

**Town of Blue Hill**  
**Select Board Meeting Minutes**  
**Monday, November 13, 2023**

**Called the meeting to Order at 5:30pm**

1. **Quorum and meeting attendance** - E. Best, J. Dow; S. Miller; S. Dooley; J. Atwell, Town Administrator; K. Herrick, Town Clerk; Residents: Jeff Milliken, Henrietta Hewes, Donald Paine, Rick & Vernetta Bannister; Michael Dickerson, Weekly Packet.
2. **Approve Select Board Meeting Minutes of November 6<sup>th</sup>** – J. Dow moved to approve the Minutes for November 6<sup>th</sup>, S. Miller seconded. Vote: 4-0 Approved.
3. **Public Comment** – There were multiple residents at the meeting who spoke on current and upcoming construction projects.
  - a. R. Bannister shared his concern on possible traffic issues in town when Maine DOT replaces the Main Street Bridge. He inquired on the timing of the Bridge replacement as well as the Mountain Road Project possibly being done at the same time. He asked what MDOT’s bridge project entails. For example, is the plan to replace hot-top only, work on the slab below, railing replacement, sidewalks, etc.
  - b. V. Bannister pointed out if the two projects coincide, the State may try to reroute traffic across the Mountain Road when there is already discussion of the Mountain Road getting shut down to through traffic. The Board asked J. Atwell to reach out to Road Commission B. Adams and ask him to contact MDOT to find out what their plan is for the bridge replacement. S. Miller added could B. Adams be sure MDOT is aware of our Mountain Road Project and tell them there is a possibility of closing/restricting traffic for up to two months next summer.
  - c. J. Dow suggested once the information from MDOT is received, the Board should provide the information to town residents for feedback. H. Clews stated she is in favor of convening a citizens committee who could communicate with MDOT to share the requests and concerns of residents. E. Best stated the committee for the South Blue Hill Bridge replacement was run by MDOT and she was informed members of the committee did not feel as though their feedback was really heard. Since that project was federally funded, the MDOT was required to allow a citizens committee. The Main Street Bridge Project is state funded therefore, MDOT is not required to work with a committee. S. Miller is in favor of a committee but is skeptical whether MDOT will take the feedback and whether or not the citizens committee would be effective.
  - d. D. Paine asked what the design plan was for the bridge, but the Board has not been informed. He requested the Board be proactive and “Chase MDOT” if needed so the Board and town will be aware of the proposed projects in our area. He is concerned with losing history as there is only one other remaining bridge of that design left in the country. In addition, he suggested the Board visit other towns to see how their downtowns have been constructed. He said Blue Hill has an issue with the downtown being extremely dark at night. Other towns have installed nice antique lighting as well as nicely constructed sidewalks. He also added, Parker Point Road has an influx of walkers on the road and there is cause for safety concerns and he believes good lighting would help. S. Miller stated he agreed with D. Paine’s request of the Board to put in the effort to “Chase MDOT”, so they are aware of State projects that are taking place in our town. He said the South Street Project has definitely opened his eyes to the issues of accepting federal funding. Multiple people advised not to accept federal money because it is always a disaster, it ends up costing way more than it should and towns are better off doing the project themselves because the town then has control of it and although it will cost the town a little more money, in most cases there is not much of an increase. He was optimistic with MDOT paying

**Town of Blue Hill**  
**Select Board Meeting Minutes**  
**Monday, November 13, 2023**

80% of the costs but now we have a project that has been ongoing for two years and it is still not complete. V. Bannister added she thinks it is important to be sure the same MDOT Inspector who supervised the South Street Sidewalk is not used in future projects as he did not require the previous construction crew to meet the required specifications of the sidewalk. S. Miller agrees but unfortunately the Board and town residents do not have any control over who MDOT hires because it is their project, and they are paying that person.

