

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, NOVEMBER 5, 2024

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, November 5, 2024, in the conference room at 44 Water Street.

Trustees present                      Patrick **Wiley**, Chairman  
   Jason **Wise**, Vice Chairman  
   Wayne A. **Brockway**, Treasurer  
   Robert **Brady**, Clerk  
   Aaron **Nalezny**, Trustee

KSD Staff present                      Chris **Gallant**, KSD District Manager  
   Chris **Johnson**, KSD Project Manager / Assistant District Manager

Others present                          Mark K. **Allenwood**, Project Manager, Brown & Caldwell, Andover, MA

.....  
**AGENDA:**

**Unfinished Business**

**New Business**

1. Minutes of the October 1, 2024, Monthly Meeting
2. 2025 Operations and Maintenance Budget Final Approval
3. Biological Upgrade 75% Update

**Other Business**

4. Manager's Report

**Adjournment**

5. Adjournment
- .....

Chairman **Wiley** called the meeting to order at 7:00 p.m.

There being no objections from the Board, and in consideration of Project Manager **Allenwood**'s presence, Chairman **Wiley** asked for a motion to move ahead to agenda item #3.

**A motion was made to move ahead to agenda item #3.**

**MOVED:**            **Brockway**

**SECONDED:**    **Wise**

**DISCUSSION:** **None**

**MODS:**            **None**

**VOTE:**             Chairman **Wiley**, affirmative

                         Vice Chairman **Wise**, affirmative

                         Treasurer **Brockway**, affirmative

                         Clerk **Brady**, affirmative

                         Trustee **Nalezny**, affirmative

**5 in favor, 0 opposed; the motion carried.**

**Agenda Item – (New Business) #3: Biological Upgrade Design Update**

Referring to the KSD Board of Trustees's packet of November 5, 2024, Attachment #1 (Agenda Item Commentary) and Attachment #4 (Biological Upgrade), Project Manager **Allenwood** provided an overview of the 75% design for the upgrade to the wastewater treatment plant's biological system. His presentation included the following topics and highlights:

- Overview of Changes from 60% Design
  - BNR Tanks
    - ✓ Tanks raised to reduce excavation costs; structural sheets updated, increased RAS pump horsepower, and modulating valves installed to reduce mixed liquor free fall.
    - ✓ Reduction from Three to Two BNR Trains: Increased tank size and flow rates; design accommodates one train in service.
    - ✓ Room for 3rd train in future.
  - BNR Electrical Building
    - ✓ Redesigned to share a wall with BNR tank and accommodate process equipment.
  - BNR Building
    - ✓ Expanded to include electrical room, blower area, alkalinity feed area and large bubble mix system.
  - Control System Updates
    - ✓ New instrumentation and PLC-based control panels added, expansion of existing process control network.
  - Secondary Clarifiers
    - ✓ Demo existing splitter boxes and direct pipes from BNR to clarifiers.
  - Descoped Items
    - ✓ RBC Building Demolition
      - Included as a bid alternative; some piping may need rerouting.
    - ✓ Clarifier Covers
      - Removed, changing area classification; control panels relocated.
    - ✓ Sodium Hypochlorite and Sodium Bisulfite Equipment
      - Existing equipment maintained without modifications.
    - ✓ BNR Tank Lighting
      - Lighting plan has been removed.
    - ✓ Process Building HVAC Work
      - All HVAC equipment remains in place; associated drawings removed.
    - ✓ Effluent Pump Station Work
    - ✓ Influent Pumping Modifications
      - Existing pumps maintained without changes.
    - ✓ BNR Influent Channel
      - Replaced with an influent splitter box; modifications to mixing system.
- 75% Plan Review
  - Site and Paving Plan
  - Yard Piping Plan
  - Headworks
  - BNR Tanks
  - Influent Splitter Box
  - Effluent Splitter Box
  - Mixed Liquor Hydraulics
  - BNR Building- Lower Plan
  - BNR Building- Upper Plan
  - BNR Building- Electrical Room
  - BNR Building- sections
  - Secondary Clarifiers
  - RAS Pump Station
  - Supplemental Carbon
  - Instrumentation & Control

- OPCC Summary
  - OPCC Summary
  - Potential Additional Savings
  - Alternative IMLR System
  - Alternative Influent Splitter Box
- Schedule Summary
- Next Steps

Clerk **Brady** asked what the bidding process will be.

Project Manager **Allenwood** replied that the bidding process is currently open bidding.

Treasurer **Brockway** asked what the timeline for construction might be.

Project Manager **Allenwood** replied that 18 to 24 months is likely; however, it's really going to depend on when we can get to the bid opening and how much of a first season there is for construction. The earliest the new plant would be going on-line will be early 2027.

With no further questions, Project Manager **Allenwood** departed the meeting at 7:31 p.m..

With no Board action required for this agenda item, Chairman **Wiley** moved back to agenda item “Unfinished Business.”

### **Agenda Item – Unfinished Business**

There being no discussion regarding Agenda Item “Unfinished Business,” Chairman **Wiley** moved to the next scheduled Agenda Item.

