

Selectmen Present: Chairman A. Raymond Randall, Selectman Mark W. Lynch, and Selectman Jeffrey D. Jones.

Conomo Point Planning Committee Present: Chairman Rolf Madsen, Charles Burnham, Susan Coviello, Kim Drake, Gil Guerin, Gordon Martin, Ed Neal, Kurt Wilhelm, and James Witham.

Also Present: Attorney Barry Weiner, Town Administrator Brendhan Zubricki, Town Counsel Gregg Corbo, Town Counsel Janelle Austin, Selectmen's Assistant Pamela J. Witham, and Gloucester Daily Times Reporter Bobby Cann.

Members of the Public Present: John Amirault, John Bediz, Paul Collins, Beth Collins, Robert Coviello, Sarah Cushing, Bruce Fortier, Genevieve Guerin, Brian Healy, David Mears, Judd Pratt, Bill Webber, and seven other unidentified persons.

The Chairman called the meeting to order at 7:30 p.m. in the Senior Center on Pickering Street and asked each person at the head table to introduce themselves.

Chairman Randall announced that the purpose of tonight's meeting was to listen to the remarks of Attorney Barry Weiner. Mr. Weiner is one of the founders of the Boston law firm Ruberto, Israel & Weiner. In addition to being an active trial lawyer specializing in securities, employment, corporate, construction and general business litigation, Mr. Weiner teaches advanced alternative dispute resolution as an adjunct professor at Boston University School of Law. He has also been an active practitioner before federal and state trial and appellate courts, arbitration panels, mediators, and regulators and is an author and lecturer in trial practice and procedure and alternative dispute resolution.

Chairman Randall explained that Attorney Weiner does not represent the Board of Selectmen in any way. He said that after Mr. Weiner has spoken, the audience may ask questions of Mr. Weiner regarding his presentation. No one will be allowed to offer personal opinions or to speak about matters not covered in Mr. Weiner's remarks. Chairman Randall said that the Selectmen will not ask any questions of Mr. Weiner nor will they answer any questions from the audience. The Chairman then turned the meeting over to Attorney Weiner.

Attorney Weiner said he has been a practicing attorney for the past forty years. During that time he has lived in Gloucester and raised his family there. Just recently, he and his wife sold their property in Gloucester and moved to Apple Street in Essex. He has been a long-time friend and business associate of Town Moderator David Lane. At a recent breakfast meeting with Moderator Lane and Chairman Randall, Mr. Weiner volunteered to offer his experience and knowledge to the Town of Essex and asked Mr. Lane and Chairman Randall for suggestions. Both Chairman Randall and Mr. Lane thought that Mr. Weiner would be able to contribute towards establishing the process by which the Conomo Point properties will be transitioned when the leases expire on December 31, 2011. Based on the Chairman's and the Moderator's suggestion, Mr. Weiner asked them to recommend a representative group of knowledgeable people who could give Mr. Weiner a sense of the many aspects, issues and histories at Conomo Point.

Attorney Weiner has since invested approximately 30 hours interviewing people and reading documents. He has concluded that Essex is in a uniquely favorable position to determine the future of the Point. He is advocating that all sides of the Conomo Point issue agree to participate in mediation. The process of mediation facilitates discussion among the factions while working to move all sides towards a solution that all can accept. Mr. Weiner said that the entire process would likely take a lot of effort over two to three years to accomplish and would involve working with many groups, both inside and outside of Town, and special legislation. Ultimately, the final decision will have to be approved at Town Meeting. Mr. Weiner concluded his remarks by saying that he believes that the mediation process will provide the most favorable outcome for all parties affected by the Conomo Point issue as opposed to a "battle royal" fought out among many opposing groups.

Chairman Randall thanked Mr. Weiner and briefly reviewed the guidelines for General Public Comment from the audience.

Bruce Fortier, a resident of Southern Avenue and a former Selectman of the Town, was recognized by the Chairman. Chairman Randall reminded Mr. Fortier of the ground rules twice before asking him to stop speaking and to resume his seat. Mr. Fortier chose to leave the meeting instead.

There followed a general discussion regarding how the mediation process is usually implemented, how the process works, and how the differing opinions are gradually brought together to form a single harmonious one. Several people asked questions including John Bediz, Brian Healy, Jim Witham, Judd Pratt, Gil Guerin, Paul Collins, Ed Neal, Bill Webber, Susan Coviello, and Charlie Burnham.

Attorney Weiner and Attorney Corbo explained the difference between arbitration and mediation.

At 8:55 p.m., Chairman Randall thanked everyone for coming and for participating in the exchange of ideas.

Chairman Randall signed the letter to Mr. Brenneman previously approved at the January 6<sup>th</sup>, Board of Selectmen's meeting.

A motion was made, seconded, and unanimously Voted to adjourn the meeting.

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
Jeffrey D. Jones