowley, Ward One  
Robert Hayes, Ward Two  
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Leroy Walker, Ward Five  
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Joshua Shea, At Large

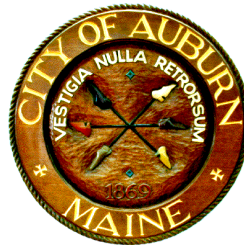
Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### **ORDER 73-10012012\***

ORDERED, that the City Council hereby sets the time for opening the polls at 7:00 A.M. for the November 6, 2012 General Election.

Tizz E.H. 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 74-10012012\*

ORDERED, that the City Council hereby appoints the following individuals as Wardens and Ward Clerks for the November 6, 2012 General Election and for all 2013 Elections:

Daniel Curtis	Warden	Ward 1	Washburn School
Jeanne Varney	Ward Clerk	Ward 1	
Connie Bilodeau	Warden	Ward 2	Auburn Middle School
Beverly Ouellette	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	

Tizz E. H. Crowley, Ward One  
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David Young, Ward Four



Leroy Walker, Ward Five  
Belinda Gerry, At Large  
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Jonathan LaBonte, Mayor

## IN CITY COUNCIL

### ORDER 75-10012012\*

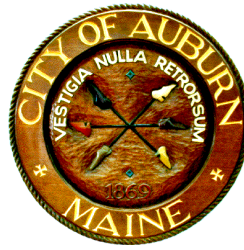
**ORDERED** that the City Council hereby accepts the land donation (Parcel Identification 183-029) located off Vickery Road to the city.

Passage on October 1, 2012, 7-0





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



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Joshua Shea, At Large

Jonathan LaBonte, Mayor

## **CITY COUNCIL**

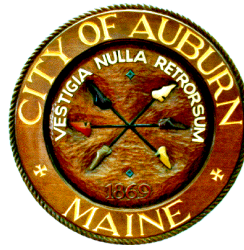
### **ORDER 76-10152012**

**ORDERED** that the City Manager is hereby authorized to transfer ownership of the tax acquired property (Tax parcel 107-008) located at 146 Foster Road to Mr. George Schott. This transfer is in exchange for a release of use of 2.49 acres of land Mr. Schott retained when selling property to the Auburn Business Development Corporation. The U.S. Army Corps of Engineers now is requiring the 2.49 acre to be a part of wetland mitigation for the new Auburn Industrial Park.

Passage on 10/15/2012, 5-1 (Crowley opposed; Shea absent).

Passage on 10/15/2012, 5-1 (Councilor Crowley  
opposed, Councilor Shea absent)

Tizz E. H. 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 77-10152012**

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for M & P Auto Mart, 227 Merrow Road.

Passage on 10/15/2012, 5-1 (Walker opposed; Shea absent).



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



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Joshua Shea, At Large

Jonathan LaBonte, Mayor

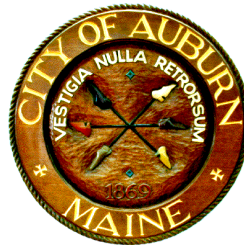
## **IN CITY COUNCIL**

### **ORDER 78-10152012**

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Isadore T. Miller, 79 & 80 Old Hotel Road.

Passage on 10/15/2012, 5-1 (Walker opposed; Shea absent).

Tizz E. H. 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 79-10152012**

**ORDERED**, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Maine Metal Recycling, 522 Washington Street, North.

Passage on 10/15/2012, 5-1 (Walker opposed; Shea absent).

Tizz E. H. 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 80-10152012

**ORDERED**, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Randy's Auto Parts, 899 Broad Street.

Passage on 10/15/2012, 4-2 (Walker and Crowley opposed; Shea absent).

Tizz E. H. 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 81-10152012**

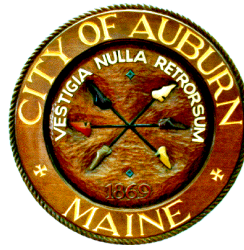
**ORDERED**, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Morris Auto Mart, 940 Washington Street North.

Passage on 10/15/2012, 3-2-1 (Walker and Crowley opposed; Hayes abstained; Shea absent).





Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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Jonathan LaBonte, Mayor

## IN CITY COUNCIL

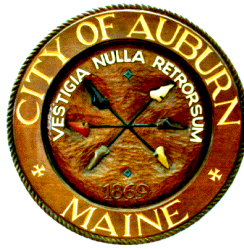
### ORDER 82-10152012

**ORDERED**, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Buck's Auto, 249 Merrow Road.

Passage on 10/15/2012, 6-0 (Shea absent).



Tizz E. H. 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 83-10152012**

ORDERED that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with I.A.F.F. (International Association of Firefighters) Local 797 for January 1, 2012 through December 31, 2012.

Tizz E. H. 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 84-11052012**

ORDERED, that the City Council hereby appoints Donna Albert as Warden in Ward 3, Auburn Hall, for the November 6, 2012 General and Referendum Election.

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



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Joshua Shea, At Large

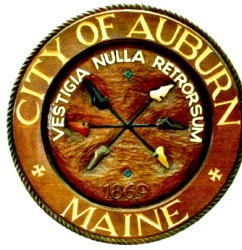
Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 85-11052012**

ORDERED, that the City Council hereby appoints Tracey Steuber as Ward Clerk in Ward 5, Sherwood Heights School, for the November 6, 2012 General and Referendum Election.

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



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Belinda Gerry, At Large  
Joshua Shea, At Large

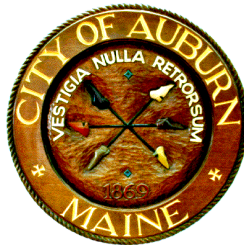
Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 86-11052012**

ORDERED, that Auburn Ski Association may place four temporary signs for their Annual Ski Swap which will be held on Saturday and Sunday, November 10<sup>th</sup> and 11<sup>th</sup>, 2012. Two of the signs are to be posted on private property. One will be placed in front of J.L. Hayes and the other on Court Street where Lake and Court meet, with the landowner's permission. The third sign would be placed across the street from Auburn Hall next to the Advanced Orthotics sign, and the fourth on the corner of the intersection below Starbucks as long as their placement does not affect sight distance for streets or adjacent driveways.

Tizz E. H. Crowley, Ward One  
Robert Hayes, Ward Two  
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David Young, Ward Four



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Jonathan LaBonte, Mayor

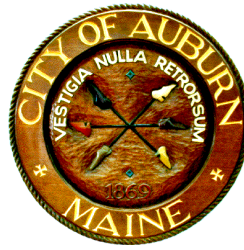
## **IN CITY COUNCIL**

### **ORDER 87-11052012**

ORDERED, that Saint Dominic Academy may place a temporary sign for its Holiday Festival to be held on Saturday November 10, 2012, be placed at the intersection of Mount Auburn Avenue and Turner Street in front of the fenced area at the Starbucks corner as long as the placement does not affect sight distance for streets or adjacent driveways.