### **Agenda Item – (New Business) #1: Minutes of the October 1, 2024, Monthly Meeting**

Dispensing with a reading of the minutes, Chairman **Wiley** asked the Board for comments regarding the monthly meeting minutes of October 1, 2024, contained in KSD Board of Trustees packet of November 5, 2024, Attachment #2.

District Manager **Gallant** submitted the following correction:

- Page 4 of 9, Item **(Other Business) #3:** 3<sup>rd</sup> paragraph, line 3 from the bottom, “The current balance is \$803,700” should read “The year-to-date collection is \$99,744”

Clerk **Brady** submitted the following correction:

- Page 2 of 9, Item **(New Business) #2:** 1<sup>st</sup> paragraph, line 3 from the bottom, “WWTF Improvements - \$21,000” should read “WWTF Improvements - \$16,000”

Chairman **Wiley** submitted the following correction:

- Page 6 of 9, Item **(Other Business) #4:** 5<sup>th</sup> paragraph, lines 1 & 2, “diffusors” should read “diffusers”

There being no further corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of October 1, 2024, Chairman **Wiley** asked for a motion.

**A motion was made to approve the minutes for the October 1, 2024, Monthly Meeting as amended.**

**MOVED:** Wise  
**SECONDED:** Brady  
**DISCUSSION:** None  
**MODS:** As Noted  
**VOTE:** Chairman Wiley, affirmative  
Vice Chairman Wise, affirmative  
Treasurer Brockway, affirmative  
Clerk Brady, affirmative  
Trustee Nalezny, affirmative  
**5 in favor, 0 opposed; the motion carried.**

Chairman Wiley moved to the next agenda item.

**Agenda Item – (New Business) #2: 2025 Operations and Maintenance Budget Final Approval**

Referring to the KSD Board of Trustees' packet of November 5, 2024, Attachment #1 (Agenda Item Commentary) and Attachment #3 (Operations and Maintenance Budget), District Manager **Gallant** provided an update of the 2025 Operations and Maintenance Budget changes since the last review. His summary included the following topics and highlights:

- The 2025 O&M budget is estimated at \$4,212,189.
- This is an increase of 3.97% from the 2024 budget.
- Changes since last meeting include:
  - Updated fuel prices
    - ✓ Heating fuel prices were adjusted after locking in at a rate of \$2.999 per gallon.
  - Added benefits for replacement electrician
    - ✓ Added an additional \$9,365.61 to the payroll to cover KSD's share in the Maine PERS program.
    - ✓ The wage for this position was also adjusted to allow KSD to be more competitive in finding a replacement.
  - Family medical leave act
    - ✓ Proposed coverage of the 0.5% required on all wages for the new Family Medical Leave Act.
    - ✓ The coverage amounts to \$6,017 for KSD's 13 employees.
  - Chemical bid prices received
    - ✓ Chemical prices all went down slightly resulting in a change of \$7,000 in savings.
  - HRA correction
    - ✓ Increased funding to HRA account for the three non-union employees that utilize this benefit.
    - ✓ Previously estimated \$3,900 but latest projections show \$5,400 is needed to fund this account.
  - Budget Summary
    - ✓ Admin Salaries & Taxes: \$502,023
    - ✓ Admin Expenses: \$584,780
    - ✓ Operation Wages & Taxes: \$1,040,121
    - ✓ Automotive: \$21,000
    - ✓ WWTP: \$651,100
    - ✓ Collection System: \$205,900
    - ✓ Debt Services: \$953,266
    - ✓ Capital Reserve: \$250,000
    - ✓ TOTAL: \$4,212,189.
  - Next Steps
    - ✓ Board of Trustees approval of budget.
    - ✓ KKWWD submits KSD water meter numbers. (January 2025)
    - ✓ Rates are calculated based off 2024 meter readings. (February 2025)
    - ✓ Rates are set by Board of Trustees. (March 2025)

There being no further remarks or comments to come before the Board regarding this issue, Chairman **Wiley** asked for a motion.

**A motion was made to approve the 2025 Operations and Maintenance Budget at a value of \$4,212,189.**

**MOVED:** Wise  
**SECONDED:** Brockway  
**DISCUSSION:** None  
**MODS:** None  
**VOTE:** Chairman **Wiley**, affirmative  
Vice Chairman **Wise**, affirmative  
Treasurer **Brockway**, affirmative  
Clerk **Brady**, affirmative  
Trustee **Nalezny**, affirmative  
**5 in favor, 0 opposed; the motion carried.**

Chairman **Wiley** moved to the next agenda item.

**Agenda Item – (Other Business) #a: Red Door Title Property Liens**

District Manager **Gallant** opened a discussion regarding active liens on a property as detailed in a document he provided to the Board. This correspondence is provided as Enclosure 1 in these minutes and details the following topics and highlights:

- There are four active liens on the property.
- Two from 2020 and two from 2021.
- They have been foreclosed on under the old property owner's name.
- During the transition of the bank taking this property, the foreclosure firm didn't pay off the liens.
- The property is now in the bank's name with liens in the former owners' names.
- The title company sent a check to pay off the liens, but it was in the wrong names, so KSD sent it back.
- The title company is trying to sell the property and what the title company is asking KSD to do goes against what the charter allows.

