

SENATE No. 1058

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the lease of certain property at Conomo Point in the town of Essex.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Bruce E. Tarr

Ann-Margaret Ferrante

5th Essex

SENATE No. 1058

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1058) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation to establish procedures for the sale and or lease of property known as Conomo Point in the town of Essex. Municipalities and Regional Government. [Local Approval Received]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2657 OF 2009-2010.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Eleven
—————

An Act authorizing the lease of certain property at 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:

1 SECTION 1. Whereas the Town of Essex Massachusetts includes a unique property
2 known as Conomo Point which the Town has historically leased to private individuals for
3 extended periods of time, and where such leases will soon expire, the Town has an interest in
4 establishing, under the specific circumstances at issue, an appropriate procedure for the future
5 potential sale or leasing of such property. Therefore, notwithstanding the provisions of section
6 16 of Chapter 30B of the General Laws, or any other general or special law to the contrary, the
7 Town of Essex, if first authorized by a vote of its Town Meeting, may sell or lease all or any
8 portion of its property known as Conomo Point, at fair market value, upon such terms and
9 conditions as the Board of Selectmen deem appropriate, in accordance with a bylaw adopted by
10 Town Meeting, which bylaw ensures that such sales or leases shall be undertaken in accordance

11 with an open, fair, and competitive disposition process, using sound business practices and
12 principles of fair dealing, which process may, but need not, recognize as a criteria for evaluation
13 for such sale or lease a certain level of preference for current leases of such property.

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

18 SECTION 3. This act shall take effect upon passage.