

HENRY POINT WORKING WATERFRONT PROJECT

COMBINED COMMITTEE MEETING

WORKING WATERFRONT ACCESS COMMITTEE; HARBOR COMMITTEE

October 15, 2025

MINUTES

Attendance: John Church, Harbor Master; Harry Fish, Harbor Committee, Diane Smith, Harbor Committee (zoom); James Jutras, SCEC; Chip Haskell, Haley Ward; Cynthia Beauvais, General Public; Kathy Killian, Grants/Planning Assistant

In the absence of Ira Kelley, Working Waterfront Access Committee Chairman, John Church was acting Chairman for the meeting.

Minutes of September 17, 2025: Draft minutes were distributed by e-mail; no comments or corrections received. Minutes were reviewed during the meeting and motion made to accept as written. Seconded and approved.

Haley Ward Update:

- **Environmental Review (required for release of HUD funds).** Draft complete and a *NOTICE OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS* was published in the Machias Valley News Observer on October 1, 2025. A copy of the draft report is available in the Town Office. Public comments will be accepted until October 16, 2025. At the end of the comment period, the draft report will be uploaded for government agency review and approval. Release of \$1,500,000 grant funds will be requested at the time of upload. The current government shut down may impact the timing of approval of our request for funds.

- **DEP Tier 3 and ACOE Permit Status.**

The Maine DEP NRPA Permit (L-31328-2G and L-31328-4D) approval was issued September 26, 2024. Due to disturbances the project will create in Wetlands of Special Significance, the town must contribute of \$201,954.64 to the Maine Natural Resource Conservation Program prior to the start of construction.

The US Army Corps of Engineers issued permit letter FILE # NAE-2023-00720 on September 23, 2025. Work must be completed by October 14, 2026. Work cannot begin until the fee noted above has been paid and the Work-Start Notification Form submitted to the ACOE two weeks prior to commencing work.

On both permits, conditions are specified.

A submerged land lease is needed for any work to be completed below the highest astronomical tide (HAT) level. Due to lack of specific wording in the deed(s) to Henry Point over the last 125 years, the town is working with legal counsel to correct the wording deficiency in the town's property deed so the application for a Submerged Land Lease can

be submitted and approved. This requirement is critical to the construction of the launch ramp. The attorney, Kristi Trafton of Rudman Winchell in Bangor recommends that town continue due diligence in locating heirs of William Henry Kelley so they can be sent a letter advising them of the deed inconsistencies and the possible solutions to that problem.

- **Bidding Process.** Invitation to Bid was published in the Machias Valley News Observer on September 24, 2025, and advertised important dates in the process. The Project Manual and Bid Package is available through Haley Ward, and interested contractors are required to register with Haley Ward so they will receive all addendums, additional information and any changes that are made during the bid process. The Pre-Bid Meeting was held at the Town Office on October 6, 2025, followed by a site visit. Two local contractors attended, asked questions, and reviewed plans in detail with Chip Haskell of Haley Ward both in the office and at the site. Chip provided an update on the progress now that questions and feedback have been received from the contractors. His recommendation is that we push the due date for bids to be received which he assured the committee is not uncommon. It will allow the contractors time to produce good, complete bids and the contractors confirmed that pushing the due date out a few weeks will not jeopardize having the work completed by October 14, 2026, as required by the ACOE Permit. Addendum #1 is scheduled to be released on Thursday, October 16th. Questions will be accepted by Haley Ward until Monday the 22nd of October with a second addendum anticipated on October 29, 2025. **BIDS DUE NOVEMBER 5, 2025.** Harry Fish voiced questions about handling the bids, and the process of opening the sealed bids when the project is federally funded. Chip explained that when bids are opened, the Name of Bidder, the Price, and whether they have included a Performance and Payment Bond are announced and are considered public information. Haley Ward will review the bids for possible calculation errors, whether the bid is balanced, identify possible inconsistencies, and create an opinion on the bids to make recommendations to the town. Kathy will request an opinion from the Town's Attorney John Hamer regarding proper bid handling, opening, and public disclosure of information.

William Henry Kelley (b. 1824; d. 1890) Surviving Heirs - Using the tree of descendants provided by the Jonesport Historical Society, Kathy will continue to search for obituaries and probate records that will lead to a list of surviving potential heirs. Letters will be written, with legal assistance, asking that the individual release their ownership of the intertidal land. If they will not, or if all heirs are not successfully located, Trafton will file a 'quiet title' motion with the court for ownership.

Coleman/TD Bank Consent to Easement – Original of the TD Bank Consent to Easement has been delivered to Kathy and will be hand-delivered to the Washington County Registry of Deeds in Machias for recording. (**Note that it has been delivered for recording as of Thursday, October 16, 2025 and the recorded copy should be delivered to the Town in two weeks**).

Grant Updates:

- **Representative Jared Golden Request FY2026 ~ we are in the appropriations bill for \$1.2 million for parking and launch ramps – no news.**
- **FY 2025 Coastal Community Grant.Shore and Harbor Planning Grant Programs ~ for bidding process – grant is active, and invoices are being submitted to DMR for reimbursement as they are received.**
- **FY2023 Community Project Funding (HUD – EDI/CPF) ~ need to submit approved Environmental Review.** The NEPA Environmental Assessment DRAFT is on file at the Town Office, and no public comments were received. The draft is ready to submit via the required on-line portal. Melissa Genoter of Haley Ward will assist with finalizing the upload and help Kathy process the final submission approval. HUD will then have 15 days to review and ask for any clarifications or request additional details. The request for our HUD funds will be processed at this time. It is unknown how the shut-down of the Federal Government will impact the expected timeline of processing.
- **NBRC Pre-Application submitted August 29, 2025 –** Our pre-application garnered us an invitation to apply for funding. On October 10, 2026, the completed application and required documents were submitted to NBRC (Northern Border Regional Commission) and the expectation is that awards will be announced in December 2026. James Jutras of SCEC assisted. He noted that Jonesport has submitted a strong application that meets grant criteria, and has the detail expected for a thorough review. James also advised the committee that NBRC has a record number of grant requests for this round has funding for only 50% or less of the applications they expect to receive.

Permit and Use Fees: John Church noted that a Harbor Committee Meeting will be scheduled to discuss and approve mooring fees so the mooring bills can be sent out before the end of October (due December 31. 2026).

Minutes – ktkillian; 10/19/2025