

**SPECIAL TOWN MEETING
October 2, 2017**

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

To Ms. Kim Batista, Town Clerk of the Town of Ludlow in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote on Town affairs to meet at the **Ludlow High School Auditorium**, 500 Chapin Street, Ludlow, Massachusetts on **Monday, October 2, 2017** at 7:30 p.m., if the Auditorium of the LUDLOW HIGH SCHOOL, shall not, in the opinion of the Moderator, be adequate to contain such Inhabitants who shall meet, then to meet also in and such other locations in the LUDLOW HIGH SCHOOL as the Moderator deems appropriate, at such time and place then and there for the purpose of acting on the following articles in the warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for **UNPAID BILLS AND/OR OVEREXPENDED ACCOUNTS OF PREVIOUS YEARS**; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

9/10th Vote Required

ARTICLE 2: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Personal Services Account for the Police Department for Fiscal Year 2018 to fund the negotiated retroactive pay increase of 2% for Fiscal Year 2017 including the Town's contribution to employee benefits for both the Ludlow Police Patrol Officers, I.B.P.O. Local 374 and the Ludlow Police Supervisors, I.B.P.O Local 487; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 3: To see if the Town will vote to amend the Town of Ludlow General Bylaws, Chapter VIII, Regulating Unregistered Cars by deleting it in its entirety and replacing with a new Chapter VIII, Regulating Unregistered Cars which allows for better descriptions of how to abide by the Bylaw, what actions constitute a violation and stricter enforcement regulations; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by replacing with:

REGULATING UNREGISTERED CARS

This article shall not apply to off-road recreational vehicles. This Bylaw shall not apply to vehicles used for farming purposes.

1. No person not licensed to do so, shall keep, store or park any unregistered, junked or dilapidated motor vehicle, as defined in the General Laws, which are required to be registered in order to be operated upon the ways of the Commonwealth.
2. For the purposes of this bylaw a “junked or dilapidated motor vehicle” shall also include a motor vehicle which is registered for which no current Massachusetts inspection sticker has been issued.
3. Motor vehicles that are **unregistered, disassembled in any way, and/or is being used as a habitat by animals,**
 - a. Shall not be kept on any premises within the Town unless such vehicle(s) are either:
 - i. Stored within a totally enclosed and lawfully permitted building with sidewalls and a roof.
 - ii. Stored out of sight (including covered with an appropriate “car cover”) from abutting properties and public ways. **Car cover shall mean an appropriate custom car cover that is designed to fit the motor vehicle which it is covering. It should be of a breathable or other custom material(s) that are designed to protect a motor vehicle from the elements. Plastic tarps are not appropriate car covers.**
 - b. Any open-air storage of more than **one (1)** unregistered or inoperable vehicle is prohibited on any lot where the principal use of such lot is residential in nature.
 - c. For the purposes of this Bylaw, all contiguous parcels of land in common ownership will be considered one lot.
4. No motor vehicle may be offered for sale on any premises except in accordance with a license granted under M.G.L. Ch. 140 s.57. A motor vehicle may be offered for sale by owner if:
 - a. The motor vehicle is legally owned by the owner or tenant of the premises.
 - b. The owner of the motor vehicle (**unregistered only**) has sought and received permission from the Police Department.

- c. Permission may be issued by the Police Department at its discretion for a period not to exceed thirty (30) days.
- d. No more than two (2) vehicles will be permitted to be posted for sale on the same premises within a calendar year.
- e. No more than one (1) vehicle will be permitted to be posted for sale at one time.

5. Enforcement:

- a. Any person that continues to violate any sections of this Bylaw after seven (7) calendar days following receipt of written notice of violation for each offense shall be liable for a fine of not more than one-hundred (\$100.00) dollars for each offense.
- b. Each day that a violation continues after said seven (7) calendar day period shall be treated as a separate offense.
- c. Any violation that is corrected and then recurs within one year following the written notice of the original violation shall be considered a repeat violation subject to an immediate penalty not more than two hundred (\$200.00) dollars for each offense and each day the repeat violation continues shall constitute a separate offense.

- 6. The notice of violation may be issued by any Police Officer or Zoning Enforcement Official, and such violations shall be subject to non-criminal disposition pursuant to Article XIII of the Ludlow General Bylaws.

