

**Selectmen's Minutes
Essex Elementary School**

April 12, 2012

Present: Chairman Jeffrey D. Jones, Selectman Lisa J. O'Donnell, Selectman Susan Gould-Coviello, and Town Administrator Brendhan Zubricki.

The Chairman called the meeting to order at 7:00 p.m. in the Essex Elementary School and announced that the Board would hear Public Comment. No one offered any comment.

The Chairman explained that the Selectmen had taken various votes concerning a Special Town Meeting for April 25, 2012 at their meeting of April 9, 2012, but that the need for the Special Town Meeting has arisen just hours before the April 9th meeting and was therefore not on the agenda for that meeting. Therefore, the agenda for the present, duly-posted meeting had carried the Special Town Meeting topic.

After discussion, a motion was made, seconded, and unanimously voted to ratify the Selectmen's vote on April 9, 2012, to hold a Special Town Meeting on Wednesday, April 25th, 2012, in the Essex Elementary School cafeteria starting at 7:30 p.m.

A motion was made, seconded, and unanimously voted to ratify the Selectmen's vote on April 9, 2012, to open the warrant for April 25th Special Town Meeting.

A motion was made, seconded, and unanimously voted to ratify the Selectmen's vote on April 9, 2012, to include one article on the Special Town Meeting Warrant.

A motion was made, seconded, and unanimously voted to ratify the Selectmen's vote on April 9, 2012, to close the Special Town Meeting Warrant.

A motion was made, seconded, and unanimously voted to ratify the Selectmen's vote on April 9, 2012, to approve the warrant for the April 25th, 2012 Special Town Meeting.

After consideration of the matter, in preparation for the Conomo Point public update session to follow, a motion was made, seconded, and unanimously voted to remove hotel use from the proposed draft of the northern Conomo Point zoning bylaw.

The Selectmen were reminded that the next Board of Selectmen's meeting will take place on Monday, April 23, 2012, at 7:00 p.m. in the Senior Center on Pickering Street.

At 7:30 p.m., the Board took part in an update session for residents on the planning progress for Conomo Point, and also, a review of the Annual Town Meeting articles pertaining to Conomo Point.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 9:00 p.m.

Prepared by: _____
Brendhan Zubricki

Attested by: _____
Lisa J. O'Donnell

2012
Commonwealth of Massachusetts
Town of Essex
Warrant for Special Town Meeting

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School on Wednesday, April 25, 2012 at 7:30 p.m. and there and then to act on the following Articles, viz:

ARTICLE 1

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact Special Legislation as follows; provided the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

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

April 12, 2012

evaluation for such sale or lease a certain level of preference for current lessees 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, Sections 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.

; or take any other action relative thereto.

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, fourteen days at least before the time for holding said meeting.

Given under our hand this 9th day of April, two thousand twelve.

Jeffrey D. Jones, Chairman

Lisa J. O'Donnell

Susan Gould Coviello

BOARD OF SELECTMEN
TOWN OF ESSEX

Return of the Warrant:

Date: _____

I have served this warrant by posting attested copies thereof – one at the Post Office; one at the Town Hall; and, one at the Essex Elementary School in said Essex; at least fourteen days before the time for holding said meeting.

Constable