Tizz E. H. 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

### ORDER 88-11052012

ORDERED that the City Manager is hereby authorized to apply, on behalf of the City, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the acquisition and development of the New Auburn Greenway and further authorize the City manager to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

If City tax appropriations are being used for all or part of the local share of the project cost, The City must raise the funds through Council action, contingent upon approval of federal funds.

The local sponsor is obligated to pay all costs of the project “up-front”. Therefore, there may be the need to authorize the borrowing of funds which will be repaid by federal reimbursement, contingent upon approval of federal funds.

Tizz E. H. Crowley, Ward One  
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Jonathan LaBonte, Mayor

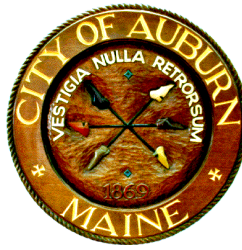
## **IN CITY COUNCIL**

### **ORDER 89-11052012**

ORDERED, that the City Council hereby approves the FY 12-13 Appendices C (below) to reflect the new rental maximum levels for heated and unheated rents.



Tizz E. H. 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 90-11052012**

ORDERED that the City Council hereby authorizes the City Manager to execute the Collective Bargaining Agreement with I.A.F.F. (International Association of Firefighters) Local 797 for January 1, 2012 through December 31, 2012.

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 91-11192012

**ORDERED**, Designating Tribou Field, Sullivan Square and Little Andy Park as “Safe Zones”

**WHEREAS**, The 122<sup>nd</sup> Maine Legislature passed Chapter 415 – L.D. 670 An Act to Protect children Using Maine’s Athletic Fields and Parks from Drug Dealers (Maine Revised Statutes, Title 30-A, section 3253; and

**WHEREAS**, This law allows a municipality to designate athletic fields, parks, playgrounds or recreational facilities as a “safe zone” for the protection of our children against the influence of drug dealers; and

**WHEREAS**, The Safe Zone law is intended to treat athletic fields, parks, and similar areas which attract children similar to schools in order to make drug dealing within 1000 feet of a school or safe zone area subject to more severe penalties; and

**WHEREAS**, In order for a municipality to designate an area a safe zone, it must be designated by the Municipal Officer, and posted with a sign that contains wording specified by the Commissioner of Public Safety.

**WHEREAS**, the existing list of designated “safe zones”, as adopted on March 6, 2006, includes:

Festival Plaza	Bonney Park	Municipal Beach
Raymond Park	Union Street Gully	Mount Apatite Park
West Pitch Park	Riverwalk	Garfield Road Park
Moulton Park	Boys & Girls Club	Drummond Street Park
Cleveland Field	Pulsifer Field	YMCA Teen Center
Tot Lot	Auburn Land Lab	Crescent Beach
Tabers	Roy’s Golf Center	Lake View Fields
Lost Valley	Pettengill Park	Chestnut Street Park

**Now Therefore Be It Ordered** by the Auburn City Council, that based on recommendations of the Auburn Chief of Police that the following locations be added to the existing list of adopted locations (May 6, 2006).

Tribou Field, Sullivan Park and Little Andy Park.

Festival Plaza	Bonney Park	Municipal Beach
Raymond Park	Union Street Gully	Mount Apatite Park
West Pitch Park	Riverwalk	Garfield Road Park
Moulton Park	Boys & Girls Club	Drummond Street Park
Cleveland Field	Pulsifer Field	YMCA Teen Center
Tot Lot	Auburn Land Lab	Crescent Beach
Tabers	Roy’s Golf Center	Lake View Fields
Lost Valley	Pettengill Park	Chestnut Street Park
Sullivan Square	Little Andy Park	Tribou Field

And be it further Ordered that the Public Works Department post signs in this area with the required wording:

**DRUG-FREE  
SAFE ZONE**

INCREASED PENALTIES FOR  
DRUG CRIMES COMMITTED  
WITHIN THIS ZONE  
(17-A M.R.S.A. CHAPTER 45)

Passage on 11-19-2012, 7-0.

Tizz E. H. 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**

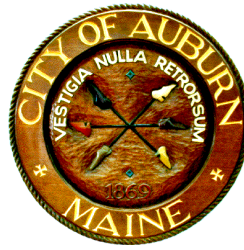
### **ORDER 92-11192012**

ORDERED that the City Council hereby approves the abatement of the 2011 tax year for Map 79 Lot 70, located on Portland Way, owned by MSH, LLC, Bill Turner, in the amount of \$64,100 or \$1,242.910 in taxes due to a duplicate assessment error.

**Passage on 11/19/2012, 7-0**



Tizz E. H. 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 93-11192012**

ORDERED that the City Manager is hereby authorized to sign the required documents for the Lehouillier Drive property exchange.

Tizz E. H. 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 94-11192012**

ORDERED that the City Council hereby authorizes the City Manager to execute a thirty (30) day extension to the option agreement for One Minot Avenue.

Passage on 11/19/2012, 6-0-1 (Councilor Hayes abstained).

Tizz E. H. 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

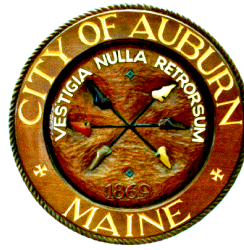
Jonathan LaBonte, Mayor

## **IN CITY COUNCIL**

### **ORDER 95-11192012**

**ORDERED** that the City Council approves the construction of a Transit Station in Downtown Auburn and authorizes the City Manager to allocate up to \$250,000 to complete the project.

Tizz E. H. 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 96-12032012**

ORDERED, that the City Council hereby approves the request for a Special Amusement Permit, Class A Lounge and Liquor license for Danielle Moschetto, DBA: The Nocturno Club located at 73 Main Street.

Passage on 12/3/2012, 7-0.

Tizz E. H. 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 97-12032012**

ORDERED, that the City Council hereby approves the attached Committee Appointment process.

#### **CITY OF AUBURN BOARD AND COMMITTEE APPOINTMENT PROCESS**

The Mayor shall appoint a three member committee hereinafter called the "Appointment Committee". The Appointment Committee shall review all applications to boards or committees assigned per attachment "Committees of the City of Auburn"; the Committees may interview applicants, including incumbents, for vacancies on all City boards, commissions and committees.

The Appointment Committee may review term expirations and propose appointments as frequently as necessary. The Clerk shall notify the various boards, commissions, and committees, the Mayor, the City Manager and the City Council members of the upcoming expirations and any current vacancies periodically, but not less than once per year.

Incumbents will receive a letter from the Clerk notifying them of the expiration of their term and letting them know they need to reapply. Additionally the Clerk shall post on the City website a notice of vacancy for at least 30 days. However, if a term becomes vacant due to a resignation, death, residency, disqualification, or other sudden vacancy, the committee may shorten or eliminate the 30 day posting. The Clerk will also notify all alternate members so that they may apply for full membership, if interested.

A notice shall be placed on the City's website. The Clerk may create an email group of neighborhood group contacts, Chamber, contacts and other interested individuals to which the advertisement may be sent.

Applications shall only be accepted during the posted period and must be postmarked no later than the deadline. Emails are acceptable and must be time stamped in advance of the deadline. Incumbents must reapply each time. All applicants are required to send a completed application form and it is recommended that they also send a resume and a cover letter to apply.