After a lengthy discussion, the Board decided to forward the matter to KSD's Attorney for resolution.

There being no further remarks or comments to come before the Board regarding this issue, Chairman **Wiley** moved to the next agenda item.

**Agenda Item – (Other Business) #4: Manager's Report**

District Manager **Gallant** provided a summary of selected items from the Manager's Report as detailed in Attachment #5 (Manager's Report for November 2024), of the November 2024 Trustees Packet. His comments included the following topics and highlights:

**FINANCIAL AND ADMINISTRATIVE**

**Personnel**

- Lead Operator Ty **Morin** attended the WEFTEC (Water Environment Federation Technical Exhibition and Conference) in New Orleans on October 5-8.
- Collection System Foreman Daniel **Boissonneault** will be celebrating 18 years with the District this month.
- Lead Operator Ty **Morin** will be celebrating 5 years with the District this month.
- Operator Nate **Jones** will be celebrating 1 year with the District this month.
- Project Manager **Johnson** will be celebrating 1 year with the District this month.
- Senior Operator Jeffrey **Hanscom** celebrated 19 years with the District last month.
- Operator Brice **Bond** celebrated 4 years with the District last month.

### **Collective Bargaining Agreement**

- The collective bargaining agreement was signed on October 11, 2024, by both parties.
- The contract with the Teamsters union has a duration of three years.

Project Manager **Johnson** provided a summary of selected items from the Manager's Report as detailed in Attachment #5 (Manager's Report for November 2024), of the November 2024 Trustees Packet. His comments included the following topics and highlights:

### **COLLECTION SYSTEMS**

#### **Update From Collection System Foreman (Danny Boissonneault)**

- Staff completed fall clean-ups at pump stations.
- A new flood gate has been constructed and installed at the Boothby Road pump station. This gate is approximately 3 feet high and covers the door to prevent water ingress from winter storms.
- A new louver exhaust, raising the emergency generator radiator exhaust by 20 inches, is scheduled for installation by Collins Sheet Metal, Inc. Berwick, ME on November 6, 2024.
- Rags were found in the check valve at Boothby Road pump station. After removing the rags, the valve began to stick and slam. The valve is scheduled for replacement during the pump installation on November 12, 2024. The faulty valve will be overhauled and returned to stock.

District Manager **Gallant** noted that ragging of check valves is common, so it is unlikely that rags caused the issue. Possible causes may have been a valve stem packing failure or a valve mechanical failure.

- Fieldcrest pump #1 was pulled due to a failure. Pump inspection revealed no damage but signs of wear with the impeller being physically off the bottom of the pump shaft. A new washer and nut were installed on the pump shaft and impeller. The pump was reassembled and returned to service as a standby pump. The pump station is due for overhaul in January 2025. New pumps will be ordered within the next two weeks.
- Regular pump station checks, and service inspections were also performed.

### **PLANT OPERATIONS**

#### **Update From Lead Operator (Ty Morin)**

- Process control continues to stay in check.
- Marston Industrial Services, Inc., Fairfield, ME has been on site to complete the coating of
- CCT (Chlorine Contact Tank) #2.
- The crew has been working on fall clean up and work orders.
- Demolition of SST (Secondary Settling Tank) #3 aeration piping has started.
- The new piping and diffusers are scheduled to be installed during the week of November 11, 2024.

### **2022 CAPITAL IMPROVEMENT PROJECTS**

#### **Phase 2 WWTP Biological Design**

- This item was previously discussed in Agenda Item #3.

### **2023 CAPITAL IMPROVEMENT PROJECTS**

#### **Boothby Road Pump Station Pumps**

- Installation of the new pumps and the new check valve will begin on November 12, 2024.
- Pump #1 will be installed first, run for one week to ensure satisfactory operation, then pump #2 will be installed the following week.

### Lower Village Sewer Design

- KSD received final approval from MDOT (Maine Department of Transportation) TAME (Traffic Analysis Management and Evaluation) Committee on October 15, 2024.
- KSD Staff is working closely with KKWWD (Kennebunk, Kennebunkport & Wells Water District) on traffic plans and outreach to the abutters.
- KSD Staff is working on bidding documents and planning for the upcoming project.
- A meeting to discuss the current plan with KSD Staff and the Town's Fire Chief, Police Chief, and other Town officials is scheduled for the week of November 18, 2024.
- A meeting was held with Fred **Forsley**, President of Shipyard Brewing Company, Portland, ME regarding the use of the Mekong Thai parking lot as a controlled traffic route. He was very receptive to the idea and a subsequent meeting is planned with all his tenants in that parking area to discuss the project and how the benefits of KSD controlling the traffic in the parking area would benefit all.

Treasurer **Brockway** noted that he received an email from KKWWD (Kennebunk, Kennebunkport, and Wells, Water District) District Engineer Jamie **Paschal** regarding suggested arrangements for cost sharing of the project since both KSD and KKWWD will be working in the same areas at the same time and duplicating efforts. Treasurer **Brockway** said that he would forward the correspondence to KSD District Manager **Gallant** for his review.