**Business**

1. **Public Hearing: Liquor License Renewal for Marlintini's Grill Inc/DBA: Marlintini's Grill -** Public Hearing - No Comments. S. Miller moved to approve the Liquor License Renewal Application for Marlintini's Grill Inc, S. Dooley seconded. Vote: 4-0 Approved.
2. **South Street Sidewalk** - Representative Aurele Gorneau, from Maine DOT joined the meeting Via Teams to discuss and update the Board and residents on the ongoing two-year South Street Sidewalk Project. There have been significant issues with the contractor who MDOT hired for the project which includes not showing up on the job site, completion of work as well as damage to business owner's properties. He informed the Board and residents the contractor SPS New England has been terminated and a new contractor BMB Construction has signed a contract with MDOT and will begin work this week to start gravel and curbing and to finish up the driveways. Once that is done, they will have a paving crew come in. There could be an issue with paving during this time or year, as local asphalt plants in the area are closing down due to the cold weather. They may have to install temporary pavement and return in the spring to remove it. They would then repave during optimal warmer temperatures. Southern and Central Maine plants will continue making asphalt so the contractors will be able to get the asphalt mix but due to the temperatures the pavement may not settle correctly. S. Miller inquired on the delivery date of November 2022 which was listed in the original contract. It stated the contractor would provide liquidated damages if the project wasn't completed on time. He asked what has become of those liquidated damages? Does that money go to MDOT or to the town since the town was directly impacted by the work not being completed. A. Gorneau stated SPS New England has been assessed liquidated damages since last November. Those costs are not in effect during the winter shutdown season which runs from December until the middle of May. Contractors are not expected to work during that time frame. Some of the liquidated damages have been deducted from payment and the remaining fees are expected to be paid by the bonding company. The previous contractor has been assessed approximately 150 days of unexcused absences, which results in approximately \$122,000 in liquidated damages. When asked again who receives the liquidated damages, A. Gorneau stated MDOT uses the fees to contract with an Inspector. Residents and the Board expressed their frustration with MDOT for their continuance to pay the Inspector when the contractor was not doing the work they were contracted to do and asked why it took MDOT so long to take action considering this project was expected to be done a year ago. A. Gorneau stated on behalf of MDOT and himself, he sincerely apologizes to the whole Town of Blue Hill for how this project has gone. He said it is the worst project that he is aware of since he began working there and it is an embarrassment to them. E. Best inquired about the ability of SPS New England to remain or change business names to stay on the States List of Approved Contractors because she does not want another town to be inflicted by this contractor as our town has. A. Gorneau said he was told the names of the individuals/Principal Owners will not be approved on any future MDOT project. J. Milliken asked if the Inspectors Reports were available for the town to review. A. Gorneau said they are public documents so yes;

**Town of Blue Hill**  
**Select Board Meeting Minutes**  
**Monday, November 13, 2023**

they can be requested. He is hopeful the project will now move forward quickly with the new contractor providing their services. No Action Taken/Informative Discussion Only.

3. **SeaLoft – Lease Renewal Letter** - The Board received a lease renewal letter from Amy Houghton, DBA: SeaLoft. The town leases the Stavola Building to SeaLoft which is located at 28 Water Street. The current lease expires December 31, 2023. SeaLoft is requesting the lease be renewed. The Board has become aware there are some building repairs that are necessary. Facilities Coordinator, B. Farnham has requested quotes from three contractors for window replacement and the work should be done in the spring. S. Dooley requested B. Farnham confirm the quotes will still be honored at that time. S. Miller pointed out the current lease was quite broad. E. Best said they would review. He also inquired on whether it is important for the town to continue ownership of the building and asked how the town acquired the building. E. Best stated Gerry or Jerry Stavola leased the property in the 1950's from the town on a long-term lease and built the building on the property. The building was at some point left to the town. J. Atwell, Town Administrator, will see if there are any additional repair requests. Once quotes for the repairs are received the Board will review and provide a lease agreement to SeaLoft. No Action Taken.
4. **Office Time-off Policy** - J. Atwell asked the Board to table discussion until the next meeting.
5. **TA – Authorized user/Bangor Payroll** – S. Miller moved to approve J. Atwell as an authorized user for Bangor Payroll, J. Dow seconded. Vote: 4-0 Approved.

**Department Status Reports**

1. J. Atwell informed the Board the Mountain Road Bid Opening is scheduled for the next day, November 14<sup>th</sup>, at the Town Office. The Engineers will be present. The Engineers and B. Adams will review the bids at a later date with the Board.
2. S. Miller informed the Board he met with Cliff Reynolds about the floats. C. Reynolds would like to see the floats once they are out of the water so he can determine how they were constructed before he provides an estimate. His schedule is very busy at this time, but he will be able to build the floats, but due to time and resources he is unable to retrieve and install them at the South Blue Hill Wharf. He said he would be able to do the Village floats though, as it appears to be a simple job. The Marine Resources Committee meets tomorrow, November 14<sup>th</sup>, so S. Miller will discuss with the committee whether or not the floats have been removed and if they have not, determine when it is scheduled to be done.

**Other Business**

1. Town Clerk, K. Herrick informed the Board she received a request from a resident during the Election about the front stairs. The resident said the edge of the steps are difficult to see and she was very concerned about falling. She is asking the Board to add Anti-Slip Marking Tape to the stairs for visibility. E. Best said she also had an issue distinguishing the inside stairs coming down from the Theatre. K. Herrick showed the resident a safer way to access the building with the side door and elevator for the time being. The Board approved adding tape to the front and inside? stairs.

**Upcoming Meetings/Reminders**

1. 11/14/2023 Marine Resources Committee Meeting
2. 11/15/2023 Climate Resilience Committee Meeting
3. 11/15/2023 Public Input Session: Comp Plan @ Founders Hall, East Blue Hill
4. 11/16/2023 Comprehensive Plan: Full Committee Meeting

**Town of Blue Hill**  
**Select Board Meeting Minutes**  
**Monday, November 13, 2023**

**Executive Session** (Pursuant to 1 M.R.S. § 405(6)(A) – Personnel Matter) – S. Miller moved to enter executive session at 6:42pm, S. Dooley seconded. Vote: 4-0 Approved. Exited executive session at 7:03pm. No action taken.

**Adjourn** - Motion to adjourn after warrant signing. Vote 4-0 Approved.