The Clerk shall notify the staff person to the board, commission, or committee in question, so that he/she can also have a conversation with any incumbents to let them know their term is expiring.

All boards, commissions, and committees will be provided with a brief description of that board's duties and the qualifications for appointment will be in the header, notebooks containing the ordinances/by-laws pertaining to each board, commission, or committee, and a list of the incumbents on all boards.

The Appointment Committee may vote by hand or by consensus on the nominee for each vacancy. If the Appointment Committee does not agree on a nominee, a vacancy may be re-advertised or presented to the City Council.

The day after the nominations are completed, the Clerk shall notify the employees who staff the boards, commission, or committees, to let them know who is being nominated or that a position is being re-advertised. Also on that day, letters shall be sent to those applicants who are being nominated and to those who are not. Nominees shall be told when their appointment is going to the full Council agenda as a Consent Calendar item, and asked to attend the meeting.

Except for legal retention purposes, resumes will not be kept for future vacancies, once interviews have been held. The process shall start fresh each time, ensuring that resumes are current and received from applicants qualified to fill the positions.

The Clerk shall prepare the order for the Council meeting, noting the names, board to which members are being appointed and the term expiration date. At the meeting, the Mayor shall ask the new board members to stand and introduce themselves, once the order has passed.

The next day, after the Council appointments are passed, the Clerk shall send a letter to each new member, congratulating them, advising them of the expiration date of their term, telling them who the staff person is and letting them know they must be sworn in before their first meeting. A copy of this letter shall be sent to the staff person for that committee along with the new member's resume.

The website shall provide a complete list of all the board and committee members currently serving, date of end of term, and date of original appointment.

All appointments in this policy are those subject to the approval of the City Council. Appointments of the Mayor as conferred in Charter are subject to this process or processes.

### **Alternate Member**

An alternate member shall participate in all meetings with the same rights as a full member, except they shall not have the right to vote. The right to vote shall only be conferred by a vote of full members present to fill an absence, temporarily vacated seat, or to replace a member who has removed themselves due a conflict of interest. Alternate members shall be appointed to voting rights on a rotating basis, so as to preserve fairness. The purpose of alternate members is to sustain a full voting board and to educate new interested persons before becoming a full member. It is the intent but not mandate of the Council to promote Alternate Members to full membership before accepting new members to a board or committee.

### **Reports and Vacancies**

A vacancy on any appointive board, commission, or committee of the city shall exist upon the occurrence of any of the following events:

- (a) Death of a member.
- (b) Resignation of a member.
- (c) Moving by a member of the member's place of residence from the City of Auburn. When a member moves from the City of Auburn, the vacancy shall occur immediately and the member shall not serve at any further meetings.
- (d) Failure of a member to attend more than three (3) consecutive meetings or absence from five (5) meetings during the preceding twelve-month period.

**Reporting actions and vacancies.**

The chairman of each board or commission of the city shall certify or cause the secretary of the board or commission to certify to the city council each month the actions of said board or commission, together with the record of absences of members. In such report, the chairman or secretary of each such board or commission shall notify the city council of any vacancy occurring on such board or commission. In the event that a vacancy occurs, the board or commission may, by majority vote of its membership, exclusive of the member affected, recommend to the city council that the attendance provision be waived for cause, in which case no vacancy shall exist until the city council disapproves the recommendation.

**Removal from Office**

An official or officials who are alleged to have caused grounds for removal from office are subject to the “Policy for Removal of Officials Appointed to Boards, Commissions and Committees” approved as part of this policy.



## **POLICY FOR REMOVAL OF OFFICIALS APPOINTED TO BOARDS, COMMISSIONS AND COMMITTEES**

1. Purpose. The purpose of this policy is to have in place a process for the removal of officials appointed to boards, commissions and committees
  2. Authority. The City Council exercises its authority to remove officials under Title 30-A, section 2601 which allows the removal for cause after notice and hearing.
  3. Cause. All grounds constituting cause cannot be detailed. However, the following are examples of conduct which may result in removal for cause:
    - A. More than three consecutive absences or five absences within a calendar year, unexcused by the Board, Commission or Committee by majority vote. This subsection may not be used unless the records of the Board, Commission or Committee reflect the facts constituting grounds. Nothing in this subsection shall be interpreted to prevent an official from requesting a leave of absence from the Council for unusual circumstances. Unusual circumstances could include, but not be limited to, illness of the official or an immediate family member; temporary relocation for employment, military duty or educational reasons; and increased temporary child care responsibilities. In making the decision whether or not to grant a leave of absence, the Council shall balance the needs of the City and the Board, Commission or Committee with the needs of the official.
    - B. Inappropriate public conduct or conduct to other officials related to the office held. Examples include but are not limited to verbal abuse to other officials or members of the public, or obstruction of meetings of the Board, Commission or Committee.
    - C. Impairment by alcoholic beverages or drugs at Board, Commission or Committee functions.
    - D. Indictment or conviction (1) for a Class C or higher Crime, or (2) for a Class D or lower crime or a civil violation, directly or indirectly affecting the office held. Examples of Class D or lower crimes or civil violations affecting the office held would be shoplifting a compact disk where the office involved the handling of money; or violations of a protected resource where the Board, Commission or Committee deals with that resource. These provisions apply even when the conduct leading to the indictment or conviction has taken place outside the City of Auburn or State of Maine.
    - E. Other reasons related to the good of the Committee, the City or the office held.
1. Removal procedure.
    - A. Separation of roles. While a City Councilor sitting in a removal proceeding may be aware of the facts and circumstances leading to the proceeding, the City Council recognizes that no individual Councilor may prejudge the proceedings. Therefore, in a proceeding to remove an appointed official, the facts and circumstances shall be investigated by the City Manager or the City Manager's designee (hereinafter "the City Manager"), rather than an individual Councilor. Should allegations be brought to an individual Councilor, which the individual Councilor believes may be cause for removal, the individual Councilor shall turn the facts and circumstances over to the City Manager, and refer further inquiries to the City Manager. Inquiries to other Councilors shall be turned over to the City Manager. No Councilor shall participate in any removal hearing if that Councilor has an interest, a conflict, or is disqualified, under the Rules of Order and Procedure for Auburn City Council.