### Emergency Backup Power

- Riverlocks 1 Pump Station:
  - Awaiting Pow'r Point Generator Power Systems, Saco, ME to commission the generator.
- Brown Street Pump Station:
  - Plywood removal, to allow exhaust duct piping installation, is in progress.

## 2024 CAPITAL IMPROVEMENT PROJECTS

### Coating of CCT

- Coating of the second CCT (Chlorine Contact Tank) by Marston Industrial Services, Inc., Fairfield, ME is in progress with an anticipated completion within the next two weeks.

### Sludge Tank Diffusers

- Removal of the old SST (Sludge Storage Tank) #3 diffusers has commenced.
- Installation of the new diffusers will proceed after removal of the old diffusers has been completed.

### Investigation and Spot Repairs in Collection System

- A terminus manhole is planned for installation on Wallace Street to serve as a collection point for all the private sewer services there. The collection will then be gravity fed into KSD's main on Beach Avenue.

### Pump Station Paving and Landscaping

- Some landscaping and planting remain to be completed at several pump stations.
- All paving has been completed.

### Agenda Item – (Other Business) #b: Monthly Action Items History List

Referring to the "KSD Board of Trustees Monthly Meeting Action Items History List", District Manager **Gallant** noted that the action item from October 1, 2024, "Maine Paid Family Leave Act that starts on January 1, 2025" can be removed.

There being no further remarks or comments to come before the Board regarding this issue, Chairman **Wiley** moved to the next agenda item.

**Agenda Item – (Adjournment) #5:** Adjournment

There being no further business to come before the Board, Chairman **Wiley** asked for a motion to adjourn.

**A motion was made to adjourn the meeting at 8:28 p.m.**

**MOVED:**       **Brockway**

**SECONDED:**   **Wise**

**DISCUSSION:** **None.**

**MODS:**       **None.**

**VOTE:**       Chairman **Wiley**, affirmative  
                  Vice Chairman **Wise**, affirmative  
                  Treasurer **Brockway**, affirmative  
                  Clerk **Brady**, affirmative  
                  Trustee **Nalezny**, affirmative  
                  **5 in favor, 0 opposed; the motion carried.**

Date Signed \_\_\_\_\_

Robert **Brady**, Clerk \_\_\_\_\_



**KSD Board of Trustees Monthly Meeting Action Items History List**

<b><u>Request Date</u></b>	<b><u>Action Item</u></b>
<b>February 7, 2023</b>	Agenda Item # 5: Topic <b><u>Power Supply Options Update.</u></b> Description <b>Staff conduct a more thorough review of the contract details.</b>
<b>Date</b>	Agenda Item #__: Topic_____. Description _____.

Chris Gallant

---

**From:** Lori Hite <lhite@reddoortitle.net> Friday,  
**Sent:** November 1, 2024 10:17 AM Chris Gallant  
**To:** Michael Dubois; Brittany Tromblee; Marci Martel  
**Cc:** Re: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders)  
**Subject:** 2024-53632

Good morning Christopher,

Red Door Title is trying to coordinate a closing on behalf of new buyers for this property; the title search reported 4 outstanding sewer liens, two of which have matured and require QCDs from the sewer district. If you proceed as Susan sets forth below, by issuing the deeds to the prior owners (Michael and Kimberly Gould) there will be a title issue because they are not the current owners and they will most likely not cooperate with signing any release deeds to the new owners to clear their interest in the property which they would be re-acquiring post- foreclosure. Quite honestly, the foreclosure firm messed up and should have made sure these liens were paid prior to going to foreclosure sale.

At this point, since the Goulds are NOT the ones paying off the liens, I am requesting that the QCDs be issued to the current owner: The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for First Horizon Alternative Mortgage Securities Trust 2007-FA3 Mortgage Pass-Through Certificates, Series 2007-FA3.

Title will then merge in the current owner and that entity can convey clear title to the new buyers. We have had other taxing authorities comply with this request. If you need any back up documentation regarding the mortgage foreclosure, I can provide copies of the judgment of foreclosure and order for sale and the foreclosure deeds. Please let me know if you need any other information.

Thank you,

*Lori*

Loraine L. Hite

**PLEASE NOTE THAT WIREINSTRUCTIONS, EITHER IN OR OUT, ARE VERIFIED AND ARE ONLY AVAILABLE THROUGH "CERTIFID" - WE DO NOT EMAIL OUR WIRE INSTRUCTIONS AND DO NOT ACCEPT WIRE INSTRUCTIONS THAT ARE EMAILED TO US**



Lorraine L. Hite, Esq.  
Senior Title Attorney  
Admitted in: Maine, VT, CT, NY  
E: [Lhite@reddoortitle.net](mailto:Lhite@reddoortitle.net)

Step Up To Exceptional Customer Service

P: 475-675-5366

Web: <https://reddoortitle.com>  
New Hampshire, Maine and Massachusetts

CERTIFIED



**CALCULATE CLOSING COSTS HERE:** <http://reddoortitle.com/closing-cost-calculator-red-door-title/>

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS**

**Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wire sent by you to an incorrect Bank Account. We use CertifiD to process all wire instructions to protect you.**

NOTICE OF CONFIDENTIALITY: This email, and any attachments thereto, is intended for use only by the addressee(s) named herein and may contain confidential information, legally privileged information and protected work product. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email, and any attachments thereto, is strictly prohibited. If you have received this email in error, please notify the sender by email, telephone or fax, and permanently delete the original and any email or attachments printed out thereof. Thank you.

