

Waterville council to consider authorizing the city to join lawsuit against opiate drug companies

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By Amy Calder

WATERVILLE — City councilors on Tuesday will consider voting to authorize the city to join a lawsuit against opiate drug companies, accepting \$33,000 from Colby College to buy a new police cruiser and approving union contracts with public works and parks and recreation employees.

The meeting will be at 7 p.m. in the council chambers on the third floor of The Center at 93 Main St. downtown and will be preceded by an executive session at 6:45 p.m. to consult with legal counsel on the opioid lawsuit.

The resolution councilors will consider approving says the city has experienced many of the same problems other towns and cities have, nationwide, concerning the problem with opiate addiction, and police, fire and other officials are required to respond every day to problems that arise because of painkiller addiction.

To treat people and abate the opioid epidemic, the city has had to shift resources that otherwise could have been used for city improvements, according to the document.

Last year, 376 people in Maine died from overdoses and 123 were caused by pharmaceutical opioids, it says. Three people in Waterville died of overdoses in 2017 and Naxolone, or Narcan, was used 33 times to treat overdoses.

“The ease with which these drugs have been obtained as a result of drug companies’ campaign to make them readily prescribed for common aches and pains has led many people to become addicted,” the resolution says. “... Opiate drug companies have enjoyed enormous profits with the sales of opiate drugs, promoting them relentlessly among physicians and paying doctors to promote these drugs at conferences, while failing repeatedly to successfully tailor the drugs to make abuse impossible.”

As part of the vote, the council will be asked to authorize City Manager Michael Roy and City Solicitor Bill Lee to engage the services of Napoli Shkolnik PLLC, of New York City, and Trafton, Matzen, Belleau & Frenette LLP, of Auburn, on behalf of the city “with respect to prosecution of any legal claims against manufacturers and distributors of opioids arising out of the manufacturers’ and distributors’ fraudulent and negligent marketing and distribution of opioids.”

Mayor Nick Isgro and City Manager Michael Roy said Sunday they think it is important Waterville join the lawsuit as 11 other Maine municipalities, including Portland and Lewiston, have.

“Essentially, we are talking about getting into joining the lawsuit of suing the makers of opiates, using a similar model used when states sued cigarette companies,” Isgro said, “except the reality is the costs are mainly incurred by municipalities and it’s important for the city to engage in this so we don’t get superseded if the state should decide to have a similar lawsuit later.”

Roy said the opioid epidemic has put tremendous strain on the city’s police and fire departments. A lot of misinformation, and not enough information, was provided by drug manufacturers about the risk of addiction from pharmaceuticals, he said.

“People started out with getting a shoulder operation and taking opioids and found out, ‘Wow, OK, I want to keep using this stuff,’” Roy said.

As part of the lawsuit, municipalities would seek to be reimbursed for resources spent on the opioid crisis, he said, adding that a national accreditation organization eight years ago said there is no proof opioids are addictive, which clearly is false.

Isgro said he met with attorneys two weeks ago to discuss the lawsuit.

“It’s something I support very much because, as much as we spend our time and resources going after the drug dealers on the streets, the reality is, a lot of the problem with this opioid epidemic in the country started with the legal drug pushers, which are the big pharmaceutical companies pushing these drugs, knowing how highly addictive they were.”

Isgro said he has long thought that there has not been enough focus on the drug companies with respect to opioid addiction and he hopes the City Council takes the time to look at the issue.

“It’s important we send a message that drug companies have to take responsibility for their role in this,” he said.

In other matters, the council will consider approving collective bargaining agreements with Teamsters Local 340 for a two-year term, effective July 1, 2017, through June 30, 2019. The local represents public works and parks and recreation department workers.

The proposed contracts represent a 3 percent increase in salaries, according to Roy, who said that amount may appear high compared to the increase in the cost of living, but it must be taken into context with the fact that employees starting Jan. 1, 2018, must pay 50 percent of the increase in cost of health insurance. Now, he said, the city pays about 80 percent of that cost and the employees, 20 percent. The new split will be 77 to 23.

Councilors also will consider accepting \$33,000 from Colby College for the purchase of a new police cruiser. Colby offered to buy the 2018 Ford Explorer, the net cost for which, after trade in, is \$24,819. An additional \$8,297 is needed, however, to equip the vehicle for police department work, which brings the total cost to the city to \$33,116.

Amy Calder — 861-9247

Twitter: [@AmyCalder17](https://twitter.com/AmyCalder17)

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