- B. Investigation. The City Manager shall investigate the allegations as soon as reasonably possible. If the City Manager determines the allegations create probable grounds for removal, the City Manager shall notify the official in writing that the City Manager is contemplating a recommendation to the City Council that the official be removed, outlining the City Manager's reasons. The City Manager shall provide the official a reasonable amount of time to provide the official's position on the allegations, before the City Manager finalizes the recommendation to the City Council.
- C. Hearing. If the City Manager recommends removal, the City Council shall schedule a hearing on the official's removal. The hearing shall be scheduled at a time which will allow the City Manager and the official an adequate opportunity to prepare their presentations to the City Council. At the hearing, the City Manager shall present the City's case with the official's case following. The presentations may include witnesses and exhibits, including documents. The City Manager and the officials shall provide each other a list of witnesses and exhibits at least seven days before the hearing date unless another time is agreed upon. Each party shall be allowed to ask questions of the other party's witnesses. Evidence will be admissible if it is evidence which would be relied upon by persons in the conduct of serious affairs. This means, for example, that hearsay evidence will not be excluded, and that the procedure will be conducted according to the principles of fair play rather than of strict rules of evidence.
- D. Confidentiality. The hearing shall be conducted in open session unless the Council determines public discussion could reasonably be expected to cause damage to the official's reputation or the official's right to privacy would be violated. If the Council makes that determination, all related materials will be confidential until a final, non-appealable decision. Regardless of the Council's decision on public discussion, the official may request in writing that the hearing be conducted in open session, and that all related materials be public.

Even if the hearing is conducted in open session, it is not a public hearing. Stated differently, the only persons presenting testimony or evidence will be those persons selected by the City Manager or official. The general public will not be invited to testify at the hearing.

- E. Decision. After the City Council hears the evidence, it shall issue a written decision of those present and voting. The written decision shall state the facts and conclusions upon which the City Council relies in making its decision. If the written decision removes the official from office, the written decision shall become public as soon as it is a final, non-appealable, decision. The vote on the written decision shall be by majority vote.

5. Resignation. If the official elects to resign at any stage of this process, the process shall terminate, and any pending investigation or hearing under this process shall cease.

## COMMITTEES & BOARDS OF THE CITY OF AUBURN

### Board Name

911  
ABDC  
Airport  
ATRC  
Audit and Procurement  
Board of Assessment Review  
Cable TV Advisory  
CDBG Community Advisory  
CDBG Loan  
Discharge  
Energy  
Ethics Advisory  
Forestry  
Auburn Housing  
Investment Advisory  
LA Public Health  
LAEGC  
LATC  
LAWPC  
Library  
MMWAC  
Neighborhood Stabilization  
New Auburn Master Plan Implementation  
Planning Board  
Railroad  
Recreation Advisory  
Recycling  
School  
Sewerage District  
USM  
Water District  
Zoning Board of Appeals

Tizz E. H. 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 98-12172012

**ORDERED**, that the City Manager be and hereby is authorized to execute an Option Agreement, Third Addendum granting One Minot Avenue, LLC., extending site control for the property at 1 Minot Avenue, Parcel ID: 240-272 and Parcel ID: 230-063 also on Minot Avenue, from December 23, 2012 to December 23, 2014 which will require an additional \$10,000 (payable in increments of \$2,500 each) for the 24 months contemplated under this extension.

Passage on 12-17-2012, 5-1-1 (Councilor Gerry opposed and Councilor Hayes abstained).

**One Minot Avenue, LLC**  
**Joseph J. Casalinova, Master Developer**

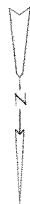
**Exhibit A**

December 17, 2012

**CITY OF AUBURN GATEWAY**  
**MINOT AVENUE CORRIDOR**

**Existing Conditions**

MAY 23, 2012



**NOTES**  
 1) THE PURPOSE OF THIS PLAN IS TO AID IN CONSIDERATION OF THE CITY'S  
 2) THE CITY OF AUBURN HAS REVIEWED THIS PLAN AND HAS APPROVED THE  
 3) THE CITY OF AUBURN HAS REVIEWED THIS PLAN AND HAS APPROVED THE  
 4) THE CITY OF AUBURN HAS REVIEWED THIS PLAN AND HAS APPROVED THE

**LEGEND**  
 - - - - - BOUNDARY LINE  
 [Hatched Box] EXISTING BUILDING  
 [Dotted Box] PROPERTIES OF INTEREST



Tizz E. H. 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 99-12172012**

ORDERED, that the City Council hereby approves a zero percent interest rate loan in the amount of \$27,950 to be taken from the Unallocated Bonds Proceeds. The total loan is \$55,900 shared equally between the cities of Lewiston and Auburn and amortized over a 24 month period with payment remitted to the two municipalities on a quarterly basis. Each municipality's quarterly payment would be \$3,493.75 for the eight quarterly payments. This would be used to upgrade the 9-1-1 Center's phone lines from copper to newer technology.

Tizz E. H. 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 100-12172012**

ORDERED, that the City Council hereby authorizes the City Manager to use funds from the Unallocated Bond Proceeds up to the amount of \$35,000 for the Athletic Fields Analysis Phase I \$17,500 and Phase II \$17,500.

Passage on 12-17-2012, 7-0.

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 #01-01172012

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>(15)</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

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 #02-03052012

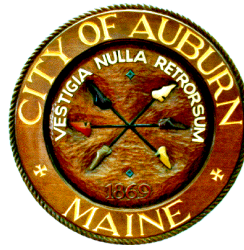
ORDERED, that the Code of Ordinances be and hereby is amended as follows, replacing current City of Auburn classifications with classifications used by the State of Maine:

<b>State Classifications</b>	<b>Auburn Classifications</b>
Food Establishment On or Off Premises	FSE Class D (includes liquor) incorrect reference to alcohol
Temporary Food Service Establishment	FSE Class F Per event/maximum of 30 days
Class I Spirituous, Vinous and Malt	FSE Class A (based on square footage)
Class III Vinous Only Class III/IV Malt and Vinous	FSE Class B (includes liquor)
Class IV Malt Liquor Only	FSE Class C (includes liquor)
Class V Spirituous, Vinous and Malt Clubs Without Catering Privileges	No Classification
Class X Spirituous, Vinous and Malt Class A Lounge	FSE Class A Lounge (includes liquor)
Class XI Spirituous, Vinous and Malt Restaurant/Lounge	No Classification
Bottle Club/BYOB	FSE Class E
Off-Premise Retailer – Malt Liquor Off-Premise Retailer – Table Wine	FSE Class G Take Out

First reading on 3/5/2012, 6-1 (Councilor Hayes).

Second reading and passage on 3/19/2012 4-2 (Councilors Walker & Gerry, Councilor Hayes was absent).

Tizz E. H. 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 03-07162012

ORDERED, that the General Assistance Ordinance be amended to incorporate the following maximum levels of assistance to be effective on and after July 1, 2012 as follows:

**GA Overall Maximums**

**Metropolitan Areas**

Persons in Household

COUNTY	1	2	3	4	5*
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	550	641	818	1040	1174
<b>Penobscot County HMFA:</b> Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	561	563	676	845	1036
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	471	590	720	912	1010
<b>Portland HMFA:</b> Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	731	868	1124	1416	1517
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	912	918	1100	1603	1746

<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	607	715	922	1101	1410
Brunswick	608	727	939	1190	1427

COUNTY	1	2	3	4	5*
<b>Sagadahoc HMFA:</b> Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	723	724	869	1095	1504
<b>York County HMFA:</b> Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	661	688	873	1045	1141
	668	744	938	1190	1407

\*Note: Add \$68 for each additional person.