---

**From:** Susan Richards <[srichards@ksdistrict.org](mailto:srichards@ksdistrict.org)>

**Sent:** Friday, November 1, 2024 9:11AM

**To:** Lori Hite <[Lhite@reddoortitle.net](mailto:Lhite@reddoortitle.net)>

**Cc:** Chris Gallant <[cgallant@ksdistrict.org](mailto:cgallant@ksdistrict.org)>

**Subject:** RE: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Good morning, Lori,

The lien certificates Registered in the Registry of Deeds are in the name of Michael and Kimberly Gould. We can only issue the Lien Releases and quit-claims to the same persons. Once the Lien Releases and Quit-claim deed are issued, the Kennebunk Sewer District has released whatever rights it has to the property. For the quit-claims deed, in addition to it, we also submit to the York Registry of Deeds the Maine Revenue Services Real Estate Transfer Tax Declaration, the grantee will be Michael and Kimberly Gould.

So, with your question if you can issue the QCD to the current owners, I am not a lawyer, but in my opinion, Michael and Kimberly Gould should be the ones to issue the QCD to the current owners. Please consult your legal counsel regarding this matter. I have not posted yet the payment. Please inform me the status of this property before I record the payment and prepare the lien Releases and Quit-Claim deed and Transfer Tax Declaration.

Sincerely,  
Susan

**Susan G. Richards, CPA**

**Office Manager Kennebunk  
Sewer District**

**P.O. Box 648**  
**Kennebunk, ME 04043**  
**Tel: 207-985-4741 ext. 221**



EST. 1955

**From:** Lori Hite <lhite@reddoortitle.net>  
**Sent:** Friday, November 1, 2024 8:30 AM  
**To:** Susan Richards <srichards@ksdistrict.org>  
**Cc:** Marci Martel <mmartel@reddoortitle.net>; Brittany Tromblee <brittany@reddoortitle.net>  
**Subject:** Fw: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Good morning Susan,

We were informed that the seller came into the office and paid all outstanding liens. Before we proceed with issuing the Quitclaim Deeds (QCDs), could you please confirm with the district manager or the appropriate authority if we can issue the QCDs to the current owner, The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for First Horizon Alternative Mortgage Securities Trust 2007-FA3 Mortgage Pass-Through Certificates, Series 2007-FA3?

I can provide any necessary documentation to confirm that they have foreclosed on the property and are the current owners, subject to the sewer district liens.

We have had other taxing authorities comply with this request. In the past, they have sent us the deeds because we need to collect half of the transfer tax since you are not issuing it to the prior owners. We then record the deeds along with the payment for the transfer tax that is due.

If you don't do this, then a major title issue will arise.

Thank you,

*Lori*

Lorraine L. Hite

PLEASE NOTE THAT WIRE INSTRUCTIONS, EITHER IN OR OUT, ARE VERIFIED AND ARE ONLY AVAILABLE THROUGH "CERTIFID" - WE DO NOT EMAIL OUR WIRE INSTRUCTIONS AND DO NOT ACCEPT WIREINSTRUCTIONS THAT ARE EMAILED TO US

**Red Door** **I Title**

Step Up To Exceptional Customer Service

Web: <https://reddoortitle.com>

New Hampshire, Maine and Massachusetts

**Lorraine L. Hite, Esq.**

Senior Title Attorney

Admitted in: **Maine, VT, CT, NY**

E: [Lhite@reddoortitle.net](mailto:Lhite@reddoortitle.net)

P: 475-675-5366

CERTIFID



CALCULATE CLOSING COSTS HERE: <http://reddoortitle.com/closing-cost-calculator-red-door-title/>

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS**

**Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect Bank Account. We use CertifID to process all wire instructions to protect you.**

NOTICE OF CONFIDENTIALITY: This email, and any attachments thereto, is intended for use only by the addressee(s) named herein and may contain confidential information, legally privileged information and protected work product. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email, and any attachments thereto, is strictly prohibited. If you have received this email in error, please notify the sender by email, telephone or fax, and permanently delete the original shred any email or attachments printed out thereof. Thank you.

---

**From:** Susan Richards <[srichards@ksdistrict.org](mailto:srichards@ksdistrict.org)>

**Sent:** Wednesday, October 30, 2024 9:55 AM **To:**

Lori Hite <[Lhite@reddoortitle.net](mailto:Lhite@reddoortitle.net)>

**Subject:** RE: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Good morning, Lori,

It is in our charter that after 18 months after the lien was submitted in the Registry of Deeds, the property liened is foreclosed. Please see the attached page from the Kennebunk Sewer District's Charter. This property is also already included in our insurance coverage. Please see the attachment. I inquired from the York Registry of Deeds if lien discharge is acceptable for foreclosed properties, and I was informed that they will record the discharge, **but they don't know if this is the right way.**

