

# SENATE . . . . . No. 2009

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## 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 relative to the town of Essex.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Bruce E. Tarr*

*Ann-Margaret Ferrante*

*5th Essex*

# SENATE . . . . . No. 2009

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2009) of Bruce E. Tarr and Ann-Margaret Ferrante for legislation relative to the town of Essex. Municipalities and Regional Government. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to 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 land  
2 mass 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 land. Therefore, notwithstanding the provisions of section 16 of  
6 Chapter 30B of the General Laws, or any other general or special law to the contrary, the Town  
7 of Essex, if first authorized by a vote of its Town Meeting, may sell or lease for periods of more  
8 than five years all or any portion of its land known as Conomo Point, at fair market value, upon  
9 such terms and conditions as the Board of Selectmen deem appropriate, in accordance with a  
10 bylaw adopted by Town Meeting, which bylaw ensures that such sales or leases shall be  
11 undertaken in accordance with an open, fair, and competitive disposition process, using sound  
12 business practices and principles of fair dealing, which process may, but need not, recognize as a

13 criteria for evaluation for such sale or lease a certain level of preference for current lessees of  
14 such land.

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

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