### Non-Metropolitan Areas

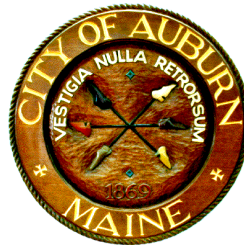
Persons in Household

COUNTY	1	2	3	4	5*
<b>Aroostook County</b>	428	527	631	824	912
<b>Franklin County</b>	530	572	696	832	1079
<b>Hancock County</b>	579	668	822	1094	1125
<b>Kennebec County</b>	459	550	684	933	996
<b>Knox County</b>	524	693	791	1071	1236
<b>Lincoln County</b>	633	680	821	991	1118
<b>Oxford County</b>	442	588	678	902	1130
<b>Piscataquis County</b>	550	627	775	984	1053
<b>Somerset County</b>	440	547	632	914	970
<b>Waldo County</b>	617	662	798	979	1041
<b>Washington County</b>	530	572	683	846	923

\* Please Note: Add \$68 for each additional person.

Passage of first reading on 7/16/2012, 6-0  
(Councilor Young was absent).  
Passage of second and final reading on 8/6/2012, 7-0.

Tizz E. H. 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

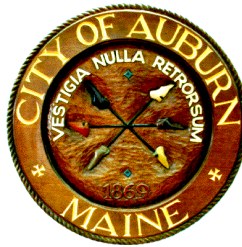
## IN CITY COUNCIL

### ORDINANCE 04-07162012

ORDERED, that the City of Auburn Zoning Map in the area of 75 Constellation Drive, from Suburban Residential, to Industrial pursuant to Chapter 60, Section 1445 – 1449 of the Code of Ordinances.

Passage of first reading 7/16/2012, 6-0  
(Councilor Young was absent).  
Passage of second and final reading 8/6/2012, 7-0.

Tizz E. H. 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 05-07162012

**Ordered** that the Official Business Directory Sign (OBDS) ordinance Chapter 42, Division 2, Section 42-44. Location be amended as follows;

#### **DIVISION 2. - DIRECTIONAL SIGNS** <sup>[52]</sup>

<sup>(52)</sup> **State Law reference**— Maine Traveler Information Services, 23 M.R.S.A. § 1901 et seq.; official business and directional signs, 23 M.R.S.A. § 1906; authority for municipal regulation, 23 M.R.S.A. § 1922.

[Sec. 42-40. - Purpose and policy.](#)

[Sec. 42-41. - Definitions.](#)

[Sec. 42-42. - Applicability.](#)

[Sec. 42-43. - Eligibility.](#)

[Sec. 42-44. - Location.](#)

[Sec. 42-45. - Design, installation and maintenance.](#)

[Sec. 42-46. - Application.](#)

[Sec. 42-47. - Penalty.](#)

[Secs. 42-48—42-67. - Reserved.](#)

#### **Sec. 42-40. - Purpose and policy.**

The purpose of this division is to provide tourists and travelers with information and guidance concerning public accommodations, facilities, commercial services, and other businesses and points of scenic, cultural, historic, educational, recreational, agricultural, and religious interest. To provide this information and guidance, it is the policy of the city:

- (1) To establish and maintain a system of official business directional signs;
- (2) To prohibit and control the proliferation of roadside signs; and
- (3) To provide a uniform procedure and criteria to govern their location and approval consistent with state laws governing official business directional signs.

(Code 1967, § 27-5.1)

#### **Sec. 42-41. - Definitions.**

Unless another meaning is given expressly or by clear implication, all terms used in this division shall have the meanings set forth in 23 M.R.S.A. § 1903.

(Code 1967, § 27-5.2)

**Sec. 42-42. - Applicability.**

The provisions of this division shall apply only to official business directional signs.

(Code 1967, § 27-5.7)

**Sec. 42-43. - Eligibility.**

Lawful businesses and points of interest and cultural, historic, recreational, educational, and religious facilities are eligible to contract with the state for the placement of up to six official business directional signs within the city, but only at the intersections or locations listed in section 42-44.

(Code 1967, § 27-5.3)

**State law reference—** Similar provision, 23 M.R.S.A. § 1909.

**Sec. 42-44. - Location.**

Official business directional signs shall be located in accordance with the provisions contained in 23 M.R.S.A. §§ 1911 and 1912 and chapter 200 of the state department of transportation administrative guidelines on approaches to or at the following intersections designated by the city council:

- (1) Turnpike Connector/Lewiston Junction Road.
- (2) Turnpike Connector/Washington Street.
- (3) Turkey Lane/Washington Street.
- (4) Route 122/Hotel Road.
- (5) Beech Hill Road/Washington Street.
- (6) Old Danville Road/Danville Corner Road.
- (7) Merrow Road/Hotel Road.
- (8) Turnpike Connector/Hotel Road.
- (9) Rodman Road/Washington Street.
- (10) Rodman Road/Poland Road.
- (11) Rodman Road/Manley Road.
- (12) Rodman Road/Hotel Road.
- (13) Hotel Road/Minot Avenue.
- (14) Upper Court Street/Minot Avenue.
- (15) Fairview Avenue/Minot Avenue.
- (16) Rotary.



- (17) High Street/Minot Avenue.
- (18) Broad Street/Mill Street.
- (19) Riverside Drive/Mill Street.
- (20) Court Street/Union Street Bypass.
- (21) Court Street/Goff Street.
- (22) Court Street/Western Avenue
- (23) Court Street/Turner Street.
- (24) Turner Street/Union Street Bypass.
- (25) Center Street/North River Road.
- (26) Park Avenue/Mt. Auburn Avenue.
- (27) Gracelawn Road/Mt. Auburn Avenue.
- (28) Center Street/Mt. Auburn Avenue.
- (29) Youngs Corner Road/Hotel Road.
- (30) Youngs Corner Road/Perkins Ridge Road.
- (31) Lake Shore Drive/Route 4.
- (32) West Hardscrabble Road/Lewiston Junction Road.
- (33) Minot Avenue/Hatch Road (northerly direction only).
- (34) High Street/Academy Street.
- (35) Main Street/Academy Street.
- (36) South Main Street/Mill Street.
- (37) Lake Shore Drive/North Auburn Road.
- (38) Center Street/Fair Street, Martin Street.
- (39) Washington Street southbound Miami Avenue.
- (40) Washington Street northbound Miami Avenue.
- (41) Washington Street southbound Phil-O-Mar Street.
- (42) Washington Street northbound Phil-O-Mar Street.
- (43) Washington Street northbound Chasse Street.
- (44) Washington Street southbound Chasse Street.

- (45) Washington Street northbound Hackett Road.
- (46) Park Avenue/Gamage Avenue.
- (47) Perkins Ridge Road/Hatch Road (Welcomb's Corner).
- (48) Center Street/Stetson Road.
- (49) Fair Street/Oak Hill Road.
- (50) Hotel Road/Manley Road.
- (51) Summer Street/Youngs Corner Road.
- (52) Riverside Drive/Penley Corner Road.
- (53) Rodman Road/Twin Road.
- (54) Washington Street northbound Adams Street.
- (55) First Ave/Rotary Reverse Direction Connectors.
- (56) Hackett Road/Broad Street.
- (57) Center Street/Stanley Street.
- (58) Center Street/Cross Street.
- (59) Riverside Drive/Dunn Street.
- (60) Turner Street/Gracelawn Road.
- (61) Drummond Street/Main Street.
- (62) Court Street/Pleasant Street (both directions).
- (63) Minot Avenue/Elm Street.
- (64) Pleasant Street/Elm Street.
- (65) Millett Drive/Court Street.
- (66) Minot Avenue/Millett Drive.