Sincerely,  
Susan

**Susan G. Richards, CPA**  
**Office Manager Kennebunk**  
**Sewer District**  
**P.O. Box 648**  
**Kennebunk, ME 04043**  
**Tel: 207-985-4741 ext. 221**

EST. 1955

**From:** Lori Hite <[lhite@reddoortitle.net](mailto:lhite@reddoortitle.net)> **Sent:**  
Tuesday, October 29, 2024 5:38 PM **To:** Susan  
Richards <[srichards@ksdistrict.org](mailto:srichards@ksdistrict.org)>  
**Cc:** Brittany Tromblee <[brittany@reddoortitle.net](mailto:brittany@reddoortitle.net)>; Marci Martel <[mmartel@reddoortitle.net](mailto:mmartel@reddoortitle.net)> **Subject:**  
Fw: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632 **Importance:**  
High

Good afternoon Susan,

Can you please issue discharges instead of the QCD? The reason for this is the Goulds are definitely NOT the people paying these liens off. They have been foreclosed by their mortgage lender and it is the successor in interest which is paying off the liens so we can get the sewer liens cleared. If the town issues a deed to the prior owners, we have a real title problem because they will most certainly not cooperate in releasing their interest to the new buyers. We don't want the title to go back to the Goulds. I understand that a QCD is technically required, but we will not be able to clear title if you issue the QCD as to the older liens.

Thank you,

*Lori*

Lorraine L. Hite

**PLEASE NOTE THAT WIRE INSTRUCTIONS, EITHER IN OR OUT, ARE VERIFIED AND ARE ONLY AVAILABLE THROUGH "CERTIFID" - WE DO NOT EMAIL OUR WIRE INSTRUCTIONS AND DO NOT ACCEPT WIRE INSTRUCTIONS THAT ARE EMAILED TO US**

**Red Door** **I** **Title**

Lorraine L. Hite, Esq.  
Senior Title Attorney  
Admitted in: Maine, VT, CT, NY  
E: [Lhite@reddoortitle.net](mailto:Lhite@reddoortitle.net)

Step Up To Exceptional Customer Service

P: 475-675-5366

Web: <https://reddoortitle.com>  
New Hampshire, Maine and Massachusetts

CERTIFID **D**

CALCULATE CLOSING COSTS HERE: <http://reddoortitle.com/closing-cost-calculator-red-door-title/>

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS**

Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect Bank Account. We use CertifID to process all wire instructions to protect you.

NOTICE OF CONFIDENTIALITY: This email, and any attachments thereto, is intended for use only by the addressee(s) named herein and may contain confidential information, legally privileged information and protected work product. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email, and any attachments thereto, is strictly prohibited. If you have received this email in error, please notify the sender by email, telephone or fax, and permanently delete the original and any email or attachments printed out thereof. Thank you.

---

**From:** Marci Martel <[mmartel@reddoortitle.net](mailto:mmartel@reddoortitle.net)>  
**Sent:** Tuesday, October 29, 2024 9:41AM  
**To:** Lori Hite <[lhite@reddoortitle.net](mailto:lhite@reddoortitle.net)>  
**Cc:** Brittany Tromblee <[brittany@reddoortitle.net](mailto:brittany@reddoortitle.net)>  
**Subject:** FW: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Morning Lori,

Please see below and attached... I asked for only discharges, but town is saying they need to do a deed... please advise.

Thank you,

**Red Door** **I Title**

Step Up To Exceptional Customer Service

**Marci Martel**  
**Processor/ Assistant to Brittany Tromblee**  
**E:** [MMartel@reddoortitle.net](mailto:MMartel@reddoortitle.net)  
**P:** (207) 232-7075 **IF:** (207) 22-1-1219

**Web:** <https://reddoortitle.com>  
New Hampshire, Maine and Massachusetts

CERTIFID **D**

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS**

Efficient, fast and accurate service. We are not responsible for any wires sent by you to an incorrect Bank Account. We use CertifID to process all wire instructions to protect you.

For more information, please visit our website at <http://reddoortitle.com>. We are not responsible for any wires sent by you to an incorrect Bank Account. We use CertifID to process all wire instructions to protect you.

**From:** Susan Richards<>  
**Sent:** Tuesday, October 29, 2024 8:49 AM  
**To:** Marci Martel <[mmartel@reddoortitle.net](mailto:mmartel@reddoortitle.net)>



**Subject:** RE: Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Good morning, Marci,

Attached, please find the document you requested and the summary of the amount due for the property located at 170 Port Road owned by Michael and Kimberly Gould. The 2020 and 2021 Liens had been foreclosed so a quit-claim is needed to release these liens. 2022 Lien will be foreclosed on December 2, 2024. We bill quarterly, so the balance showing on this account is up to September 30, 2024, 3<sup>rd</sup> quarter.

Should you have any questions, please feel free to contact me. Sincerely,  
Susan

**Susan G. Richards, CPA**  
**Office Manager Kennebunk**  
**Sewer District**  
**P.O. Box 648**  
**Kennebunk, ME 04043**  
**Tel: 207-985-4741 ext. 221**



EST. 1%5

**From:** Marci Martel <[mmartel@reddoortitle.net](mailto:mmartel@reddoortitle.net)>  
**Sent:** Monday, October 28, 2024 12:04 PM  
**To:** Susan Richards <[srichards@ksdistrict.org](mailto:srichards@ksdistrict.org)>  
**Cc:** Brittany Tromblee <[brittany@reddoortitle.net](mailto:brittany@reddoortitle.net)>  
**Subject:** Final Sewer: 170 Port Road, Kennebunk, ME, 04043, York (Bullet Builders) 2024-53632

Good Morning!