ARTICLE 4: To see if the Town will vote to re-establish a revolving fund for the Conservation Commission pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive the additional \$5.00 per dog licensing fee collected by the Town Clerk, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Conservation Commission, up to the limit to be established by the Town to pay for the care and maintenance of the dog park located within the Town; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 5: To see if the Town will vote to amend the Town of Ludlow General Bylaws **Section 42: DEPARTMENTAL REVOLVING FUNDS** by adding a new revolving fund to the established table of revolving funds for the use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E ½; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by adding;

Dog Park	Conservation Commission	Receive additional \$5.00 for dog licensure that was increased pursuant to A.5, STM, May9, 2016	Care and maintenance of dog park			Fiscal Year 2018 and subsequent years.
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ARTICLE 6: To see if the Town will vote to re-accept the provisions of Massachusetts General Laws Chapter 32B, Section 20 which provides for the establishment of an Other Post-Employment Benefits Liability Trust Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 7: To see if the Town will vote to supplement each prior vote of the Town that authorized the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 8: To see if the Town will vote to raise and appropriate a sum of money not to exceed one hundred thousand dollars (\$100,000) for engaging the services of a Communications Engineering consultant to conduct the “Procurement and Implementation Phase” of the towns multi-frequency voice/radio communications systems upgrade; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

2/3 Vote Required

ARTICLE 9: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION VI: Special Land Use Regulations. Section 6.2 HOME OCCUPATIONS, by deleting section 6.2.7 in its entirety and replacing it with the following:**

Old Section:

6.2.7 Only one vehicle parked on the property may be a commercial vehicle and of not more than 10,000 pounds G.V.W (Gross Vehicle Weight). In all, the total number of vehicles parked on the property during business hours should not exceed by more than two (2) the number of vehicles parked during non-business hours.

New section to read.

6.2.7 Vehicles and Accessory Equipment

a. Only one vehicle parked on the property may be a commercial vehicle. Allowed vehicles must be classified as: Class 1 (any), Class 2 (any), or Class 3 ("Heavy-Duty Pickup"). In all, the number of vehicles parked on the property during business hours should not exceed by more than two (2) the number of vehicles parked during non-business hours. (See size classification chart in back of bylaw.)

b. Accessory Equipment: In connection with the home occupation there will only be allowed one piece of accessory equipment. Accessory equipment per this bylaw includes open utility trailers and cargo trailers. Accessory equipment does not include what will be stored on or in the open utility trailers and cargo trailers. Accessory equipment cannot be stored in the front or side yards of the property or on the street. Heavy equipment more than 10,000 pounds G.V.W. (Gross Vehicle Weight) is not permitted to be on site. Heavy equipment refers to heavy-duty [vehicles](#), specially designed for executing [construction](#) tasks, most frequently ones involving [earthwork operations](#).

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3 Vote Required

ARTICLE 10: To see if the Town will vote to authorize the Board of Selectmen to accept the grant award through the Parkland Acquisitions and Renovations for Communities (PARC) Grant Program for the replacement of the Whitney Park Bleachers with new ADA Compliant bleachers and to use available funds as the towns portion of said grant and that the Recreation Commission and/or the Board of Public Works be authorized to file any applications necessary to obtain such grants and/or reimbursements. Further that the property known as Whitney Park is dedicated to active recreational purposes; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 11: To see if the Town will vote to declare as surplus approximately 23,431 sq. ft. or .538 acres located on Center Street which was part of the discontinuance of Sykes Street and as shown on a plan prepared by Sherman & Frydryk, LLC. And further to see if the Town will vote to transfer this land from municipal purposes to the purpose of sale, through the Board of Selectmen, to abutting property owners and to authorize the Board of Selectmen to determine the price and procedure for said disposition, and to execute any deeds or other documents necessary to carry out said transfers; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 12: To see if the Town will vote to raise and appropriate and/or bond a sum of money not to exceed \$9,800,000. for the construction of a new Ludlow Senior Center, including acquisition and land clearing of land, prepare the site, design, prepare construction drawings and bid packages, development expenses, to also include necessary furnishings, equipment, landscaping, parking and other misc. building or structures for housing of vans, snow removal equipment (snow blower and salt), and other outdoor entertainment; pass any vote or take any action relative thereto. Submitted by the Senior Center Building Committee.

Article will be postponed

And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town fourteen (14) days at least before the time of holding said meeting.

A true copy,

ATTEST:

WILLIAM E. ROONEY

CHAIRMAN

MANUEL D. SILVA

CARMINA D. FERNANDES

BRIAN M. MANNIX

DEREK G. DEBARGE

**BOARD OF SELECTMEN
LUDLOW, MASSACHUSETTS**

September 5, 2017

I hereby certify that I have posted the above warrant in seven (7) places in the Town of Ludlow.

2017

Town Clerk