(Code 1967, § 27-5.4; Ord. of 3-2-1998; Ord. of 12-6-1999(2); Ord. of 11-19-2001(2); Ord. of 5-2-2005(02))

**State law reference—** Permitted locations, 3 M.R.S.A. § 1912.

#### **Sec. 42-45. - Design, installation and maintenance.**

Official business directional signs shall be designed, installed and maintained in accordance with the provisions of 23 M.R.S.A. §§ 1901 through 1925 and chapter 200 of the state department of transportation administrative guidelines. Signs shall be nonreflectorized and no larger than 12 by 48 inches, except that a reflectorized sign of any permissible size may be permitted on an existing sign assembly displaying a reflectorized sign of the same size if such sign assembly was legally erected

prior to October 7, 1985.

(Code 1967, § 27-5.5)

**Sec. 42-46. - Application.**

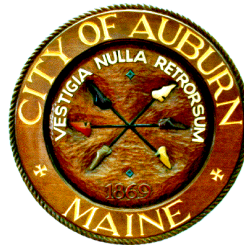
Application for an official business directional sign shall be made on forms furnished by the state department of transportation. Completed applications shall be submitted to the department of planning and permitting services for review. Upon receipt of the completed application, the department shall review the request to ensure that it conforms to the provisions of this article and shall approve, conditionally approve or reject the request based on its findings. If disapproved by the department, the reasons for disapproval shall be communicated to the applicant in writing. Any person aggrieved by the decision of the department may appeal to the county superior court within 30 days of receipt of the department's decision. If approved, the applicant may then forward the approved application and the license fee prescribed by the state law to the state commissioner of transportation for approval or disapproval.

(Code 1967, § 27-5.6)

Passage of first reading on 7/16/2012, 6-0 (Councilor Young was absent).  
Passage of second and final reading on 8/6/2012, 7-0.



Tizz E. H. 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 06-09172012

**ORDERED**, that the City of Auburn amend the Official Zoning Map in the area of South Witham Road from Low Density Country Residential District (LDCR) to Low Density Rural Residence District, including a strip of land 450' deep from the centerline of and parallel to South Witham Road on the east side of the road and the full depth of the existing LDCR zoning district and parcels on the west side of the road on the parcels at 96 S. Witham Rd (Parcel Identification - PID 137-019), 126 S. Witham Rd (Parcel Identification-PID 137-020), 224 S. Witham Rd (Parcel Identification - PID 137-022), 272 S. Witham Rd (Parcel Identification - PID 137-023), 336 S. Witham Road (Parcel Identification - PID 137-024), 384 S. Witham Rd (Parcel Identification - PID 137-025), 386 S. Witham Rd (Parcel Identification - PID 137-025-001), 349 S. Witham Rd (Parcel Identification - PID 137-014-001), 275 S. Witham Rd (Parcel Identification - PID 137-014 / 137-014-002) and 177 S. Witham Rd (Parcel Identification - PID 137-015) pursuant to Chapter 60, Article XVII, Division 2 of the Ordinances of the City of Auburn.

Public hearing and passage of first reading on 9/17/2012,  
5-2 (Councilors Crowley and Gerry).  
Passage of second and final reading on 10/01/2012, 4-3  
(Councilors Crowley, Walker, and Gerry).

Tizz E. H. 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 07-12172012

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

#### **Chapter 24 Article II. Licenses**

#### **Sec. 24-36. Compliance with Rules and Regulations Required; Approval, Disapproval by City Officials, Council**

- a. All licensees and applicants for licenses are required to comply with State statutes and Rules, City Ordinances and rules and regulations of City Departments which pertain to the business or activity for which a license is desired. State of Maine Rules include and are not limited to:
  1. State of Maine Food Code 2001 as adopted by the Maine Department of Human Services 10-144 CMR 200 and the Maine Department of Agriculture, Food and Rural Resources 01-001 CMR 331 May 1, 2001
  2. Rules Relating to Lodging Establishments, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health 10-144 CMR 206 January 1, 2003.
  3. Rules relating to the Administrative and Enforcement of establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201 Last Amended on October 7, 2012
- b. In any case where the City requires the approval of the Building Inspector, Code Enforcement Officer, Police Chief, Fire Chief or any other City Official prior to issuance of the license, it shall be the duty of the City Clerk or designee to notify in writing the officials whose approvals are required. The officials so notified, or their duly delegated representatives, shall approve or disapprove the application without delay and shall note their approval or disapproval thereon, stating the reasons for any disapproval. When required by the City Council, a hearing will be held at which time the Council shall decide whether to approve or disapprove any application for a license or permit. It shall be the duty of the City Clerk or designee to notify the applicant of the time and place of the hearing. Such notice shall be mailed by the City Clerk, postage prepaid, to the applicant at his last known address at least 48 hours prior to the date set for such hearing. The decision and order of the Council on such hearing shall be final and conclusive. Except as set forth in subsection (c) below, a license under this chapter shall be denied if the council makes a finding that:

**Passage of first reading on 12-17-2012, 6-1 (Councilor Crowley)  
Passage of second and final reading on 1-7-2013, 5-0 (Councilors  
LaFontaine and Shea absent).**

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

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 02-03192012

**RESOLVE**, Supporting the Concept of a Lewiston-Auburn Bike-Ped Committee

**Whereas**, a significant number of individuals within the Lewiston-Auburn area walk or bike for recreation or business; and

**Whereas**, the presence of bike and pedestrian infrastructure enhances safety and increases the quality of life of residents; and

**Whereas**, such infrastructure also supports economic development efforts by making these communities more appealing to those who bike, walk, and run; and

**Whereas**, the presence of walking and biking amenities also positively affects the value of nearby properties; and

**Whereas**, while sidewalk and biking infrastructure is available in certain areas, improving and extending such infrastructures requires a long-range plan as well as monitoring of individual infrastructure projects to ensure that they incorporate such a plan; and

**Whereas**, the goal of developing an appropriate and cost effective bicycle and pedestrian infrastructure can be furthered by the creation of a joint Lewiston-Auburn Bike-Ped Committee;

**Now, therefore, be It Resolved by the City Council of the City of Auburn** that the City Council supports the concept of a joint Lewiston-Auburn Bike-Ped Committee with the mission, purpose, and structure as outlined on the attached Committee description.