Thank you for speaking to me regarding this property. Can you please draft a discharge for our review of the tax liens from 2021-2024 so we can review as part of closing? We will pay the amount provided to us of \$1649.93 if you can provide an account details as well. The seller will need a copy as part of the closing with the bank owed property.

1. Treasurer's Lien Certificate, Kennebunk Sewer District, vs. Michael Gould and Kimberly Gould, in the amount of \$349.92 dated and recorded in Book 19448 Page 247 on June 07, 2024, must be paid and properly discharged of record.
2. Treasurer's Lien Certificate, Kennebunk Sewer District, vs. Michael Gould and Kimberly Gould, in the amount of \$340.24 dated and recorded in Book 19248 Page 923 on June 02, 2023, must be paid and properly discharged of record.



tomatk forec osure

and indicating the exact date of foreclosure. For sending this notice, the district is entitled to receive \$3 plus all certified mail, return receipt requested, fees, which must be added to and become a part of the amount due under paragraph 1. If notice is not given in the time period specified in this paragraph, the person not receiving timely notice as set forth in 30 days after the treasurer provides notice as specified in this paragraph shall be liable to redeem the mortgage. The notice of pending automatic foreclosure must be substantially in the following form:

STATE OF MAINE KENNEBUNK SEWER DISTRICT  
NOTICE OF IMPENDING AUTOMATIC FORECLOSURE SEWER LIEN

M.R.S.A., Title 38, section 1050

IMPORTANT: DO NOT DISREGARD THIS NOTICE. YOU WILL LOSE YOUR PROPERTY UNLESS YOU PAY THE CHARGES, COSTS AND INTEREST FOR WHICH A LIEN ON YOUR PROPERTY HAS BEEN CREATED BY THE KENNEBUNK SEWER DISTRICT.

TO:.....

You are the party named on the Sewer Lien Certificate filed on ....., 20.. and recorded in Book ....., Page.....in the York County Registry of Deeds. This Kennebunk Sewer District filing created a sewer lien mortgage on the real estate described in the Sewer Lien Certificate.

On ....., 20.., the sewer lien mortgage will be foreclosed and your right to redeem the mortgage and recover your property by paying the district's charges and interest that are owed will expire.

IF THE LIEN FORECLOSES, THE KENNEBUNK SEWER DISTRICT WILL OWN YOUR PROPERTY, SUBJECT ONLY TO MUNICIPAL TAX LIENS.

If you cannot pay the outstanding charges, costs and interest that are the subject of this notice or the subject of installment payment arrangements that you have made with the district, please contact me immediately to discuss this notice.

District Treasurer

G. The district shall pay the treasurer \$1 for the notice, \$1 for filing the lien certificate and the amount paid for certified mail, return receipt requested, fees. The fees for recording the lien certificate must be paid by the district to the register of deeds.

H. A discharge of the certificate given after the right of redemption has expired, which discharge has been recorded in the York County Registry of Deeds for more than one year, terminates all title of the district derived from that certificate or any other recorded certificate for which the right of redemption expired 10 years or more

## Maine Municipal Association Property &amp; Casualty Pool

!r!!;J

***Tax-Acquired Property Information****(Please refer to the back of this form for important information before completing)*

<b>Member:</b>	<b>Department/Organization:</b> <b>Kennebunk Sewer District</b>
<b>Contact:</b>	
<b>Effective Date:</b> \December 5, 2023	<b>Date of Request:</b> \December 6, 2023

Use / Occupancy: 1	911 Address: \ 170 Port Road, Kennebunk
Has the lien matured? <i>If tax lien has not matured, we CANNOT add any coverage for the building; the property does not belong to the town until the lien has matured.</i>	Yes No <input type="checkbox"/>
If yes, please provide the date the Tax Lien matured.	December 4, 2023
Is the building vacant or occupied? <b>Assumed occupied</b>	Vacant <b>D</b> Occupied <b>D</b>
If vacant, is it secured from entry? <b>Unknown</b>	Yes <b>O</b> No <b>NIA</b>
Please describe the measures you have taken to secure the property ( i.e. fencing, boarding windows, changing locks) <b>None, the District has not taken possession of the property.</b>	
How often will the property be checked on and by whom? <b>Never</b>	
Is there existing damage? Yes <b>O</b> No <b>O</b> If yes, please identify. <b>Unknown</b>	
What are the future plans for this location? Please provide a timeline. <b>No plans to acquire the property.</b>	
If a <b>commercial or non-dwelling</b> building, please provide the square footage for vacant or leased area.	
Vacant Square Footage:	Leased Square Footage: ) # Apartments:
Is there a repurchase agreement in place?	Yes <b>O</b> No <b>O</b>
If yes, who is responsible for the insurance on the property?	
If the owner is responsible, is the town listed as the mortgage holder on the homeowner's policy? <i>(If yes, we cannot add property coverage)</i>	Yes <b>O</b> No <b>O</b>

