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**Chapter 139. AN ACT VALIDATING THE PROCEEDINGS OF THE ANNUAL TOWN ELECTION IN THE TOWN OF CLINTON.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding the provisions of any general or special law to the contrary, all acts and proceedings of the town of Clinton at its annual town election held on May second, nineteen hundred and ninety-four and all actions taken pursuant thereto are hereby ratified, validated, and confirmed notwithstanding any defect or omission in the calling of said election.

**SECTION 2.** This act shall take effect upon its passage.

Approved September 15, 1994.

**Chapter 140. AN ACT ESTABLISHING AN EARLY RETIREMENT INCENTIVE PROGRAM FOR EMPLOYEES OF THE CITY OF GARDNER.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding the provisions of chapter thirty-two of the General Laws or any other general or special law to the contrary, the city of Gardner and the Gardner retirement board shall establish and implement a retirement incentive program for employees of the city of Gardner, hereinafter referred to as the retirement incentive program, in accordance with the provisions of this act; provided, however, that in order to be deemed eligible by said board for any of the benefit options under the retirement incentive program, an employee (i) shall be an active employee of the city of Gardner on the effective date of this act; (ii) shall be classified in Group 1, Group 2, or Group 4 of said retirement system in accordance with the provisions of paragraph (g) of subdivision (2) of section three of said chapter thirty-two; (iii) shall be eligible to receive a superannuation retirement allowance in accordance with the provisions of subdivision (1) of section five of said chapter thirty-two or of subdivision (1) of section ten of said chapter thirty-two upon the date of his written application with said board; (iv) shall have at least twenty-five years of creditable service; (v) shall have filed such written application with said board within twenty days of the effective date of this act to retire for superannuation as of the date which shall be specified in such application; provided, however, that said date for retirement shall be no later than forty-five days after the effective date of this act. Said program shall be administered by the city of Gardner retirement system, which shall promulgate regulations to implement the provisions of said program.

Notwithstanding any provisions of said chapter thirty-two to the contrary, the normal yearly amount of the retirement allowance for an eligible employee who is employed by the city of Gardner and who has paid the full amount of regular deductions on the total amount of regular compensation as determined under paragraph (a) of subdivision (2) of section five of said chapter thirty-two, shall be based on the average annual rate of regular compensation as determined under said paragraph (a) and shall be computed according to the table con-