SENATE DOCKET, NO. 2811 FILED ON: 12/1/2010

SENATE . . . . . No. 2657

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act establishing procedures for the sale and/or lease of property known as Conomo Point in the Town of Essex..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Whereas the Town of Essex Massachusetts includes a unique property known as Conomo Point which the Town has historically leased to private individuals for extended periods of time, and where such leases will soon expire, the Town has an interest in establishing, under the specific circumstances at issue, an appropriate procedure for the future potential sale or leasing of such property. Therefore, notwithstanding the provisions of section 16 of Chapter 30B of the General Laws, or any other general or special law to the contrary, the Town of Essex, if first authorized by a vote of its Town Meeting, may sell or lease all or any portion of its property known as Conomo Point, at fair market value, upon such terms and conditions as the Board of Selectmen deem appropriate, in accordance with a bylaw adopted by Town Meeting, which bylaw ensures that such sales or leases shall be undertaken in accordance with an open, fair, and competitive disposition process, using sound business practices and principles of fair dealing, which process may, but need not, recognize as a criteria for evaluation for such sale or lease a certain level of preference for current leases of such property.

SECTION 2. This act shall not exempt the Town from the provisions of sections 3, 15 or 15A of Chapter 40 of the General Laws, Section 2-13.4 and 2-13.11 of the Town bylaws or any other general or special law which requires a vote of Town Meeting to authorize the sale or lease of real property.

SECTION 3. This act shall take effect upon passage.