Are you requesting General Liability coverage only? Yes No **D**~~1-2~~ es, you do not need to complete the Proper Section below**Property Section:**

Construction Type:		Building Value (ACV):	\$
Square Footage:		Contents Value (ACV):	\$
Year Built:	<input type="checkbox"/>	# of stories:	# <input type="checkbox"/>
Sprinklered:	Yes <b>D</b> No <b>O</b> If yes, is the system going to be maintained?	Yes <b>O</b> No <b>O</b>	<input type="checkbox"/>
Is the power/ heat shut off?		Yes <b>O</b> No <b>O</b> <b>NIA</b>	
If yes, have the pipes been drained?		Yes <b>O</b> No <b>O</b>	
Is the property located in a flood zone?		Yes <b>O</b> No <b>O</b>	
If yes, please provide the zone (ex-A, AO, AB, AH, AI-30, A99, AR, V, VE or VI-30)			
Are there any other structures on the property? If yes, please describe on a separate sheet.		Yes <b>L</b> No <b>O</b>	

R,w 2/2.02.1

### **IMPORTANT - Tax-Acquired Property Information**

General Liability coverage is automatic, however, special underwriting considerations (deductibles, coverage limitations, exclusions) will be given to operations that present a possible catastrophic exposure to the MMA Property and Casualty Pool.

It is important to understand the date the lien matures the municipality has an insurance exposure because the municipality now legally owns the property. 14 MRSA 8104-A (2) (B) states that a municipality is immune from liability for damages arising out of the ownership, maintenance or use of any building acquired for nonpayment of taxes for a period of 60 days after the former owner or his lessee or licensee has given up possession.

If a municipality decides to enter into a repurchase agreement with the former owner, we recommend the agreement include a requirement that the former owner have liability insurance that names the municipality as additional insured, lienholder and/or mortgagee.

Property Coverage is not automatic. The form must be completed and submitted for underwriting review.

Property (building and/or contents) coverage will be added on an Actual Cash Value basis. Language regarding Actual Cash Value may be found in Section I-Common Definitions, item Hof the MMA Property & Casualty (P &C) Pool coverage document. "Actual Cash Value" means the cost to repair or replace an item of property at the time of the loss or damage to the item less depreciation.

The following property limitations also apply if the building is vacant:

Under the Property section of MMA's P&C Coverage Document, loss or damage is limited for buildings that have been vacant for more than ninety (90) days. If the loss or damage is caused by vandalism, sprinkler leakage (unless you have protected the system against freezing), glass breakage, water damage, theft or attempted theft there is no coverage so it is important that the building is checked regularly. The specific language regarding property coverage and limitations for vacant buildings may be found in Section II- Conditions, item F.

A building is vacant when either (1) it does not contain enough personal property or business personal property to conduct customary operations, or (2) customary operations are not conducted in it. Buildings under construction or renovation are not considered vacant.

If you are looking for information on the tax lien process, resources may be found on our website at [www.memun.org](http://www.memun.org).

Please refer to the MMA P&C Pool coverage document for further details or contact the Underwriting Department at 1-800-590-5583.



QUIT-CLAIM DEED

DRAFT

**KNOW ALL MEN BY THESE PRESENTS**

THAT IT, the KENNEBUNK SEWER DISTRICT, a body both politic and corporate created by Chapter 69 of the Private and Special Laws of the State of Maine, and located at Kennebunk, in the County of York and State of Maine ...

In consideration of one dollar and other valuable considerations paid by the Michael and Kimberly Gould of Kennebunk ME, County of York and State of Maine.

The receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL AND CONVEY, AND forever QUIT-CLAIM unto the said Michael and Kimberly Gould their heirs and assigns forever, the following described property:

A certain condominium unit or lot or parcel of land together with the buildings thereon, located at 170 Port Road in the Town of Kennebunk, County of York, State of Maine and being the same as described on Map 089 Lot 107 of the Town of Kennebunk tax maps.

The purpose of this deed is to release to the within Grantee(s) any interest the Grantor may have acquired in the above premises by virtue of lien certification(s) as follows:

2020 lien certificate filed on June 7, 2021; Book 18689 Page 696

2021 lien certificate filed on June 3, 2022; Book 19041 Page 513

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances hereunto belonging, to the said Michael and Kimberly Gould, heirs and assigns forever.

IN WITNESS WHEREOF, the said KENNEBUNK SEWER DISTRICT has caused this instrument to be sealed **with** its corporate seal and signed in its corporate name by Patrick Wiley its Chairman, duly authorized on this October 29, 2024.

SIGNED, SEALED AND DELIVERED

Kennebunk Sewer District

IN THE PRESENCE OF

By \_\_\_\_\_

authorized (seal)

Patrick Wiley  
Chairman, thereunto duly authorized

STATE OF MAINE

County of YORK, ss

October 29, 2024

Personally appeared the above named Patrick Wiley Chairman of the Kennebunk Sewer District, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before Me,

Susan G. Richards, CPA, Notary Public

\_\_\_\_\_