

**AGENDA
SPECIAL TOWN COUNCIL MEETING
OCTOBER 25, 2016 – STANDISH MUNICIPAL CENTER
7:00 PM**

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

NEW BUSINESS

ORDER 110-16 CALL FOR A PUBLIC HEARING FOR DETERMINATION OF LEGAL STATUS OF A PORTION OF POND ROAD, f/k/a THE SHORE ROAD, PURSUANT TO 23 M.R.S.A. SEC. 3028(2)

PUBLIC ITEMS

ANNOUNCEMENTS

EXECUTIVE SESSION (S)

A motion may be made to go into executive session at any time during the meeting in accordance with state law to discuss, personnel, real estate, labor negotiations, or legal matters.

ADJOURN

This agenda is for informational purposes and does not preclude the Council from acting upon other business which may be brought forth at the meeting.

STANDISH TOWN COUNCIL ORDER

DATE: October 25, 2016
ORDER NUMBER: 110-16

Submitted by: Sargent

TITLE: CALL FOR A PUBLIC HEARING FOR DETERMINATION OF LEGAL STATUS OF A PORTION OF POND ROAD, f/k/a THE SHORE ROAD, PURSUANT TO 23 M.R.S.A. SEC. 3028(2)

WHEREAS, a lengthy portion of Pond Road, f/k/a the Shore Road, was discontinued by formal vote of the Standish Town Meeting on March 5, 1951, except for that length running from the driveway of Ruth Gibbon, as then located, to the entrance to Bragdon Shores Development); and

WHEREAS, despite that discontinuation, the Town has maintained for a period of more than twenty (20) years, at public expense and with public equipment and materials, a certain portion (the "Disputed Portion") (shown in cross hatch on the attached fragmentary portion of Town Tax Map 19) of the way previously discontinued as aforesaid, thereby generating uncertainty as to the legal status of the Disputed Portion as of today's date; and

WHEREAS, by State statute, 23 M.R.S.A. Sec. 3028(2), the Town Council, acting in its capacity as the Standish municipal officers, may take evidence and hear arguments regarding the legal status of the Disputed Portion and then formally vote to decide its legal status;

NOW, THEREFORE, the Town Council Orders that a public hearing be set for its next meeting, to be held on November 1, 2016, at 7 pm at the Standish Municipal Center, for the purpose of taking such evidence as may be presented, and hearing such arguments as may be made, on the issue, and then voting pursuant to 23 M.R.S.A. Sec. 3028(2) to determine the legal status of the Disputed Portion; and

BE IT FURTHER, ORDERED, that the Town Clerk be, and hereby is, authorized and directed to post and to publish such notice(s) as required by law, and to provide written notice to all abutting property owners, as evidenced by the Town's official tax assessment records, as shown on the attached fragmentary portion of Town Tax Map 19.

APPROVED _____ DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
BLANCK	_____	_____	_____
DELCOURT	_____	_____	_____
HIGGINS	_____	_____	_____
NESBITT	_____	_____	_____
POMERLEAU	_____	_____	_____
SARGENT	_____	_____	_____
SIRPIS	_____	_____	_____