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

## **The Lewiston-Auburn Bike-Ped Committee**

### **Mission/Purpose**

The mission of the Lewiston-Auburn Bike-Ped Committee is to

- develop and recommend fiscally responsible policies to the respective governing bodies that take into account and support non-motorized transportation in the Twin Cities;
- advise the respective public works and engineering departments on how non-motorized users can be accommodated in street, highway, and open space projects while taking into account the impact of such recommendations on project affordability;
- participate in the Androscoggin Transportation Resource Committee's update of its regional long-range bicycle-pedestrian plan;
- monitor the implementation of that plan within the Twin Cities; and
- promote bicycle-pedestrian education.

### **Composition**

The committee will be comprised of 7 voting members: 1 councilor and two Auburn residents appointed by the Mayor of Auburn; 1 councilor and two Lewiston residents appointed by the Mayor of Lewiston; and 1 representative from a local business jointly selected by the Mayors. Any vacancy on the committee shall be filled through an appointment made in the same manner as outlined above. The Committee shall annually select a Chair Person. In the event that any member is absent for 3 consecutive meetings without being excused by the Chair of the Committee, that individual shall forfeit committee membership.

### **TERM**

The Committee shall remain in existence until September 1, 2015. At least sixty days prior to this date, the respective Mayors shall consult and shall make a recommendation to the respective City Councils as to the continued existence of the Committee. If the Mayors fail to make a recommendation, the Committee shall continue in existence until one or both Councils take action to either extend its term or discontinue the Committee.

### **STAFF SUPPORT**

The City Manager of Auburn and the City Administrator of Lewiston shall each assign a staff member as a primary point of contact with the respective municipal organizations. The Manager and Administrator shall provide the Committee with access to other members of the municipal staffs as may be required.

### **MEETINGS AND REPORTS**

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

The Committee shall establish the times and places of its meetings, taking care to meet periodically in each community. Meetings shall be open to the public and notice of such meetings shall be posted by the respective City Clerks. The Committee may invite such others as may be knowledgeable regarding bike and pedestrian issues to provide information for their consideration. The Committee shall prepare summaries of its meetings and shall make them available to the elected officials of both communities.

**Outcomes/Specific Activities:**

The L-A Bike-Ped Committee would achieve its mission through the following:

- Serving as the primary resource representing Lewiston and Auburn in the update of the ATRC Regional Long-Range Bicycle-Pedestrian Plan;
- Developing and recommending policies and ordinances for passage by the City Councils in support of non-motorized transportation;
- Planning and coordinating educational events with local partners such as schools, bicycle shops, and biking and run/walk events;
- Assessing and commenting on existing transportation projects in regard to bicycle and pedestrian accommodations including ATRC approved projects, municipally initiated projects, and improvements originating from Traffic Movement Permits; and
- Participating with appropriate city departments and committees in planning coordinated multi-modal transportation systems in L-A and the surrounding region to ensure that such systems take into account the needs of pedestrians and bicyclists and that motorized and non-motorized systems are well coordinated.

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

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 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.

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

**AMENDMENT REPLACES ORDER #19-04022012**

**IN CITY COUNCIL**

**RESOLVE #04-04022012**

**RESOLVE**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

**WHEREAS**, both communities have consistently supported consolidation of dispatch services in order to enhance public safety, provide fiscal benefits, and address the current inequity in dispatch funding; and

**WHEREAS**, for the last decade, elected officials, senior administrators, and the heads of public safety agencies within the county have held discussions regarding consolidation of dispatch services; and

**WHEREAS**, the cities of Auburn and Lewiston have advanced options for consolidating the dispatch of virtually all law enforcement, fire, and EMS services in the county and to finance them in a fair and equitable manner while providing for continued and unfragmented services; and

**WHEREAS**, such an alternative cost sharing proposal would mark a major milestone in inter-governmental cooperation in Androscoggin County and would enhance public safety, improve coordination of emergency response, and maximize efficient use of public resources; and

**WHEREAS**, other proposed plans have also come forward that do not achieve the goal of consolidated services and which may or may not eliminate the current subsidy paid by Lewiston and Auburn through the County tax; and

**WHEREAS**, while there is renewed interest on the part of the Commissioners on reaching a decision on the future of County dispatch, they have not yet been able to reach agreement on a plan;

**NOW THEREFORE**, be it resolved by the City Council of the City of Auburn that we call upon the Androscoggin County Commissioners to adopt a dispatch plan that will totally eliminate the subsidies provided by the taxpayers of Lewiston and Auburn for dispatch services that the County is not required by law to provide and which our communities do not receive. We further call upon the Commissioners to seriously consider plans that would fully consolidate Public Safety Answering Point and dispatch services in a single entity, recognizing that county-wide consolidation will allow for the equitable distribution of costs, long-term equipment and technology savings, and a high quality integrated public safety communication system.

**BE IT FURTHER RESOLVED THAT**, beginning January 1, 2013, the City of Auburn shall take the necessary steps required to eliminate the current subsidy provided by Auburn to the County for PSAP and dispatching services provided to other communities within Androscoggin County.

Originally Order 19-04022012  
Passage on 4/2/2012, 6-0 (Councilor Hayes absent).

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

**AMENDMENT REPLACES ORDER #19-04022012**

**IN CITY COUNCIL**

**RESOLVE #04-04022012**

**RESOLVE**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

**WHEREAS**, both communities have consistently supported consolidation of dispatch services in order to enhance public safety, provide fiscal benefits, and address the current inequity in dispatch funding; and

**WHEREAS**, for the last decade, elected officials, senior administrators, and the heads of public safety agencies within the county have held discussions regarding consolidation of dispatch services; and

**WHEREAS**, the cities of Auburn and Lewiston have advanced options for consolidating the dispatch of virtually all law enforcement, fire, and EMS services in the county and to finance them in a fair and equitable manner while providing for continued and unfragmented services; and

**WHEREAS**, such an alternative cost sharing proposal would mark a major milestone in inter-governmental cooperation in Androscoggin County and would enhance public safety, improve coordination of emergency response, and maximize efficient use of public resources; and

**WHEREAS**, other proposed plans have also come forward that do not achieve the goal of consolidated services and which may or may not eliminate the current subsidy paid by Lewiston and Auburn through the County tax; and

**WHEREAS**, while there is renewed interest on the part of the Commissioners on reaching a decision on the future of County dispatch, they have not yet been able to reach agreement on a plan;

**NOW THEREFORE**, be it resolved by the City Council of the City of Auburn that we call upon the Androscoggin County Commissioners to adopt a dispatch plan that will totally eliminate the subsidies provided by the taxpayers of Lewiston and Auburn for dispatch services that the County is not required by law to provide and which our communities do not receive. We further call upon the Commissioners to seriously consider plans that would fully consolidate Public Safety Answering Point and dispatch services in a single entity, recognizing that county-wide consolidation will allow for the equitable distribution of costs, long-term equipment and technology savings, and a high quality integrated public safety communication system.

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Originally Order 19-04022012  
Passage on 4/2/2012, 6-0 (Councilor Hayes absent).

