

HOUSE No. 01831

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven.

February 16, 2011

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, “An Act Validating the Actions Taken at the Annual Town Election Held in the Town of North Brookfield.”

Senator Brewer, Representative Gobi and the North Brookfield Board of Selectmen have requested that I file this special legislation on behalf of the Town to validate a vote taken at the Annual Town Election, held on May 3, 2010, to approve a proposed borrowing, subject to a Proposition 2 ½ exclusion, to repair the Town-owned Horse Farm Dam. Validation of the vote is necessary because the text of the question was inadvertently left off the posted Annual Town Election Warrant. The question did, however, appear on the actual ballot and was approved by a vote of 168 to 90.

The bill’s sponsors are confident that the townspeople were sufficiently informed of the repair project and required funding through local media coverage and extensive public discussion. The Town is seeking a prompt validation of the vote because the dam, which is part of the Town’s sole surface drinking water supply, has been labeled a high-hazard risk by the Massachusetts Office of Dam Safety. As such, the Town seeks to begin and complete this repair project as soon as possible.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

DEVAL L. PATRICK, Governor.

SECTION 1. Notwithstanding the provisions of section 64 of chapter 54 of the general laws, or of any other general or special law to the contrary, the vote passed by the voters of the town of North Brookfield at the election held on May 3, 2010 to exempt from the provisions of section 21C of chapter 59 of the General Laws the amounts required to pay for the bonds to be issued in order to pay the costs of engineering, construction, phase II inspection and all related work and costs incidental to repairing Horse Pond Dam, is hereby ratified, validated and confirmed, notwithstanding any defect or omission with regard to the warrant for the election.

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