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July 1, 2001 to June 30, 2002, inclusive had been received by the employee in accordance with such agreement and appropriate retirement deductions withheld. Appropriate adjustments shall be made to an employee's retirement allowance, including payments retroactive to the effective date of retirement.

Employees covered by the terms of the collective bargaining agreements in item 1599-4133 of section 2A of chapter 192 of the acts of 2006 who, after July 1, 2001, retired or otherwise terminated employment, or the beneficiary of such an employee who died after July 1, 2001, shall be paid, not later than 30 days after the effective date of this act, a lump sum amount equal to the difference between: (a) the salary specified in the relevant agreement; and (b) the salary each received for the time they were employed during the period July 1, 2001 to June 30, 2002, inclusive; provided, however, that notwithstanding chapter 32 of the General Laws, the amount of the retirement allowance paid under said chapter 32 to an employee who prior to retirement was covered by the terms of a collective bargaining agreements in any of said item 1599-4133 of said section 2A of chapter 192 of the acts of 2006, and who retired after June 30, 2001, shall be calculated as though the employee's regular compensation for any period of employment from July 1, 2001 to July 1, 2002, inclusive, had been received by the employee in accordance with such agreement and appropriate retirement deductions withheld. Appropriate adjustments shall be made to an employee's retirement allowance, including payments retroactive to the effective date of retirement.

Approved February 22, 2007.

This bill was returned on February 22, 2007, by the Governor to the House of Representatives, the branch in which said bill was originated, with His objections in writing to the following items therein:

Items Disapproved:

SECTION 3.

Chapter 17. AN ACT RELATING TO THE RAILROAD DEPOT CONTAMINATION REMEDIATION AND REDEVELOPMENT PROJECT IN THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford and the New Bedford Redevelopment Authority may construct an engineered environmental barrier at the railroad depot site, construct a railyard at such site, reconstruct mainline tracks, turn-around tracks, lead tracks and industrial tracks at such site, work in partnership with the United States Environmental Protection Agency and construct a rail spur to transport dewatered sediments from the New Bedford Harbor across such site. The city and the New Bedford Harbor development

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commission may construct a ferry terminal in the vicinity of said site and parking lot at said site; and the city, the New Bedford Redevelopment Authority and the New Bedford Harbor development commission may redevelop any portion of such site into 1 or more other transportation facilities, other necessary public facilities or into commercial or industrial uses; all such components collectively referred to as the railroad depot project. In order to carry out the portions of the railroad depot project, the city, the New Bedford Redevelopment Authority and the New Bedford Harbor development commission may: (1) develop, construct, improve, enlarge, reconstruct, alter, demolish and remediate any portion of such project site and facilities; (2) sell, convey, acquire, mortgage, lease, transfer, exchange or otherwise dispose of, any property, both real and personal, or any interest therein, necessary or desirable for such project; (3) operate and maintain any portion of such project; (4) enter into any agreements necessary or desirable to carry out such project; and (5) do all acts and things necessary or convenient to carry out the purposes enumerated in this act. All agreements entered into by the city, the New Bedford Redevelopment Authority or the New Bedford Harbor development commission to carry out any portion of the railroad depot project authorized under this section and all costs incurred or paid in connection with such project, are hereby ratified, validated and confirmed. All actions taken by the New Bedford Redevelopment Authority and by the New Bedford Harbor development commission to carry out the railroad depot project following the effective date of this act shall be subject to the approval of the mayor of the city. The mayor of the city may require, in the mayor's sole discretion, that the New Bedford Redevelopment Authority or the New Bedford Harbor development commission transfer control of and responsibility for all or any portion of the railroad depot project to the city, assign any agreements related thereto to the city, provide all records related thereto to the city and otherwise cooperate with the city in connection with any such transfers of control and responsibility.

SECTION 2. The city of New Bedford is authorized to borrow from time to time such sums of money as may be necessary, not to exceed the aggregate amount of \$12,470,000, for the purpose of paying the costs of all or any portion of the railroad depot project authorized pursuant to section 2 incurred by the city, the New Bedford Redevelopment Authority or the New Bedford Harbor development commission, or to reimburse the city for the payment of any such costs incurred prior to the effective date of this act, and for issuance costs and other expenses necessary or incidental to the project. Bonds or notes issued under this act may be issued as qualified bonds or notes under chapter 44A of the General Laws, shall be issued for a term not to exceed 30 years from their date of issue, and the maturities of any bonds issued by the city under this act either shall be arranged so that for each issue the annual combined payments of principal and interest payable in each year, commencing with the first year in which a principal payment is required, shall be as nearly equal as practicable in the opinion of the city treasurer, or shall be arranged in accordance with a schedule providing for a more rapid amortization of principal. Bonds or notes issued under this act shall be outside the limit of indebtedness prescribed in section 10 of chapter

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44 of the General Laws, except as otherwise provided in this act, shall be subject to the applicable provisions of said chapter 44.

SECTION 3. The order of the New Bedford city council approved by the mayor on March 17, 2003, by the orders of the city council approved by the mayor on June 25, 2004 and June 22, 2006, authorizing the city to issue bonds and notes for the costs of the railroad depot project authorized pursuant to section 1 is hereby ratified, validated and confirmed.

SECTION 4. The New Bedford harbor development commission shall reimburse the city of New Bedford for any costs of the railroad depot project incurred by the New Bedford Harbor development commission and paid by the city that are authorized pursuant to section 1 in an aggregate amount not exceeding \$600,000 from any net income of the commission to the same extent and in the same manner as provided in section 6 of chapter 762 of the acts of 1957, with respect to debt service on bonds or notes of the city issued under said act; provided, however, that the amount of such costs so reimbursed by the commission shall not exceed the sum of \$60,000 in any fiscal year of the commission.

SECTION 5. The city of New Bedford may initiate actions to recover any and all costs associated with the railroad depot project authorized pursuant to this act from any other party or parties responsible for the contamination of the project, and, at the request of any other public or quasi-public entities responsible for such contamination, the city may act as the agent of any such entity in any such actions. The recovery of such costs pursuant to this act from potentially responsible parties shall not foreclose the city or any such other public or quasi-public entity from any other actions allowed by law against such responsible parties. Nothing in this act shall affect the rights and powers of the commonwealth or the department of environmental protection under chapter 21E of the General Laws in connection with the railroad depot project.

SECTION 6. This act shall take effect upon its passage.

Approved February 22, 2007.

Chapter 18. AN ACT VALIDATING THE ACTIONS TAKEN AT A CERTAIN ELECTION HELD IN THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding section 10 of chapter 41 of the General Laws or of any other general or special law to the contrary, the actions of the town of Wareham with regard to the placement of the office of selectman on the ballot to fill a vacancy at the April 3, 2007 annual town election, and all actions taken pursuant thereto are hereby ratified, validated and confirmed, notwithstanding the failure to notify the town clerk to place the office on the ballot within the time frame provided by law.