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 #04-04022012

**RESOLVE**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

**WHEREAS**, both communities have consistently supported consolidation of dispatch services in order to enhance public safety, provide fiscal benefits, and address the current inequity in dispatch funding; and

**WHEREAS**, for the last decade, elected officials, senior administrators, and the heads of public safety agencies within the county have held discussions regarding consolidation of dispatch services; and

**WHEREAS**, the cities of Auburn and Lewiston have advanced options for consolidating the dispatch of virtually all law enforcement, fire, and EMS services in the county and to finance them in a fair and equitable manner while providing for continued and unfragmented services; and

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**BE IT FURTHER RESOLVED THAT**, beginning January 1, 2013, the City of Auburn shall take the necessary steps required to eliminate the current subsidy provided by Auburn to the County for PSAP and dispatching services provided to other communities within Androscoggin County.

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

**AMENDMENT REPLACES ORDER #19-04022012**

**IN CITY COUNCIL**

**RESOLVE #04-04022012**

**RESOLVE**, Calling Upon the Androscoggin County Commissioners to Adopt a Plan that Eliminates from the County Tax Dispatch and Communications Costs Associated with Services that Lewiston and Auburn Do Not Receive.

**WHEREAS**, Lewiston and Auburn have long recognized that we subsidize emergency dispatch services to other communities that are subsidized through the County tax; and

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**BE IT FURTHER RESOLVED THAT**, beginning January 1, 2013, the City of Auburn shall take the necessary steps required to eliminate the current subsidy provided by Auburn to the County for PSAP and dispatching services provided to other communities within Androscoggin County.

**A TRUE COPY ATTEST**

*Susan Clements-Dallaire*

**CITY CLERK**

Originally Order 19-04022012  
Passage on 4/2/2012, 6-0 (Councilor Hayes absent).



Tizz E. H. 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 05-06042012

**RESOLVED**, that the following be, and hereby is the Annual Appropriation and Revenue Resolve of the City of Auburn for the fiscal year 2012-2013, which includes the amounts appropriated herein and revenues from all sources beginning July 1, 2012 and ending June 30, 2013.

The estimated aggregate amount of non-property tax revenue is \$31,451,022 with a municipal revenue budget of \$10,944,240 and a School Department revenue budget of \$20,506,782.

The aggregate appropriation for the City of Auburn is \$72,292,526, with a municipal budget of 34,383,200, County budget of \$2,006,244 and a School Department budget of \$35,903,082 which received School Committee approval on April 11, 2012, and school budget approved at the April 23, 2012 Special Council Meeting and based on the budget submitted to the Auburn City Council on March 19, 2012, by the Interim City Manager, and notification was posted on the City of Auburn website on May 3, 2012 that a public hearing would be held on May 7, 2012 at 7:00 p.m. and said hearing having been held on that date, and as amended by the City Council, the same is hereby appropriated for the fiscal year 2012-2013 beginning July 1, 2012 for the lawful expenditures of the City of Auburn and the County of Androscoggin taxes, and said amounts are declared not to be in excess of the estimated revenue from taxation and sources other than taxation for the fiscal year of 2012-2013.

#### SCHOOL BUDGET ARTICLES

1. That \$13,980,372.00 be authorized to be expended for Regular Instruction;
2. That \$7,205,337.00 be authorized to be expended for Special Education;
3. That \$-0- be authorized to be expended for Career and Technical Education;
4. That \$730,839.00 be authorized to be expended for Other Instruction;
5. That \$4,169,008.00 be authorized to be expended for Student and Staff Support;
6. That \$818,349.00 be authorized to be expended for System Administration;
7. That \$1,206,097.00 be authorized to be expended for School Administration;
8. That \$1,414,714.00 be authorized to be expended for Transportation and Buses;
9. That \$3,479,410.00 be authorized to be expended for Facilities Maintenance;
10. That \$2,483,582.00 be authorized to be expended for Debt Service and Other Commitments;
11. That \$0 be authorized to be expended for All Other Expenditures;
12. That \$32,774,331.00 be appropriated for the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$13,910,635.00 be raised as the municipality's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

**Explanation:** *The city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

13. That \$1,258,135.00 be raised and appropriated for the annual payments on debt service previously approved by the city's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

**Explanation:** *Non-state-funded debt service is the amount of money needed for the annual payments on the city's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

14. That \$0.00 be raised and appropriated in additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690;

**Explanation:** *The additional local funds are those locally raised funds over and above the municipality's local contributions to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the school department budget for education programs.*

15. That the school committee be authorized to expend \$35,487,708.00 for the fiscal year beginning July 1, 2012 and ending June 30, 2013 from the city's contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, fund balances, state subsidy and other receipts for the support of schools;
16. That the City of Auburn appropriate \$373,578.00 for adult education and raise \$185,734.00 as the local share, with authorization to expend any additional incidental or miscellaneous receipts in the interest for the well-being of the adult education program;
17. That the City of Auburn raise and appropriate \$41,796.00 for the services of Community Services-Crossing Guards.
18. That in addition to amount approved in the preceding articles, the school committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated;

First reading on 6/4/2012, 4-2 (Gerry and Crowley).  
Second reading and passage on 6/18/2012, 5-2 (Gerry and Crowley).



Jonathan LaBonte, Mayor  
Tizz E. H. 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



Robert MacDonald, Mayor  
John Butler, Ward One  
Donald, D'Auteuil, Ward Two  
Nathan Libby, Ward Three  
Doreen M. Christ, Ward Four  
Craig Saddlemire, Ward Five  
Mark Cayer, Ward Six  
Richard Desjardins, Ward Seven

## JOINT RESOLVE

### AUBURN COUNCIL RESOLVE 06-07162012 LEWISTON COUNCIL RESOLVE

**WHEREAS**, the Maine Turnpike is an important resource to the Lewiston-Auburn community for transportation and the economy; and

**WHEREAS**, the Maine Turnpike Authority intends to raise toll rates to address revenue and budget concerns; and

**WHEREAS**, the proposed changes will exacerbate existing inequities in the existing toll rate structure; and

**WHEREAS**, while various proposals will significantly impact commuters throughout Maine and, in particular, in the Lewiston-Auburn area, the full impact has not yet been determined nor has sufficient time been allocated to analyze these impacts;

Now, therefore, be it **RESOLVED** that the Auburn City Council and the Lewiston City Council oppose immediate action on the proposed toll increases by the Maine Turnpike Authority and call upon the Board to allow the time needed to carefully evaluate alternative rate options that will move the overall system in the direction of greater equity between regions and recognize the hardships that certain commuters will face under the rate options currently under consideration.

#### CITY OF LEWISTON

**Motion for Acceptance:**

**Seconded by:**

**Vote:**

**Action by Council**

**Attest:** \_\_\_\_\_

**Kathleen M. Montejo, City Clerk  
City of Lewiston**

#### CITY OF AUBURN

**Motion for Acceptance:**

**Seconded by:**

**Vote:**

**Action by Council**

**Attest:** \_\_\_\_\_

**Susan Clements-Dallaire, City Clerk  
City of Auburn**

Tizz E. H. 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 07-08062012

RESOLVED, that the City Council hereby supports and approves the City Manager's submission of a letter to be sent to the President of the MMA's (Maine Municipal Association) Executive Committee with concerns about their current Committee selection process.

