

# Calling opioids a 'public nuisance,' Androscoggin County joins nationwide lawsuit

By **Steve Sherlock, Staff Editor** - March 14, 2018

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After last month joining a growing list of Maine municipalities and counties that are part of a nationwide lawsuit against opioid manufacturers, Androscoggin County commissioners passed an order claiming the opioid epidemic is a public nuisance.

The order, requested by the attorneys representing communities throughout the country, puts the county on record saying that the growing epidemic is affecting county resources, including enforcement, treatment and the high cost of lives.

"It makes sense that if we join the lawsuit that we need to recognize that it is a problem to have standing," Commissioner Noel Madore of Lewiston said during last week's meeting.

Maine saw a record 418 people die from opioid overdoses in 2017, an 11 percent jump from the previous year's 376 deaths, according to the Maine Attorney General's office.

The motion declaring "the opioid epidemic and its effects on the county are a public nuisance" passed by a 4-2 vote, with Isaiah Lary of Wales and Bonney Starbird of Auburn voting against the order.

Androscoggin County joins several Maine municipalities that have already signed on to the lawsuit, including Lewiston, Auburn, Portland, Bangor, Biddeford, Saco, Sanford and Waterville. Kennebec County will consider signing on later this month.

The county retained the New York law firm of Napoli Shkolnik, which is spearheading the nationwide lawsuit being filed by hundreds of communities.

Napoli Shkolnik has partnered with the Auburn firm of Trafton, Matzen, Belleau and Frenette to help represent its Maine clients.

Lary had concerns about being part of the lawsuit. He wondered why opioid manufacturers were being singled out. He felt a similar case could be made against the alcohol industry and other vices. He wondered why the county isn't also suing them.

In addition, Lary feared the county was opening itself up to libel by joining the suit.

"I'd like to see it in writing that we're not liable," Lary said.

After Lary asked to spend legal fees to have the county's own lawyer look over the agreement, commissioners voted to end discussion and adopted the order.

In other business last week:

- County Administrator Larry Post and Facilities Director David Cote updated commissioners on the clock tower project. Saying the project is more than 99 percent complete, all that is left is for an electrician to connect the lights to the clock. Cote asked for ideas on how to start ringing the bell in the tower. The bell hasn't rung in more than 30 years.
- Commissioners took nearly two hours discussing the vacant treasurer position, working on a job description and deciding who should serve on the hiring committee. After multiple motions and amendments, the board decided on a panel of eight — three commissioners, Post, his assistant, Sandra Berube, Registrar of Deeds Tina Chouinard, Chief Deputy William Gagne and Deborah Sawyer of the treasurer's office.

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